

1 AN ACT to create the Kids Share Endowment Act.

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

4 Section 1. Short title. This Act may be cited as the  
5 Kids Share Endowment Act.

6 Section 5. Purpose. The General Assembly finds that  
7 there is a great need for local community initiatives that  
8 are developed by community collaborations and improve and  
9 promote positive outcomes for children, youth, and their  
10 families. It is the purpose of this Act to establish the  
11 Kids Share Endowment Program to support, fund, and evaluate  
12 these initiatives.

13 Section 10. Definitions. In this Act:

14 "Authority" means the Kids Share Endowment Authority.

15 "Board" means the Board of Directors of the Kids Share  
16 Endowment Authority.

17 "Community collaboration" means a broad group of  
18 community members, representing a wide range of perspectives,  
19 that work together to develop and achieve a common vision or  
20 goal.

21 "Program" means the Kids Share Endowment Program.

22 Section 15. Kids Share Endowment Authority and Program;  
23 Board of Directors.

24 (a) The Kids Share Endowment Authority is created to  
25 administer the Program under this Act.

26 (b) The Kids Share Endowment Program is created within  
27 the Authority.

28 (c) The governing powers of the Authority are vested in  
29 a Board of Directors of the Kids Share Endowment Authority.

1 The chairperson of the Board is the Governor. There are 19  
2 additional voting members:

3 (1) as ex officio members, each of the following or  
4 his or her respective designee: the State Superintendent  
5 of Education, the Secretary of Human Services, the  
6 Director of Public Health, the Attorney General, and the  
7 Director of Children and Family Services;

8 (2) 4 members appointed by the Governor who are  
9 members of the General Assembly, 2 of whom are Senators  
10 and not of the same political party and 2 of whom are  
11 Representatives and not of the same political party; and

12 (3) 10 members appointed by the Governor, including  
13 one each representing social services, a statewide  
14 organization representing education, a civic  
15 organization, business, a statewide organization  
16 representing the interests of children, parents,  
17 research, a statewide organization representing  
18 municipalities, a statewide organization representing law  
19 enforcement, and a statewide organization representing  
20 park districts.

21 The non-legislative appointed members shall be appointed  
22 for 3-year terms. Of the non-legislative members initially  
23 appointed by the Governor under this Act, 3 shall serve until  
24 July 1, 2003, 3 shall serve until July 1, 2004, and 4 shall  
25 serve until July 1, 2005. Legislative members shall serve  
26 during the term for which they where elected to the General  
27 Assembly.

28 Eleven members constitute a quorum. The members shall not  
29 receive any compensation but shall be reimbursed for all  
30 reasonable and necessary expenses incurred in the performance  
31 of their duties.

32 Section 20. Powers and duties.

33 (a) The duties of the Authority under this Act include

1 the following:

2 (1) Administering the Kids Share Endowment Program.

3 (2) Seeking, with the assistance of the Board, and  
4 receiving funds that may be available from private and  
5 public sources for the use of the Program.

6 (3) Distributing grants, subject to the approval of  
7 the Board and to appropriations and other funding, to  
8 community collaborations that address the healthy  
9 development of children, youth, and families. The  
10 Program may make financial commitments to grant  
11 recipients for periods up to 3 years, subject to annual  
12 review and approval. Approval of an initial grant or  
13 annual grant renewal is contingent upon submission of a  
14 local strategic plan that includes outcome-based  
15 programs.

16 (4) Allocating a designated amount of the Endowment  
17 to provide technical assistance, training, and evaluation  
18 to help build the capacities of community collaborations.  
19 This technical assistance should include assistance to  
20 help collaborations identify needs, create a strategic  
21 plan, maximize resources, and design collaborative  
22 approaches, based on best practices, to achieve  
23 identified outcomes. The Program is to ensure that  
24 technical assistance, training, and evaluation continue  
25 to be available to communities to ensure that they  
26 achieve positive results for Illinois' children. The  
27 Board and the Office of the Governor may contract with  
28 not-for-profit or other outside agencies to provide the  
29 technical assistance required under this paragraph.

30 (5) Allocating reasonable amounts of appropriations  
31 and funding for costs necessary for the administration of  
32 this Act and the Program.

33 (b) The Authority has those powers that are necessary to  
34 carry out the purposes of this Act, including, without

1 limitation, the power to:

2 (1) appoint an Executive Director of the  
3 Authority, who shall, subject to the provisions of this  
4 Act, execute the powers and discharge the duties vested  
5 by law in the Authority and administer the Kids Share  
6 Endowment Program;

7 (2) employ agents and employees necessary to carry  
8 out the purposes of this Act and fix their compensation,  
9 benefits, terms, and conditions of employment;

10 (3) contract with not-for-profit and other outside  
11 agencies for purposes of administering this Act, and  
12 enforce the terms of any contract entered into, whether  
13 in law or equity, or by other legal means; and

14 (4) adopt any rules necessary to implement this  
15 Act.

16 Section 25. Applications for grants.

17 (a) The Kids Share Endowment Program shall provide money  
18 to support local community collaborations through funding,  
19 evaluation, and technical assistance.

20 (b) To be eligible to receive funding from the Kids  
21 Share Endowment Program, a community collaboration must:

22 (1) Develop a strategic plan that addresses local  
23 needs, maximizes resources, and builds on existing  
24 strengths. The strategic plan must include:

25 (A) a description of goals and objectives  
26 proposed to be obtained;

27 (B) a description of the programs, services,  
28 and projects to be provided;

29 (C) a description of how measurable outcomes  
30 of the programs, services, and projects will be  
31 determined using appropriate, reliable indicators;  
32 and

33 (D) a description of how the programs,  
34 services, and projects will be integrated into a

1 consumer-oriented and easily accessible system.

2 (2) Demonstrate effective use of current federal,  
3 State, and local dollars and why sufficient funding for  
4 the proposal is not available through current traditional  
5 funding streams.

6 (c) A successful community designed proposal for funding  
7 may focus on these or other areas:

8 (1) enhancing the quality of existing services for  
9 children, youth, and families;

10 (2) filling service gaps that current funding  
11 streams do not address;

12 (3) promoting healthy social-emotional development  
13 of children and youth;

14 (4) improving and developing facilities to service  
15 children, youth, and their families;

16 (5) short term, one-time expenses; and

17 (6) pilot projects.

18 Section 30. Kids Share Endowment Program Fund. The Kids  
19 Share Endowment Program Fund is created as a special fund in  
20 the State Treasury. Moneys shall be transferred into the  
21 Kids Share Endowment Program Fund from the Tobacco Settlement  
22 Recovery Fund in accordance with Section 6z-43 of the State  
23 Finance Act. All interest or other earnings that accrue from  
24 investment of the Kids Share Endowment Program Fund moneys  
25 shall be credited to the Kids Share Endowment Program Fund.  
26 Moneys in the Fund may be expended, pursuant to  
27 appropriation, for purposes consistent with the authority and  
28 purposes specified by this Act. The Program may also receive  
29 funding from private and other State or federal sources.

30 Section 90. The State Finance Act is amended by changing  
31 Section 6z-43 and adding Section 5.545 as follows:

1 (30 ILCS 105/5.545 new)

2 Sec. 5.545. The Kids Share Endowment Program Fund.

3 (30 ILCS 105/6z-43)

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

5 (a) There is created in the State Treasury a special  
6 fund to be known as the Tobacco Settlement Recovery Fund,  
7 into which shall be deposited all monies paid to the State  
8 pursuant to (1) the Master Settlement Agreement entered in  
9 the case of People of the State of Illinois v. Philip Morris,  
10 et al. (Circuit Court of Cook County, No. 96-L13146) and (2)  
11 any settlement with or judgment against any tobacco product  
12 manufacturer other than one participating in the Master  
13 Settlement Agreement in satisfaction of any released claim as  
14 defined in the Master Settlement Agreement, as well as any  
15 other monies as provided by law. All earnings on Fund  
16 investments shall be deposited into the Fund. Upon the  
17 creation of the Fund, the State Comptroller shall order the  
18 State Treasurer to transfer into the Fund any monies paid to  
19 the State as described in item (1) or (2) of this Section  
20 before the creation of the Fund plus any interest earned on  
21 the investment of those monies. The Treasurer may invest the  
22 moneys in the Fund in the same manner, in the same types of  
23 investments, and subject to the same limitations provided in  
24 the Illinois Pension Code for the investment of pension funds  
25 other than those established under Article 3 or 4 of the  
26 Code.

27 (b) As soon as may be practical after June 30, 2001, the  
28 State Comptroller shall direct and the State Treasurer shall  
29 transfer the unencumbered balance in the Tobacco Settlement  
30 Recovery Fund as of June 30, 2001 into the Budget  
31 Stabilization Fund. The Treasurer may invest the moneys in  
32 the Budget Stabilization Fund in the same manner, in the same  
33 types of investments, and subject to the same limitations

1 provided in the Illinois Pension Code for the investment of  
2 pension funds other than those established under Article 3 or  
3 4 of the Code.

4 (c) For the 6-year period beginning on July 1, 2002, as  
5 soon as practical after July 1 of each year, the State  
6 Comptroller shall order transferred and the State Treasurer  
7 shall transfer from the Tobacco Settlement Recovery Fund into  
8 the Kids Share Endowment Program Fund the sum of \$50,000,000  
9 from deposits made into the Tobacco Settlement Recovery Fund  
10 during the fiscal year immediately preceding July 1 of each  
11 of these respective years.

12 (Source: P.A. 91-646, eff. 11-19-99; 91-704, eff. 7-1-00;  
13 91-797, eff. 6-9-00; revised 6-28-00.)

14 Section 99. Effective date. This Act takes effect upon  
15 becoming law.