

1 AN ACT concerning gaming.

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

4 Section 1. This Act may be referred to as the Illinois  
5 Homeless Veterans and Working Families Lottery Law.

6 Section 5. The Illinois Lottery Law is amended by changing  
7 Sections 2, 9, 9.1, and 20 and by adding Section 21.10 as  
8 follows:

9 (20 ILCS 1605/2) (from Ch. 120, par. 1152)

10 (Text of Section before amendment by P.A. 100-466)

11 Sec. 2. This Act is enacted to implement and establish  
12 within the State a lottery to be conducted by the State through  
13 the Department. The entire net proceeds of the Lottery are to  
14 be used for the support of the State's Common School Fund,  
15 except as provided in subsection (o) of Section 9.1 and  
16 Sections 21.5, 21.6, 21.7, 21.8, ~~and 21.9,~~ and 21.10. The  
17 General Assembly finds that it is in the public interest for  
18 the Department to conduct the functions of the Lottery with the  
19 assistance of a private manager under a management agreement  
20 overseen by the Department. The Department shall be accountable  
21 to the General Assembly and the people of the State through a  
22 comprehensive system of regulation, audits, reports, and

1 enduring operational oversight. The Department's ongoing  
2 conduct of the Lottery through a management agreement with a  
3 private manager shall act to promote and ensure the integrity,  
4 security, honesty, and fairness of the Lottery's operation and  
5 administration. It is the intent of the General Assembly that  
6 the Department shall conduct the Lottery with the assistance of  
7 a private manager under a management agreement at all times in  
8 a manner consistent with 18 U.S.C. 1307(a)(1), 1307(b)(1),  
9 1953(b)(4).

10 (Source: P.A. 98-649, eff. 6-16-14; 99-933, eff. 1-27-17.)

11 (Text of Section after amendment by P.A. 100-466)

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3 administration. It is the intent of the General Assembly that  
4 the Department shall conduct the Lottery with the assistance of  
5 a private manager under a management agreement at all times in  
6 a manner consistent with 18 U.S.C. 1307(a)(1), 1307(b)(1),  
7 1953(b)(4).

8 Beginning with Fiscal Year 2018 and every year thereafter,  
9 any moneys transferred from the State Lottery Fund to the  
10 Common School Fund shall be supplemental to, and not in lieu  
11 of, any other money due to be transferred to the Common School  
12 Fund by law or appropriation.

13 (Source: P.A. 99-933, eff. 1-27-17; 100-466, eff. 6-1-18.)

14 (20 ILCS 1605/9) (from Ch. 120, par. 1159)

15 Sec. 9. The Director, as administrative head of the  
16 Department, shall direct and supervise all its administrative  
17 and technical activities. In addition to the duties imposed  
18 upon him elsewhere in this Act, it shall be the Director's  
19 duty:

20 a. To supervise and administer the operation of the  
21 lottery in accordance with the provisions of this Act or  
22 such rules and regulations of the Department adopted  
23 thereunder.

24 b. To attend meetings of the Board or to appoint a  
25 designee to attend in his stead.

1           c. To employ and direct such personnel in accord with  
2           the Personnel Code, as may be necessary to carry out the  
3           purposes of this Act. In addition, the Director may by  
4           agreement secure such services as he or she may deem  
5           necessary from any other department, agency, or unit of the  
6           State government, and may employ and compensate such  
7           consultants and technical assistants as may be required and  
8           is otherwise permitted by law.

9           d. To license, in accordance with the provisions of  
10          Sections 10 and 10.1 of this Act and the rules and  
11          regulations of the Department adopted thereunder, as  
12          agents to sell lottery tickets such persons as in his  
13          opinion will best serve the public convenience and promote  
14          the sale of tickets or shares. The Director may require a  
15          bond from every licensed agent, in such amount as provided  
16          in the rules and regulations of the Department. Every  
17          licensed agent shall prominently display his license, or a  
18          copy thereof, as provided in the rules and regulations of  
19          the Department.

20          e. To suspend or revoke any license issued pursuant to  
21          this Act or the rules and regulations promulgated by the  
22          Department thereunder.

23          f. To confer regularly as necessary or desirable and  
24          not less than once every month with the Lottery Control  
25          Board on the operation and administration of the Lottery;  
26          to make available for inspection by the Board or any member

1 of the Board, upon request, all books, records, files, and  
2 other information and documents of his office; to advise  
3 the Board and recommend such rules and regulations and such  
4 other matters as he deems necessary and advisable to  
5 improve the operation and administration of the lottery.

6 g. To enter into contracts for the operation of the  
7 lottery, or any part thereof, and into contracts for the  
8 promotion of the lottery on behalf of the Department with  
9 any person, firm or corporation, to perform any of the  
10 functions provided for in this Act or the rules and  
11 regulations promulgated thereunder. The Department shall  
12 not expend State funds on a contractual basis for such  
13 functions unless those functions and expenditures are  
14 expressly authorized by the General Assembly.

15 h. To enter into an agreement or agreements with the  
16 management of state lotteries operated pursuant to the laws  
17 of other states for the purpose of creating and operating a  
18 multi-state lottery game wherein a separate and distinct  
19 prize pool would be combined to award larger prizes to the  
20 public than could be offered by the several state  
21 lotteries, individually. No tickets or shares offered in  
22 connection with a multi-state lottery game shall be sold  
23 within the State of Illinois, except those offered by and  
24 through the Department. No such agreement shall purport to  
25 pledge the full faith and credit of the State of Illinois,  
26 nor shall the Department expend State funds on a

1 contractual basis in connection with any such game unless  
2 such expenditures are expressly authorized by the General  
3 Assembly, provided, however, that in the event of error or  
4 omission by the Illinois State Lottery in the conduct of  
5 the game, as determined by the multi-state game directors,  
6 the Department shall be authorized to pay a prize winner or  
7 winners the lesser of a disputed prize or \$1,000,000, any  
8 such payment to be made solely from funds appropriated for  
9 game prize purposes. The Department shall be authorized to  
10 share in the ordinary operating expenses of any such  
11 multi-state lottery game, from funds appropriated by the  
12 General Assembly, and in the event the multi-state game  
13 control offices are physically located within the State of  
14 Illinois, the Department is authorized to advance start-up  
15 operating costs not to exceed \$150,000, subject to  
16 proportionate reimbursement of such costs by the other  
17 participating state lotteries. The Department shall be  
18 authorized to share proportionately in the costs of  
19 establishing a liability reserve fund from funds  
20 appropriated by the General Assembly. The Department is  
21 authorized to transfer prize award funds attributable to  
22 Illinois sales of multi-state lottery game tickets to the  
23 multi-state control office, or its designated depository,  
24 for deposit to such game pool account or accounts as may be  
25 established by the multi-state game directors, the records  
26 of which account or accounts shall be available at all

1 times for inspection in an audit by the Auditor General of  
2 Illinois and any other auditors pursuant to the laws of the  
3 State of Illinois. No multi-state game prize awarded to a  
4 nonresident of Illinois, with respect to a ticket or share  
5 purchased in a state other than the State of Illinois,  
6 shall be deemed to be a prize awarded under this Act for  
7 the purpose of taxation under the Illinois Income Tax Act.  
8 The Department shall promulgate such rules as may be  
9 appropriate to implement the provisions of this Section.

10 i. To make a continuous study and investigation of (1)  
11 the operation and the administration of similar laws which  
12 may be in effect in other states or countries, (2) any  
13 literature on the subject which from time to time may be  
14 published or available, (3) any Federal laws which may  
15 affect the operation of the lottery, and (4) the reaction  
16 of Illinois citizens to existing and potential features of  
17 the lottery with a view to recommending or effecting  
18 changes that will tend to serve the purposes of this Act.

19 j. To report monthly to the State Treasurer and the  
20 Lottery Control Board a full and complete statement of  
21 lottery revenues, prize disbursements and other expenses  
22 for each month and the amounts to be transferred to the  
23 Common School Fund pursuant to Section 7.2, and to make an  
24 annual report, which shall include a full and complete  
25 statement of lottery revenues, prize disbursements and  
26 other expenses, to the Governor and the Board. All reports

1 required by this subsection shall be public and copies of  
2 all such reports shall be sent to the Speaker of the House,  
3 the President of the Senate, and the minority leaders of  
4 both houses.

5 k. To keep the name and municipality of residence of  
6 the prize winner of a prize of \$250,000 or greater  
7 confidential upon the prize winner making a written request  
8 that his or her name and municipality of residence be kept  
9 confidential. The prize winner must submit his or her  
10 written request at the time of claiming the prize. The  
11 written request shall be in the form established by the  
12 Department. Nothing in this paragraph k supersedes the  
13 Department's duty to disclose the name and municipality of  
14 residence of a prize winner of a prize of \$250,000 or  
15 greater pursuant to the Freedom of Information Act.

16 (Source: P.A. 98-499, eff. 8-16-13; 99-933, eff. 1-27-17.)

17 (20 ILCS 1605/9.1)

18 Sec. 9.1. Private manager and management agreement.

19 (a) As used in this Section:

20 "Offeror" means a person or group of persons that responds  
21 to a request for qualifications under this Section.

22 "Request for qualifications" means all materials and  
23 documents prepared by the Department to solicit the following  
24 from offerors:

25 (1) Statements of qualifications.



1           (2) Proposals to enter into a management agreement,  
2           including the identity of any prospective vendor or vendors  
3           that the offeror intends to initially engage to assist the  
4           offeror in performing its obligations under the management  
5           agreement.

6           "Final offer" means the last proposal submitted by an  
7           offeror in response to the request for qualifications,  
8           including the identity of any prospective vendor or vendors  
9           that the offeror intends to initially engage to assist the  
10          offeror in performing its obligations under the management  
11          agreement.

12          "Final offeror" means the offeror ultimately selected by  
13          the Governor to be the private manager for the Lottery under  
14          subsection (h) of this Section.

15          (b) By September 15, 2010, the Governor shall select a  
16          private manager for the total management of the Lottery with  
17          integrated functions, such as lottery game design, supply of  
18          goods and services, and advertising and as specified in this  
19          Section.

20          (c) Pursuant to the terms of this subsection, the  
21          Department shall endeavor to expeditiously terminate the  
22          existing contracts in support of the Lottery in effect on the  
23          effective date of this amendatory Act of the 96th General  
24          Assembly in connection with the selection of the private  
25          manager. As part of its obligation to terminate these contracts  
26          and select the private manager, the Department shall establish

1 a mutually agreeable timetable to transfer the functions of  
2 existing contractors to the private manager so that existing  
3 Lottery operations are not materially diminished or impaired  
4 during the transition. To that end, the Department shall do the  
5 following:

6 (1) where such contracts contain a provision  
7 authorizing termination upon notice, the Department shall  
8 provide notice of termination to occur upon the mutually  
9 agreed timetable for transfer of functions;

10 (2) upon the expiration of any initial term or renewal  
11 term of the current Lottery contracts, the Department shall  
12 not renew such contract for a term extending beyond the  
13 mutually agreed timetable for transfer of functions; or

14 (3) in the event any current contract provides for  
15 termination of that contract upon the implementation of a  
16 contract with the private manager, the Department shall  
17 perform all necessary actions to terminate the contract on  
18 the date that coincides with the mutually agreed timetable  
19 for transfer of functions.

20 If the contracts to support the current operation of the  
21 Lottery in effect on the effective date of this amendatory Act  
22 of the 96th General Assembly are not subject to termination as  
23 provided for in this subsection (c), then the Department may  
24 include a provision in the contract with the private manager  
25 specifying a mutually agreeable methodology for incorporation.

26 (c-5) The Department shall include provisions in the

1 management agreement whereby the private manager shall, for a  
2 fee, and pursuant to a contract negotiated with the Department  
3 (the "Employee Use Contract"), utilize the services of current  
4 Department employees to assist in the administration and  
5 operation of the Lottery. The Department shall be the employer  
6 of all such bargaining unit employees assigned to perform such  
7 work for the private manager, and such employees shall be State  
8 employees, as defined by the Personnel Code. Department  
9 employees shall operate under the same employment policies,  
10 rules, regulations, and procedures, as other employees of the  
11 Department. In addition, neither historical representation  
12 rights under the Illinois Public Labor Relations Act, nor  
13 existing collective bargaining agreements, shall be disturbed  
14 by the management agreement with the private manager for the  
15 management of the Lottery.

16 (d) The management agreement with the private manager shall  
17 include all of the following:

18 (1) A term not to exceed 10 years, including any  
19 renewals.

20 (2) A provision specifying that the Department:

21 (A) shall exercise actual control over all  
22 significant business decisions;

23 (A-5) has the authority to direct or countermand  
24 operating decisions by the private manager at any time;

25 (B) has ready access at any time to information  
26 regarding Lottery operations;

1 (C) has the right to demand and receive information  
2 from the private manager concerning any aspect of the  
3 Lottery operations at any time; and

4 (D) retains ownership of all trade names,  
5 trademarks, and intellectual property associated with  
6 the Lottery.

7 (3) A provision imposing an affirmative duty on the  
8 private manager to provide the Department with material  
9 information and with any information the private manager  
10 reasonably believes the Department would want to know to  
11 enable the Department to conduct the Lottery.

12 (4) A provision requiring the private manager to  
13 provide the Department with advance notice of any operating  
14 decision that bears significantly on the public interest,  
15 including, but not limited to, decisions on the kinds of  
16 games to be offered to the public and decisions affecting  
17 the relative risk and reward of the games being offered, so  
18 the Department has a reasonable opportunity to evaluate and  
19 countermand that decision.

20 (5) A provision providing for compensation of the  
21 private manager that may consist of, among other things, a  
22 fee for services and a performance based bonus as  
23 consideration for managing the Lottery, including terms  
24 that may provide the private manager with an increase in  
25 compensation if Lottery revenues grow by a specified  
26 percentage in a given year.

1 (6) (Blank).

2 (7) A provision requiring the deposit of all Lottery  
3 proceeds to be deposited into the State Lottery Fund except  
4 as otherwise provided in Section 20 of this Act.

5 (8) A provision requiring the private manager to locate  
6 its principal office within the State.

7 (8-5) A provision encouraging that at least 20% of the  
8 cost of contracts entered into for goods and services by  
9 the private manager in connection with its management of  
10 the Lottery, other than contracts with sales agents or  
11 technical advisors, be awarded to businesses that are a  
12 minority-owned business, a women-owned business, or a  
13 business owned by a person with disability, as those terms  
14 are defined in the Business Enterprise for Minorities,  
15 Women, and Persons with Disabilities Act.

16 (9) A requirement that so long as the private manager  
17 complies with all the conditions of the agreement under the  
18 oversight of the Department, the private manager shall have  
19 the following duties and obligations with respect to the  
20 management of the Lottery:

21 (A) The right to use equipment and other assets  
22 used in the operation of the Lottery.

23 (B) The rights and obligations under contracts  
24 with retailers and vendors.

25 (C) The implementation of a comprehensive security  
26 program by the private manager.

1           (D) The implementation of a comprehensive system  
2 of internal audits.

3           (E) The implementation of a program by the private  
4 manager to curb compulsive gambling by persons playing  
5 the Lottery.

6           (F) A system for determining (i) the type of  
7 Lottery games, (ii) the method of selecting winning  
8 tickets, (iii) the manner of payment of prizes to  
9 holders of winning tickets, (iv) the frequency of  
10 drawings of winning tickets, (v) the method to be used  
11 in selling tickets, (vi) a system for verifying the  
12 validity of tickets claimed to be winning tickets,  
13 (vii) the basis upon which retailer commissions are  
14 established by the manager, and (viii) minimum  
15 payouts.

16           (10) A requirement that advertising and promotion must  
17 be consistent with Section 7.8a of this Act.

18           (11) A requirement that the private manager market the  
19 Lottery to those residents who are new, infrequent, or  
20 lapsed players of the Lottery, especially those who are  
21 most likely to make regular purchases on the Internet as  
22 permitted by law.

23           (12) A code of ethics for the private manager's  
24 officers and employees.

25           (13) A requirement that the Department monitor and  
26 oversee the private manager's practices and take action

1           that the Department considers appropriate to ensure that  
2           the private manager is in compliance with the terms of the  
3           management agreement, while allowing the manager, unless  
4           specifically prohibited by law or the management  
5           agreement, to negotiate and sign its own contracts with  
6           vendors.

7           (14) A provision requiring the private manager to  
8           periodically file, at least on an annual basis, appropriate  
9           financial statements in a form and manner acceptable to the  
10          Department.

11          (15) Cash reserves requirements.

12          (16) Procedural requirements for obtaining the prior  
13          approval of the Department when a management agreement or  
14          an interest in a management agreement is sold, assigned,  
15          transferred, or pledged as collateral to secure financing.

16          (17) Grounds for the termination of the management  
17          agreement by the Department or the private manager.

18          (18) Procedures for amendment of the agreement.

19          (19) A provision requiring the private manager to  
20          engage in an open and competitive bidding process for any  
21          procurement having a cost in excess of \$50,000 that is not  
22          a part of the private manager's final offer. The process  
23          shall favor the selection of a vendor deemed to have  
24          submitted a proposal that provides the Lottery with the  
25          best overall value. The process shall not be subject to the  
26          provisions of the Illinois Procurement Code, unless

1 specifically required by the management agreement.

2 (20) The transition of rights and obligations,  
3 including any associated equipment or other assets used in  
4 the operation of the Lottery, from the manager to any  
5 successor manager of the lottery, including the  
6 Department, following the termination of or foreclosure  
7 upon the management agreement.

8 (21) Right of use of copyrights, trademarks, and  
9 service marks held by the Department in the name of the  
10 State. The agreement must provide that any use of them by  
11 the manager shall only be for the purpose of fulfilling its  
12 obligations under the management agreement during the term  
13 of the agreement.

14 (22) The disclosure of any information requested by the  
15 Department to enable it to comply with the reporting  
16 requirements and information requests provided for under  
17 subsection (p) of this Section.

18 (e) Notwithstanding any other law to the contrary, the  
19 Department shall select a private manager through a competitive  
20 request for qualifications process consistent with Section  
21 20-35 of the Illinois Procurement Code, which shall take into  
22 account:

23 (1) the offeror's ability to market the Lottery to  
24 those residents who are new, infrequent, or lapsed players  
25 of the Lottery, especially those who are most likely to  
26 make regular purchases on the Internet;



1           (2) the offeror's ability to address the State's  
2 concern with the social effects of gambling on those who  
3 can least afford to do so;

4           (3) the offeror's ability to provide the most  
5 successful management of the Lottery for the benefit of the  
6 people of the State based on current and past business  
7 practices or plans of the offeror; and

8           (4) the offeror's poor or inadequate past performance  
9 in servicing, equipping, operating or managing a lottery on  
10 behalf of Illinois, another State or foreign government and  
11 attracting persons who are not currently regular players of  
12 a lottery.

13           (f) The Department may retain the services of an advisor or  
14 advisors with significant experience in financial services or  
15 the management, operation, and procurement of goods, services,  
16 and equipment for a government-run lottery to assist in the  
17 preparation of the terms of the request for qualifications and  
18 selection of the private manager. Any prospective advisor  
19 seeking to provide services under this subsection (f) shall  
20 disclose any material business or financial relationship  
21 during the past 3 years with any potential offeror, or with a  
22 contractor or subcontractor presently providing goods,  
23 services, or equipment to the Department to support the  
24 Lottery. The Department shall evaluate the material business or  
25 financial relationship of each prospective advisor. The  
26 Department shall not select any prospective advisor with a

1 substantial business or financial relationship that the  
2 Department deems to impair the objectivity of the services to  
3 be provided by the prospective advisor. During the course of  
4 the advisor's engagement by the Department, and for a period of  
5 one year thereafter, the advisor shall not enter into any  
6 business or financial relationship with any offeror or any  
7 vendor identified to assist an offeror in performing its  
8 obligations under the management agreement. Any advisor  
9 retained by the Department shall be disqualified from being an  
10 offeror. The Department shall not include terms in the request  
11 for qualifications that provide a material advantage whether  
12 directly or indirectly to any potential offeror, or any  
13 contractor or subcontractor presently providing goods,  
14 services, or equipment to the Department to support the  
15 Lottery, including terms contained in previous responses to  
16 requests for proposals or qualifications submitted to  
17 Illinois, another State or foreign government when those terms  
18 are uniquely associated with a particular potential offeror,  
19 contractor, or subcontractor. The request for proposals  
20 offered by the Department on December 22, 2008 as  
21 "LOT08GAMESYS" and reference number "22016176" is declared  
22 void.

23 (g) The Department shall select at least 2 offerors as  
24 finalists to potentially serve as the private manager no later  
25 than August 9, 2010. Upon making preliminary selections, the  
26 Department shall schedule a public hearing on the finalists'

1 proposals and provide public notice of the hearing at least 7  
2 calendar days before the hearing. The notice must include all  
3 of the following:

4 (1) The date, time, and place of the hearing.

5 (2) The subject matter of the hearing.

6 (3) A brief description of the management agreement to  
7 be awarded.

8 (4) The identity of the offerors that have been  
9 selected as finalists to serve as the private manager.

10 (5) The address and telephone number of the Department.

11 (h) At the public hearing, the Department shall (i) provide  
12 sufficient time for each finalist to present and explain its  
13 proposal to the Department and the Governor or the Governor's  
14 designee, including an opportunity to respond to questions  
15 posed by the Department, Governor, or designee and (ii) allow  
16 the public and non-selected offerors to comment on the  
17 presentations. The Governor or a designee shall attend the  
18 public hearing. After the public hearing, the Department shall  
19 have 14 calendar days to recommend to the Governor whether a  
20 management agreement should be entered into with a particular  
21 finalist. After reviewing the Department's recommendation, the  
22 Governor may accept or reject the Department's recommendation,  
23 and shall select a final offeror as the private manager by  
24 publication of a notice in the Illinois Procurement Bulletin on  
25 or before September 15, 2010. The Governor shall include in the  
26 notice a detailed explanation and the reasons why the final

1 offeror is superior to other offerors and will provide  
2 management services in a manner that best achieves the  
3 objectives of this Section. The Governor shall also sign the  
4 management agreement with the private manager.

5 (i) Any action to contest the private manager selected by  
6 the Governor under this Section must be brought within 7  
7 calendar days after the publication of the notice of the  
8 designation of the private manager as provided in subsection  
9 (h) of this Section.

10 (j) The Lottery shall remain, for so long as a private  
11 manager manages the Lottery in accordance with provisions of  
12 this Act, a Lottery conducted by the State, and the State shall  
13 not be authorized to sell or transfer the Lottery to a third  
14 party.

15 (k) Any tangible personal property used exclusively in  
16 connection with the lottery that is owned by the Department and  
17 leased to the private manager shall be owned by the Department  
18 in the name of the State and shall be considered to be public  
19 property devoted to an essential public and governmental  
20 function.

21 (l) The Department may exercise any of its powers under  
22 this Section or any other law as necessary or desirable for the  
23 execution of the Department's powers under this Section.

24 (m) Neither this Section nor any management agreement  
25 entered into under this Section prohibits the General Assembly  
26 from authorizing forms of gambling that are not in direct

1 competition with the Lottery.

2 (n) The private manager shall be subject to a complete  
3 investigation in the third, seventh, and tenth years of the  
4 agreement (if the agreement is for a 10-year term) by the  
5 Department in cooperation with the Auditor General to determine  
6 whether the private manager has complied with this Section and  
7 the management agreement. The private manager shall bear the  
8 cost of an investigation or reinvestigation of the private  
9 manager under this subsection.

10 (o) The powers conferred by this Section are in addition  
11 and supplemental to the powers conferred by any other law. If  
12 any other law or rule is inconsistent with this Section,  
13 including, but not limited to, provisions of the Illinois  
14 Procurement Code, then this Section controls as to any  
15 management agreement entered into under this Section. This  
16 Section and any rules adopted under this Section contain full  
17 and complete authority for a management agreement between the  
18 Department and a private manager. No law, procedure,  
19 proceeding, publication, notice, consent, approval, order, or  
20 act by the Department or any other officer, Department, agency,  
21 or instrumentality of the State or any political subdivision is  
22 required for the Department to enter into a management  
23 agreement under this Section. This Section contains full and  
24 complete authority for the Department to approve any contracts  
25 entered into by a private manager with a vendor providing  
26 goods, services, or both goods and services to the private

1 manager under the terms of the management agreement, including  
2 subcontractors of such vendors.

3       Upon receipt of a written request from the Chief  
4 Procurement Officer, the Department shall provide to the Chief  
5 Procurement Officer a complete and un-redacted copy of the  
6 management agreement or any contract that is subject to the  
7 Department's approval authority under this subsection (o). The  
8 Department shall provide a copy of the agreement or contract to  
9 the Chief Procurement Officer in the time specified by the  
10 Chief Procurement Officer in his or her written request, but no  
11 later than 5 business days after the request is received by the  
12 Department. The Chief Procurement Officer must retain any  
13 portions of the management agreement or of any contract  
14 designated by the Department as confidential, proprietary, or  
15 trade secret information in complete confidence pursuant to  
16 subsection (g) of Section 7 of the Freedom of Information Act.  
17 The Department shall also provide the Chief Procurement Officer  
18 with reasonable advance written notice of any contract that is  
19 pending Department approval.

20       Notwithstanding any other provision of this Section to the  
21 contrary, the Chief Procurement Officer shall adopt  
22 administrative rules, including emergency rules, to establish  
23 a procurement process to select a successor private manager if  
24 a private management agreement has been terminated. The  
25 selection process shall at a minimum take into account the  
26 criteria set forth in items (1) through (4) of subsection (e)

1 of this Section and may include provisions consistent with  
2 subsections (f), (g), (h), and (i) of this Section. The Chief  
3 Procurement Officer shall also implement and administer the  
4 adopted selection process upon the termination of a private  
5 management agreement. The Department, after the Chief  
6 Procurement Officer certifies that the procurement process has  
7 been followed in accordance with the rules adopted under this  
8 subsection (o), shall select a final offeror as the private  
9 manager and sign the management agreement with the private  
10 manager.

11 Except as provided in Sections 21.5, 21.6, 21.7, 21.8, ~~and~~  
12 21.9, and 21.10, the Department shall distribute all proceeds  
13 of lottery tickets and shares sold in the following priority  
14 and manner:

15 (1) The payment of prizes and retailer bonuses.

16 (2) The payment of costs incurred in the operation and  
17 administration of the Lottery, including the payment of  
18 sums due to the private manager under the management  
19 agreement with the Department.

20 (3) On the last day of each month or as soon thereafter  
21 as possible, the State Comptroller shall direct and the  
22 State Treasurer shall transfer from the State Lottery Fund  
23 to the Common School Fund an amount that is equal to the  
24 proceeds transferred in the corresponding month of fiscal  
25 year 2009, as adjusted for inflation, to the Common School  
26 Fund.

1           (4) On or before the last day of each fiscal year,  
2           deposit any remaining proceeds, subject to payments under  
3           items (1), (2), and (3) into the Capital Projects Fund each  
4           fiscal year.

5           (p) The Department shall be subject to the following  
6           reporting and information request requirements:

7           (1) the Department shall submit written quarterly  
8           reports to the Governor and the General Assembly on the  
9           activities and actions of the private manager selected  
10          under this Section;

11          (2) upon request of the Chief Procurement Officer, the  
12          Department shall promptly produce information related to  
13          the procurement activities of the Department and the  
14          private manager requested by the Chief Procurement  
15          Officer; the Chief Procurement Officer must retain  
16          confidential, proprietary, or trade secret information  
17          designated by the Department in complete confidence  
18          pursuant to subsection (g) of Section 7 of the Freedom of  
19          Information Act; and

20          (3) at least 30 days prior to the beginning of the  
21          Department's fiscal year, the Department shall prepare an  
22          annual written report on the activities of the private  
23          manager selected under this Section and deliver that report  
24          to the Governor and General Assembly.

25          (Source: P.A. 99-933, eff. 1-27-17; 100-391, eff. 8-25-17.)



1 (20 ILCS 1605/20) (from Ch. 120, par. 1170)

2 Sec. 20. State Lottery Fund.

3 (a) There is created in the State Treasury a special fund  
4 to be known as the "State Lottery Fund". Such fund shall  
5 consist of all revenues received from (1) the sale of lottery  
6 tickets or shares, (net of commissions, fees representing those  
7 expenses that are directly proportionate to the sale of tickets  
8 or shares at the agent location, and prizes of less than \$600  
9 which have been validly paid at the agent level), (2)  
10 application fees, and (3) all other sources including moneys  
11 credited or transferred thereto from any other fund or source  
12 pursuant to law. Interest earnings of the State Lottery Fund  
13 shall be credited to the Common School Fund.

14 (b) The receipt and distribution of moneys under Section  
15 21.5 of this Act shall be in accordance with Section 21.5.

16 (c) The receipt and distribution of moneys under Section  
17 21.6 of this Act shall be in accordance with Section 21.6.

18 (d) The receipt and distribution of moneys under Section  
19 21.7 of this Act shall be in accordance with Section 21.7.

20 (e) The receipt and distribution of moneys under Section  
21 21.8 of this Act shall be in accordance with Section 21.8.

22 (f) The receipt and distribution of moneys under Section  
23 21.9 of this Act shall be in accordance with Section 21.9.

24 (g) The receipt and distribution of moneys under Section  
25 21.10 of this Act shall be in accordance with Section 21.10.

26 (Source: P.A. 98-649, eff. 6-16-14.)

1 (20 ILCS 1605/21.10 new)

2 Sec. 21.10. Scratch-off for homelessness prevention  
3 programs.

4 (a) The Department shall offer a special instant  
5 scratch-off game to fund homelessness prevention programs. The  
6 game shall commence on July 1, 2019 or as soon thereafter, at  
7 the discretion of the Director, as is reasonably practical. The  
8 operation of the game shall be governed by this Act and any  
9 rules adopted by the Department. If any provision of this  
10 Section is inconsistent with any other provision of this Act,  
11 then this Section governs.

12 (b) The Homelessness Prevention Revenue Fund is created as  
13 a special fund in the State treasury. The net revenue from the  
14 scratch-off game to fund homelessness prevention programs  
15 shall be deposited into the Homelessness Prevention Revenue  
16 Fund. Subject to appropriation, moneys in the Fund shall be  
17 used by the Department of Human Services solely for grants to  
18 homelessness prevention and assistance projects under the  
19 Homelessness Prevention Act.

20 As used in this subsection, "net revenue" means the total  
21 amount for which tickets have been sold less the sum of the  
22 amount paid out in the prizes and the actual administrative  
23 expenses of the Department solely related to the scratch-off  
24 game under this Section.

25 (c) During the time that tickets are sold for the

1 scratch-off game to fund homelessness prevention programs, the  
2 Department shall not unreasonably diminish the efforts devoted  
3 to marketing any other instant scratch-off lottery game.

4 (d) The Department may adopt any rules necessary to  
5 implement and administer the provisions of this Section.

6 (e) Nothing in this Section shall be construed to affect  
7 any revenue that any Homelessness Prevention line item receives  
8 through the General Revenue Fund or the Illinois Affordable  
9 Housing Trust Fund.

10 Section 10. The State Finance Act is amended by adding  
11 Section 5.886 as follows:

12 (30 ILCS 105/5.886 new)

13 Sec. 5.886. The Homelessness Prevention Revenue Fund.

14 Section 95. No acceleration or delay. Where this Act makes  
15 changes in a statute that is represented in this Act by text  
16 that is not yet or no longer in effect (for example, a Section  
17 represented by multiple versions), the use of that text does  
18 not accelerate or delay the taking effect of (i) the changes  
19 made by this Act or (ii) provisions derived from any other  
20 Public Act.

21 Section 99. Effective date. This Act takes effect upon  
22 becoming law.