



Sen. Chris Nybo

Filed: 5/1/2017

10000SB1606sam002

LRB100 11198 RPS 25516 a

1 AMENDMENT TO SENATE BILL 1606

2 AMENDMENT NO. _____. Amend Senate Bill 1606 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Department of Innovation and Technology Act.

6 Section 5. Definitions. In this Act:

7 "Bureau of Communications and Computer Services" means the
8 Bureau of Communications and Computer Services, also known as
9 the Bureau of Information and Communication Services, created
10 by rule (2 Illinois Administrative Code 750.40) within the
11 Department of Central Management Services.

12 "Client agency" means each transferring agency, or its
13 successor. "Client agency" also includes each other public
14 agency to which the Department provides service.

15 "Dedicated unit" means the dedicated bureau, division,
16 office, or other unit within a transferring agency that is

1 responsible for the information technology functions of the
2 transferring agency. For the Office of the Governor, "dedicated
3 unit" means the Information Technology Office, also known as
4 the Office of the Chief Information Officer. For the Department
5 of Central Management Services, "dedicated unit" means the
6 Bureau of Communications and Computer Services, also known as
7 the Bureau of Information and Communication Services.

8 "Department" means the Department of Innovation and
9 Technology.

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

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

22 "Information Technology Office" means the Information
23 Technology Office, also known as the Office of the Chief
24 Information Officer, within the Office of the Governor, created
25 by Executive Order 1999-05, or its successor.

26 "Legacy information technology division" means any

1 division, bureau, or other unit of a transferring agency which
2 has responsibility for information technology functions for
3 the agency prior to the transfer of those functions to the
4 Department, including, without limitation, the Bureau of
5 Communications and Computer Services.

6 "Secretary" means the Secretary of Innovation and
7 Technology.

8 "State agency" means each State agency, department, board,
9 and commission directly responsible to the Governor.

10 "Transferring agency" means the Department on Aging; the
11 Departments of Agriculture, Central Management Services,
12 Children and Family Services, Commerce and Economic
13 Opportunity, Corrections, Employment Security, Financial and
14 Professional Regulation, Healthcare and Family Services, Human
15 Rights, Human Services, Insurance, Juvenile Justice, Labor,
16 Lottery, Military Affairs, Natural Resources, Public Health,
17 Revenue, State Police, Transportation, and Veterans' Affairs;
18 the Capital Development Board; the Deaf and Hard of Hearing
19 Commission; the Environmental Protection Agency; the
20 Governor's Office of Management and Budget; the Guardianship
21 and Advocacy Commission; the Historic Preservation Agency; the
22 Illinois Arts Council; the Illinois Council on Developmental
23 Disabilities; the Illinois Emergency Management Agency; the
24 Illinois Gaming Board; the Illinois Health Information
25 Exchange Authority; the Illinois Liquor Control Commission;
26 the Illinois Student Assistance Commission; the Illinois

1 Technology Office; the Office of the State Fire Marshal; and
2 the Prisoner Review Board.

3 Section 10. Transfer of functions. On and after March 25,
4 2016 (the effective date of Executive Order 2016-001):

5 (a) For each transferring agency, the dedicated unit or
6 units within that agency responsible for information
7 technology functions together with those information
8 technology functions outside of the dedicated unit or units
9 within a transferring agency to which this Act applies shall be
10 designated by the Governor.

11 (b) All powers, duties, rights, and responsibilities of
12 those dedicated units and information technology functions
13 designated by the Governor are transferred to the Department of
14 Innovation and Technology.

15 (c) The personnel of each transferring agency designated by
16 the Governor are transferred to the Department of Innovation
17 and Technology. The status and rights of the employees and the
18 State of Illinois or its transferring agencies under the
19 Personnel Code, the Illinois Public Labor Relations Act, and
20 applicable collective bargaining agreements or under any
21 pension, retirement, or annuity plan shall not be affected by
22 this Act. Under the direction of the Governor, the Secretary,
23 in consultation with the transferring agencies and labor
24 organizations representing the affected employees, shall
25 identify each position and employee who is engaged in the

1 performance of functions transferred to the Department, or
2 engaged in the administration of a law the administration of
3 which is transferred to the Department, to be transferred to
4 the Department. An employee engaged primarily in providing
5 administrative support to a legacy information technology
6 division or information technology personnel may be considered
7 engaged in the performance of functions transferred to the
8 Department.

9 (d) All books, records, papers, documents, property (real
10 and personal), contracts, causes of action, and pending
11 business pertaining to the powers, duties, rights, and
12 responsibilities relating to dedicated units and information
13 technology functions transferred under this Act to the
14 Department of Innovation and Technology, including, but not
15 limited to, material in electronic or magnetic format and
16 necessary computer hardware and software, shall be transferred
17 to the Department of Innovation and Technology.

18 (e) All unexpended appropriations and balances and other
19 funds available for use relating to dedicated units and
20 information technology functions transferred under this Act
21 shall be transferred for use by the Department of Innovation
22 and Technology at the direction of the Governor. Unexpended
23 balances so transferred shall be expended only for the purpose
24 for which the appropriations were originally made.

25 (f) The powers, duties, rights, and responsibilities
26 relating to dedicated units and information technology

1 functions transferred by this Act shall be vested in and shall
2 be exercised by the Department of Innovation and Technology.

3 (g) Whenever reports or notices are now required to be made
4 or given or papers or documents furnished or served by any
5 person to or upon each dedicated unit in connection with any of
6 the powers, duties, rights, and responsibilities relating to
7 information technology functions transferred by this Act, the
8 same shall be made, given, furnished, or served in the same
9 manner to or upon the Department of Innovation and Technology.

10 (h) This Act does not affect any act done, ratified, or
11 cancelled or any right occurring or established or any action
12 or proceeding had or commenced in an administrative, civil, or
13 criminal cause by each dedicated unit relating to information
14 technology functions before the transfer of responsibilities
15 under this Act; such actions or proceedings may be prosecuted
16 and continued by the Department of Innovation and Technology.

17 (i) Any rules of a dedicated unit or a transferring agency
18 that relate to the powers, duties, rights, and responsibilities
19 relating to the dedicated unit or to information technology
20 functions and are in full force on the effective date of this
21 Act shall become the rules of the Department of Innovation and
22 Technology. This Act does not affect the legality of any such
23 rules in the Illinois Administrative Code.

24 (j) Any proposed rules filed with the Secretary of State by
25 the dedicated unit or the transferring agency that are pending
26 in the rulemaking process on March 25, 2016 (the effective date

1 of Executive Order 2016-001) and that pertain to the powers,
2 duties, rights, and responsibilities of the dedicated unit or
3 the information technology functions transferred, shall be
4 deemed to have been filed by the Department of Innovation and
5 Technology. As soon as practicable, the Department of
6 Innovation and Technology shall revise and clarify the rules
7 transferred to it under this Act to reflect the reorganization
8 of powers, duties, rights, and responsibilities relating to
9 information technology functions affected by this Act, using
10 the procedures for recodification of rules available under the
11 Illinois Administrative Procedure Act, except that existing
12 title, part, and section numbering for the affected rules may
13 be retained. The Department of Innovation and Technology may
14 propose and adopt under the Illinois Administrative Procedure
15 Act such other rules of each dedicated unit or transferring
16 agency that will now be administered by the Department of
17 Innovation and Technology.

18 Section 15. Powers and duties. The Department shall promote
19 best-in-class innovation and technology to client agencies to
20 foster collaboration among client agencies, empower client
21 agencies to provide better service to residents of Illinois,
22 and maximize the value of taxpayer resources. The Department
23 shall be responsible for information technology functions on
24 behalf of client agencies.

25 The Department shall provide for and coordinate

1 information technology for State agencies and, when requested
2 and when in the best interests of the State, for State
3 constitutional offices, units of federal or local governments,
4 and public and not-for-profit institutions of primary,
5 secondary, and higher education, or other parties not
6 associated with State government. The Department shall
7 establish charges for information technology for State
8 agencies and, when requested, for State constitutional
9 offices, units of federal or local government, and public and
10 not-for-profit institutions of primary, secondary, or higher
11 education and for use by other parties not associated with
12 State government. Entities charged for these services shall
13 make payment to the Department. The Department may instruct all
14 State agencies to report their usage of information technology
15 regularly to the Department in the manner the Secretary may
16 prescribe.

17 The Department and each public agency shall continue to
18 have all authority provided to them under the Intergovernmental
19 Cooperation Act and other applicable law to enter into
20 interagency contracts. The Department may enter into contracts
21 to use personnel and other resources that are retained by
22 client agencies or other public agencies, to provide services
23 to public agencies within the State, and for other appropriate
24 purposes to accomplish the Department's mission.

25 Section 20. Security and interoperability. The Department

1 shall develop and implement standards, policies, and
2 procedures to protect the security and interoperability of
3 State data with respect to those agencies under the
4 jurisdiction of the Governor, including in particular data that
5 are confidential, sensitive, or protected from disclosure by
6 privacy or other laws, while recognizing and balancing the need
7 for collaboration and public transparency. The Department
8 shall comply with applicable federal and State laws pertaining
9 to information technology, data, and records of the Department
10 and the client agencies, including, without limitation, the
11 Freedom of Information Act, the State Records Act, the Personal
12 Information Protection Act, the federal Health Insurance
13 Portability and Accountability Act, the federal Health
14 Information Technology for Economic and Clinical Health Act,
15 and the federal Gramm-Leach-Bliley Act.

16 Section 25. Charges for services; non-State funding. The
17 Department may establish charges for services rendered by the
18 Department to client agencies from funds provided directly to
19 the client agency by appropriation or otherwise. In
20 establishing charges, the Department shall consult with client
21 agencies to make charges transparent and clear and seek to
22 minimize or avoid charges for costs for which the Department
23 has other funding sources available.

24 Client agencies shall continue to apply for and otherwise
25 seek federal funds and other capital and operational resources

1 for technology for which the agencies are eligible and, subject
2 to compliance with applicable laws, regulations, and grant
3 terms, make those funds available for use by the Department.
4 The Department shall assist client agencies in identifying
5 funding opportunities and, if funds are used by the Department,
6 ensuring compliance with all applicable laws, regulations, and
7 grant terms.

8 Section 30. Information technology.

9 (a) The Secretary shall be the Chief Information Officer
10 for the State and the steward of State data with respect to
11 those agencies under the jurisdiction of the Governor. It shall
12 be the duty of the Department and the policy of the State of
13 Illinois to manage or delegate the management of the
14 procurement, retention, installation, maintenance, and
15 operation of all information technology used by client
16 agencies, so as to achieve maximum economy consistent with
17 development of appropriate and timely information in a form
18 suitable for management analysis, in a manner that provides for
19 adequate security protection and back-up facilities for that
20 equipment, the establishment of bonding requirements, and a
21 code of conduct for all information technology personnel to
22 ensure the privacy of information technology information as
23 provided by law.

24 (b) The Department shall be responsible for providing the
25 Governor with timely, comprehensive, and meaningful

1 information pertinent to the formulation and execution of
2 fiscal policy. In performing this responsibility the
3 Department shall have the power to do the following:

4 (1) Control the procurement, retention, installation,
5 maintenance, and operation, as specified by the
6 Department, of information technology equipment used by
7 client agencies in such a manner as to achieve maximum
8 economy and provide appropriate assistance in the
9 development of information suitable for management
10 analysis.

11 (2) Establish principles and standards of information
12 technology-related reporting by client agencies and
13 priorities for completion of research by those agencies in
14 accordance with the requirements for management analysis
15 specified by the Department.

16 (3) Establish charges for information technology and
17 related services requested by client agencies and rendered
18 by the Department. The Department is likewise empowered to
19 establish prices or charges for all information technology
20 reports purchased by agencies and individuals not
21 connected with State government.

22 (4) Instruct all client agencies to report regularly to
23 the Department, in the manner the Department may prescribe,
24 their usage of information technology, the cost incurred,
25 the information produced, and the procedures followed in
26 obtaining the information. All client agencies shall

1 request from the Department assistance and consultation in
2 securing any necessary information technology to support
3 their requirements.

4 (5) Examine the accounts and information
5 technology-related data of any organization, body, or
6 agency receiving appropriations from the General Assembly,
7 except for a State constitutional office. For a State
8 constitutional office, the Department shall have the power
9 to examine the accounts and information technology-related
10 data of the State constitutional office when requested by
11 that office.

12 (6) Install and operate a modern information
13 technology system utilizing equipment adequate to satisfy
14 the requirements for analysis and review as specified by
15 the Department. Expenditures for information technology
16 and related services rendered shall be reimbursed by the
17 recipients. The reimbursement shall be determined by the
18 Department as amounts sufficient to reimburse the
19 Technology Management Revolving Fund for expenditures
20 incurred in rendering the services.

21 (c) In addition to the other powers and duties listed in
22 subsection (b), the Department shall analyze the present and
23 future aims, needs, and requirements of information
24 technology, research, and planning in order to provide for the
25 formulation of overall policy relative to the use of
26 information technology and related equipment by the State of

1 Illinois. In making this analysis, the Department shall
2 formulate a master plan for information technology, utilizing
3 information technology most advantageously, and advising
4 whether information technology should be leased or purchased by
5 the State. The Department shall prepare and submit interim
6 reports of meaningful developments and proposals for
7 legislation to the Governor on or before January 30 each year.
8 The Department shall engage in a continuing analysis and
9 evaluation of the master plan so developed, and it shall be the
10 responsibility of the Department to recommend from time to time
11 any needed amendments and modifications of any master plan
12 enacted by the General Assembly.

13 (d) The Department may make information technology and the
14 use of information technology available to units of local
15 government, elected State officials, State educational
16 institutions, the judicial branch, the legislative branch, and
17 all other governmental units of the State requesting them. The
18 Department shall establish prices and charges for the
19 information technology so furnished and for the use of the
20 information technology. The prices and charges shall be
21 sufficient to reimburse the cost of furnishing the services and
22 use of information technology.

23 (e) The Department may establish standards to provide
24 consistency in the operation and use of information technology.

25 Section 35. Communications.

1 (a) The Department shall develop and implement a
2 comprehensive plan to coordinate or centralize communications
3 among State agencies with offices at different locations. The
4 plan shall be updated based on a continuing study of
5 communications problems of State government and shall include
6 any information technology related equipment or service used
7 for communication purposes including digital, analog, or
8 future transmission medium, whether for voice, data, or any
9 combination thereof. The plan shall take into consideration
10 systems that might effect economies, including, but not limited
11 to, quantity discount services and may include provision of
12 telecommunications service to local and federal government
13 entities located within this State if State interests can be
14 served by so doing.

15 (b) The Department shall provide for and coordinate
16 communications services for State agencies and, when requested
17 and when in the best interests of the State, for units of
18 federal or local governments and public and not-for-profit
19 institutions of primary, secondary, and higher education. The
20 Department may make use of, or support or provide any
21 information technology related communications equipment or
22 services necessary and available to support the needs of
23 interested parties not associated with State government
24 provided that State government usage shall have first priority.
25 For this purpose the Department shall have the power to do all
26 of the following:

1 (1) Provide for and control the procurement,
2 retention, installation, and maintenance of communications
3 equipment or services used by State agencies in the
4 interest of efficiency and economy.

5 (2) Review existing standards and, where appropriate,
6 propose to establish new or modified standards for State
7 agencies which shall include a minimum of one
8 telecommunication device for the deaf installed and
9 operational within each State agency, to provide public
10 access to agency information for those persons who are
11 hearing or speech impaired. The Department shall consult
12 the Department of Human Services to develop standards and
13 implementation for this equipment.

14 (3) Establish charges for information technology for
15 State agencies and, when requested, for units of federal or
16 local government and public and not-for-profit
17 institutions of primary, secondary, or higher education.
18 Entities charged for these services shall pay the
19 Department.

20 (4) Instruct all State agencies to report their usage
21 of communication services regularly to the Department in
22 the manner the Department may prescribe.

23 (5) Analyze the present and future aims and needs of
24 all State agencies in the area of communications services
25 and plan to serve those aims and needs in the most
26 effective and efficient manner.

1 (6) Provide telecommunications and other
2 communications services.

3 (7) Establish the administrative organization within
4 the Department that is required to accomplish the purpose
5 of this Section.

6 As used in this subsection (b) only, "State agencies" means
7 all departments, officers, commissions, boards, institutions,
8 and bodies politic and corporate of the State except (i) the
9 judicial branch, including, without limitation, the several
10 courts of the State, the offices of the clerk of the supreme
11 court and the clerks of the appellate court, and the
12 Administrative Office of the Illinois Courts, (ii) State
13 constitutional offices, and (iii) the General Assembly,
14 legislative service agencies, and all officers of the General
15 Assembly.

16 This subsection (b) does not apply to the procurement of
17 Next Generation 9-1-1 service as governed by Section 15.6b of
18 the Emergency Telephone System Act.

19 Section 40. Bulk long distance telephone services for
20 military personnel in military service.

21 (a) As used in this Section only:

22 "Immediate family" means a service member's spouse
23 residing in the service member's household, brothers and
24 sisters of the whole or of the half blood, children, including
25 adopted children and stepchildren, parents, and grandparents.

1 "Military service" means any full-time training or duty, no
2 matter how described under federal or State law, for which a
3 service member is ordered to report by the President, Governor
4 of a state, commonwealth, or territory of the United States, or
5 other appropriate military authority.

6 "Service member" means a resident of Illinois who is a
7 member of any component of the United States Armed Forces or
8 the National Guard of any state, the District of Columbia, a
9 commonwealth, or a territory of the United States.

10 (b) The Department may enter into a contract to purchase
11 bulk long distance telephone services and make them available
12 at cost, or may make bulk long distance telephone services
13 available at cost under any existing contract the Department
14 has entered into, to persons in the immediate family of service
15 members that have entered military service so that those
16 persons in the service members' families can communicate with
17 the service members. If the Department enters into a contract
18 under this Section, it shall do so in accordance with the
19 Illinois Procurement Code and in a nondiscriminatory manner
20 that does not place any potential vendor at a competitive
21 disadvantage.

22 (c) In order to be eligible to use bulk long distance
23 telephone services purchased by the Department under this
24 Section, a service member or person in the service member's
25 immediate family must provide the Department with a copy of the
26 orders calling the service member to military service in excess

1 of 29 consecutive days and of any orders further extending the
2 service member's period of military service.

3 (d) If the Department enters into a contract under this
4 Section, the Department shall adopt rules as necessary to
5 implement this Section.

6 Section 45. Grants for distance learning services. The
7 Department may award grants to public community colleges and
8 education service centers for development and implementation
9 of telecommunications systems that provide distance learning
10 services.

11 Section 50. Rulemaking. The Department may adopt rules
12 under the Illinois Administrative Procedure Act necessary to
13 carry out its responsibilities under this Act.

14 Section 55. Executive Orders.

15 (a) Executive Order 2016-001. The Department of Innovation
16 and Technology was created by Executive Order 2016-001. This
17 Act is the implementation of that Executive Order, together
18 with additional provisions to ensure that the Department of
19 Innovation and Technology is able to function as intended under
20 that Executive Order. The intent of this Act is to ensure that
21 the Department is able to fulfill its duties and purpose under
22 that Executive Order. In the event of a conflict between the
23 provisions of the Executive Order and this Act, this Act shall

1 be controlling.

2 (b) Executive Order 1999-05. The Information Technology
3 Office, also known as the Office of the Chief Information
4 Officer, was created by Executive Order 1999-05. That Executive
5 Order is superseded by this Act.

6 Section 60. Construction.

7 (a) Notwithstanding any provision of law to the contrary,
8 on and after the effective date of this Act, references to
9 "Bureau of Communications and Computer Services", "Bureau of
10 Information and Communication Services", "Information
11 Technology Office", or "Office of the Chief Information
12 Officer" shall be construed as references to the Department of
13 Innovation and Technology.

14 (b) Notwithstanding any provision of law to the contrary,
15 on and after the effective date of this Act, references to
16 "Chief Information Officer of the State" shall be construed as
17 references to the Secretary of Innovation and Technology.

18 Section 905. The Civil Administrative Code of Illinois is
19 amended by changing Sections 5-10, 5-15, 5-20, and 5-605 and by
20 adding Sections 5-195 and 5-357 as follows:

21 (20 ILCS 5/5-10) (was 20 ILCS 5/2.1)

22 Sec. 5-10. "Director". As used in the Civil Administrative
23 Code of Illinois, unless the context clearly indicates

1 otherwise, the word "director" means the several directors of
2 the departments of State government as designated in Section
3 5-20 of this Law and includes the Secretary of Financial and
4 Professional Regulation, the Secretary of Innovation and
5 Technology, the Secretary of Human Services, and the Secretary
6 of Transportation.

7 (Source: P.A. 91-239, eff. 1-1-00.)

8 (20 ILCS 5/5-15) (was 20 ILCS 5/3)

9 Sec. 5-15. Departments of State government. The
10 Departments of State government are created as follows:

11 The Department on Aging.

12 The Department of Agriculture.

13 The Department of Central Management Services.

14 The Department of Children and Family Services.

15 The Department of Commerce and Economic Opportunity.

16 The Department of Corrections.

17 The Department of Employment Security.

18 The Illinois Emergency Management Agency.

19 The Department of Financial and Professional Regulation.

20 The Department of Healthcare and Family Services.

21 The Department of Human Rights.

22 The Department of Human Services.

23 The Department of Innovation and Technology.

24 The Department of Juvenile Justice.

25 The Department of Labor.

1 The Department of the Lottery.
2 The Department of Natural Resources.
3 The Department of Public Health.
4 The Department of Revenue.
5 The Department of State Police.
6 The Department of Transportation.
7 The Department of Veterans' Affairs.
8 (Source: P.A. 96-328, eff. 8-11-09; 97-618, eff. 10-26-11.)

9 (20 ILCS 5/5-20) (was 20 ILCS 5/4)

10 Sec. 5-20. Heads of departments. Each department shall have
11 an officer as its head who shall be known as director or
12 secretary and who shall, subject to the provisions of the Civil
13 Administrative Code of Illinois, execute the powers and
14 discharge the duties vested by law in his or her respective
15 department.

16 The following officers are hereby created:

17 Director of Aging, for the Department on Aging.

18 Director of Agriculture, for the Department of
19 Agriculture.

20 Director of Central Management Services, for the
21 Department of Central Management Services.

22 Director of Children and Family Services, for the
23 Department of Children and Family Services.

24 Director of Commerce and Economic Opportunity, for the
25 Department of Commerce and Economic Opportunity.

1 Director of Corrections, for the Department of
2 Corrections.

3 Director of the Illinois Emergency Management Agency, for
4 the Illinois Emergency Management Agency.

5 Director of Employment Security, for the Department of
6 Employment Security.

7 Secretary of Financial and Professional Regulation, for
8 the Department of Financial and Professional Regulation.

9 Director of Healthcare and Family Services, for the
10 Department of Healthcare and Family Services.

11 Director of Human Rights, for the Department of Human
12 Rights.

13 Secretary of Human Services, for the Department of Human
14 Services.

15 Secretary of Innovation and Technology, for the Department
16 of Innovation and Technology.

17 Director of Juvenile Justice, for the Department of
18 Juvenile Justice.

19 Director of Labor, for the Department of Labor.

20 Director of the Lottery, for the Department of the Lottery.

21 Director of Natural Resources, for the Department of
22 Natural Resources.

23 Director of Public Health, for the Department of Public
24 Health.

25 Director of Revenue, for the Department of Revenue.

26 Director of State Police, for the Department of State

1 Police.

2 Secretary of Transportation, for the Department of
3 Transportation.

4 Director of Veterans' Affairs, for the Department of
5 Veterans' Affairs.

6 (Source: P.A. 97-464, eff. 10-15-11; 97-618, eff. 10-26-11;
7 97-813, eff. 7-13-12; 98-499, eff. 8-16-13.)

8 (20 ILCS 5/5-195 new)

9 Sec. 5-195. In the Department of Innovation and Technology.
10 Assistant Secretary of Innovation and Technology.

11 (20 ILCS 5/5-357 new)

12 Sec. 5-357. In the Department of Innovation and Technology.
13 The Secretary of Innovation and Technology and the Assistant
14 Secretary of Innovation and Technology shall each receive an
15 annual salary as set by law.

16 (20 ILCS 5/5-605) (was 20 ILCS 5/12)

17 Sec. 5-605. Appointment of officers. Each officer whose
18 office is created by the Civil Administrative Code of Illinois
19 or by any amendment to the Code shall be appointed by the
20 Governor, by and with the advice and consent of the Senate. In
21 case of vacancies in those offices during the recess of the
22 Senate, the Governor shall make a temporary appointment until
23 the next meeting of the Senate, when the Governor shall

1 nominate some person to fill the office, and any person so
2 nominated who is confirmed by the Senate shall hold office
3 during the remainder of the term and until his or her successor
4 is appointed and qualified. If the Senate is not in session at
5 the time the Code or any amendments to the Code take effect,
6 the Governor shall make a temporary appointment as in the case
7 of a vacancy.

8 During the absence or inability to act of the director or
9 secretary of any department, ~~or of the Secretary of Human~~
10 ~~Services or the Secretary of Transportation,~~ or in case of a
11 vacancy in any such office until a successor is appointed and
12 qualified, the Governor may designate some person as acting
13 director or acting secretary to execute the powers and
14 discharge the duties vested by law in that director or
15 secretary.

16 During the term of a General Assembly, the Governor may not
17 designate a person to serve as an acting director or secretary
18 under this Section if that person's nomination to serve as the
19 director or secretary of that same Department was rejected by
20 the Senate of the same General Assembly. This Section is
21 subject to the provisions of subsection (c) of Section 3A-40 of
22 the Illinois Governmental Ethics Act.

23 (Source: P.A. 97-582, eff. 8-26-11.)

24 Section 910. The Department of Central Management Services
25 Law of the Civil Administrative Code of Illinois is amended by

1 changing Sections 405-10, 405-270, and 405-410 as follows:

2 (20 ILCS 405/405-10) (was 20 ILCS 405/35.3)

3 Sec. 405-10. Director's duties; State policy. It shall be
4 the duty of the Director and the policy of the State of
5 Illinois to do the following:

6 (1) Place financial responsibility on State agencies
7 (as defined in subsection (b) of Section 405-5) and hold
8 them accountable for the proper discharge of this
9 responsibility.

10 (2) Require professional, accurate, and current
11 accounting with the State agencies (as defined in
12 subsection (b) of Section 405-5).

13 (3) Decentralize fiscal, procedural, and
14 administrative operations to expedite the business of the
15 State and to avoid expense, unwieldiness, inefficiency,
16 and unnecessary duplication where decentralization is
17 consistent with proper fiscal management.

18 (4) (Blank). ~~Manage or delegate the management of the~~
19 ~~procurement, retention, installation, maintenance, and~~
20 ~~operation of all electronic data processing equipment used~~
21 ~~by State agencies as defined in Section 405-20, so as to~~
22 ~~achieve maximum economy consistent with development of~~
23 ~~adequate and timely information in a form suitable for~~
24 ~~management analysis, in a manner that provides for adequate~~
25 ~~security protection and back up facilities for that~~

1 ~~equipment, the establishment of bonding requirements, and~~
2 ~~a code of conduct for all electronic data processing~~
3 ~~personnel to ensure the privacy of electronic data~~
4 ~~processing information as provided by law.~~

5 (Source: P.A. 91-239, eff. 1-1-00.)

6 (20 ILCS 405/405-270) (was 20 ILCS 405/67.18)

7 Sec. 405-270. Broadcast communications ~~Communications~~
8 services. To provide for and coordinate broadcast ~~co-ordinate~~
9 communications services for State agencies and, when requested
10 and when in the best interests of the State, for units of
11 federal or local governments and public and not-for-profit
12 institutions of primary, secondary, and higher education. The
13 Department may make use of its satellite uplink available to
14 interested parties not associated with State government
15 provided that State government usage shall have first priority.
16 For this purpose the Department shall have the power and duty
17 to do all of the following:

18 (1) Provide for and control the procurement,
19 retention, installation, and maintenance of video
20 recording, satellite uplink, public information, and
21 broadcast communications equipment or services used by
22 State agencies in the interest of efficiency and economy.

23 (2) (Blank). ~~Establish standards by January 1, 1989 for~~
24 ~~communications services for State agencies which shall~~
25 ~~include a minimum of one telecommunication device for the~~

1 ~~deaf installed and operational within each State agency, to~~
2 ~~provide public access to agency information for those~~
3 ~~persons who are hearing or speech impaired. The Department~~
4 ~~shall consult the Department of Human Services to develop~~
5 ~~standards and implementation for this equipment.~~

6 (3) Establish charges (i) for video recording,
7 satellite uplink, public information, and broadcast
8 communication services for State agencies and, when
9 requested, for units of federal or local government and
10 public and not-for-profit institutions of primary,
11 secondary, or higher education and (ii) for use of the
12 Department's satellite uplink by parties not associated
13 with State government. Entities charged for these services
14 shall reimburse the Department.

15 (4) Instruct all State agencies to report their usage
16 of video recording, satellite uplink, public information,
17 and broadcast communication services regularly to the
18 Department in the manner the Director may prescribe.

19 (5) Analyze the present and future aims and needs of
20 all State agencies in the area of video recording,
21 satellite uplink, public information, and broadcast
22 communications services and plan to serve those aims and
23 needs in the most effective and efficient manner.

24 (6) Provide ~~services, including, but not limited to,~~
25 ~~telecommunications,~~ video recording, satellite uplink,
26 public information, and broadcast ~~other~~ communications

1 services.

2 (7) Establish the administrative organization within
3 the Department that is required to accomplish the purpose
4 of this Section.

5 The Department is authorized, in consultation with the
6 Department of Innovation and Technology, to conduct a study for
7 the purpose of determining technical, engineering, and
8 management specifications for the networking, compatible
9 connection, or shared use of existing and future public and
10 private owned television broadcast and reception facilities,
11 including but not limited to terrestrial microwave, fiber
12 optic, and satellite, for broadcast and reception of
13 educational, governmental, and business programs, and to
14 implement those specifications.

15 However, the Department may not control or interfere with
16 the input of content into the broadcast communications
17 ~~telecommunications~~ systems by the several State agencies or
18 units of federal or local government, or public or
19 not-for-profit institutions of primary, secondary, and higher
20 education, or users of the Department's satellite uplink.

21 As used in this Section, the term "State agencies" means
22 all departments, officers, commissions, boards, institutions,
23 and bodies politic and corporate of the State except (i) the
24 judicial branch, including, without limitation, the several
25 courts of the State, the offices of the clerk of the supreme
26 court and the clerks of the appellate court, and the

1 Administrative Office of the Illinois Courts and (ii) the
2 General Assembly, legislative service agencies, and all
3 officers of the General Assembly.

4 This Section does not apply to the procurement of Next
5 Generation 9-1-1 service as governed by Section 15.6b of the
6 Emergency Telephone System Act.

7 In the event of a conflict between the provisions of this
8 Section and any provision of the Department of Innovation and
9 Technology Act, the Department of Innovation and Technology Act
10 shall be controlling.

11 (Source: P.A. 99-6, eff. 1-1-16.)

12 (20 ILCS 405/405-410)

13 Sec. 405-410. Transfer of Information Technology
14 functions.

15 (a) Notwithstanding any other law to the contrary, the
16 Secretary of Innovation and Technology ~~Director of Central~~
17 ~~Management Services~~, working in cooperation with the Director
18 of any other agency, department, board, or commission directly
19 responsible to the Governor, may direct the transfer, to the
20 Department of Innovation and Technology ~~Central Management~~
21 ~~Services~~, of those information technology functions at that
22 agency, department, board, or commission that are suitable for
23 centralization.

24 Upon receipt of the written direction to transfer
25 information technology functions to the Department of

1 Innovation and Technology ~~Central Management Services~~, the
2 personnel, equipment, and property (both real and personal)
3 directly relating to the transferred functions shall be
4 transferred to the Department of Innovation and Technology
5 ~~Central Management Services~~, and the relevant documents,
6 records, and correspondence shall be transferred or copied, as
7 the Secretary ~~Director~~ may prescribe.

8 (b) Upon receiving written direction from the Secretary of
9 Innovation and Technology ~~Director of Central Management~~
10 ~~Services~~, the Comptroller and Treasurer are authorized to
11 transfer the unexpended balance of any appropriations related
12 to the information technology functions transferred to the
13 Department of Innovation and Technology ~~Central Management~~
14 ~~Services~~ and shall make the necessary fund transfers from any
15 special fund in the State Treasury or from any other federal or
16 State trust fund held by the Treasurer to the General Revenue
17 Fund or, the Technology Management ~~Statistical Services~~
18 ~~Revolving Fund, or the Communications Revolving Fund,~~ as
19 designated by the Secretary of Innovation and Technology
20 ~~Director of Central Management Services~~, for use by the
21 Department of Innovation and Technology ~~Central Management~~
22 ~~Services~~ in support of information technology functions or any
23 other related costs or expenses of the Department of Innovation
24 and Technology ~~Central Management Services~~.

25 (c) The rights of employees and the State and its agencies
26 under the Personnel Code and applicable collective bargaining

1 agreements or under any pension, retirement, or annuity plan
2 shall not be affected by any transfer under this Section.

3 (d) The functions transferred to the Department of
4 Innovation and Technology ~~Central Management Services~~ by this
5 Section shall be vested in and shall be exercised by the
6 Department of Innovation and Technology ~~Central Management~~
7 ~~Services~~. Each act done in the exercise of those functions
8 shall have the same legal effect as if done by the agencies,
9 offices, divisions, departments, bureaus, boards and
10 commissions from which they were transferred.

11 Every person or other entity shall be subject to the same
12 obligations and duties and any penalties, civil or criminal,
13 arising therefrom, and shall have the same rights arising from
14 the exercise of such rights, powers, and duties as had been
15 exercised by the agencies, offices, divisions, departments,
16 bureaus, boards, and commissions from which they were
17 transferred.

18 Whenever reports or notices are now required to be made or
19 given or papers or documents furnished or served by any person
20 in regards to the functions transferred to or upon the
21 agencies, offices, divisions, departments, bureaus, boards,
22 and commissions from which the functions were transferred, the
23 same shall be made, given, furnished or served in the same
24 manner to or upon the Department of Innovation and Technology
25 ~~Central Management Services~~.

26 This Section does not affect any act done, ratified, or

1 cancelled or any right occurring or established or any action
2 or proceeding had or commenced in an administrative, civil, or
3 criminal cause regarding the functions transferred, but those
4 proceedings may be continued by the Department of Innovation
5 and Technology ~~Central Management Services~~.

6 This Section does not affect the legality of any rules in
7 the Illinois Administrative Code regarding the functions
8 transferred in this Section that are in force on the effective
9 date of this Section. If necessary, however, the affected
10 agencies shall propose, adopt, or repeal rules, rule
11 amendments, and rule recodifications as appropriate to
12 effectuate this Section.

13 (Source: P.A. 93-25, eff. 6-20-03; 93-839, eff. 7-30-04;
14 93-1067, eff. 1-15-05.)

15 (20 ILCS 405/405-20 rep.)

16 (20 ILCS 405/405-250 rep.)

17 (20 ILCS 405/405-255 rep.)

18 (20 ILCS 405/405-260 rep.)

19 (20 ILCS 405/405-265 rep.)

20 Section 915. The Department of Central Management Services
21 Law of the Civil Administrative Code of Illinois is amended by
22 repealing Sections 405-20, 405-250, 405-255, 405-260, and
23 405-265.

24 Section 920. The Department of Commerce and Economic

1 Opportunity Law of the Civil Administrative Code of Illinois is
2 amended by changing Sections 605-680 and 605-1007 as follows:

3 (20 ILCS 605/605-680)

4 Sec. 605-680. Illinois goods and services website.

5 (a) The Department, in consultation with the Department of
6 Innovation and Technology, must establish and maintain an
7 Internet website devoted to the marketing of Illinois goods and
8 services by linking potential purchasers with producers of
9 goods and services who are located in the State.

10 (b) The Department must advertise the website to encourage
11 inclusion of producers on the website and to encourage the use
12 of the website by potential purchasers.

13 (Source: P.A. 93-868, eff. 1-1-05.)

14 Section 925. The Department of Commerce and Economic
15 Opportunity Law of the Civil Administrative Code of Illinois is
16 amended by changing Section 605-1007 as follows:

17 (20 ILCS 605/605-1007)

18 Sec. 605-1007. New business permitting portal.

19 (a) By July 1, 2017, the Department, in consultation with
20 the Department of Innovation and Technology, shall create and
21 maintain a website to help persons wishing to create new
22 businesses or relocate businesses to Illinois. The Department
23 shall consult with at least one organization representing small

1 businesses in this State while creating the website.

2 (b) The website shall include:

3 (1) an estimate of license and permitting fees for
4 different businesses;

5 (2) State government application forms for business
6 licensing or registration;

7 (3) hyperlinks to websites of the responsible agency or
8 organization responsible for accepting the application;
9 and

10 (4) contact information for any local government
11 permitting agencies that may be relevant.

12 (c) The Department shall contact all agencies to obtain
13 business forms and other information for this website. Those
14 agencies shall respond to the Department before July 1, 2016.

15 (d) The website shall also include some mechanism for the
16 potential business owner to request more information from the
17 Department that may be helpful in starting the business,
18 including, but not limited to, State-based incentives that the
19 business owner may qualify for when starting or relocating a
20 business.

21 (e) The Department shall update the website at least once a
22 year before July 1. The Department shall request that other
23 State agencies report any changes in applicable application
24 forms to the Department by June 1 of every year after 2016.

25 (Source: P.A. 99-134, eff. 1-1-16.)

1 Section 930. The State Fire Marshal Act is amended by
2 changing Section 2.5 as follows:

3 (20 ILCS 2905/2.5)

4 Sec. 2.5. Equipment exchange program.

5 (a) The Office shall create and maintain an equipment
6 exchange program under which fire departments, fire protection
7 districts, and township fire departments can donate or sell
8 equipment to, trade equipment with, or buy equipment from each
9 other.

10 (b) Under this program, the Office, in consultation with
11 the Department of Innovation and Technology shall maintain a
12 website that allows fire departments, fire protection
13 districts, and township fire departments to post information
14 and photographs about needed equipment and equipment that is
15 available for trade, donation, or sale. This website must be
16 separate from, and not a part of, the Office's main website;
17 however, the Office must post a hyperlink on its main website
18 that points to the website established under this subsection
19 (b).

20 (c) The Office or a fire department, fire protection
21 district, or township fire department that donates, trades, or
22 sells fire protection equipment to another fire department,
23 fire protection district, or township fire department under
24 this Section is not liable for any damage or injury caused by
25 the donated, traded, or sold fire protection equipment, except

1 for damage or injury caused by its willful and wanton
2 misconduct, if it discloses in writing to the recipient at the
3 time of the donation, trade, or sale any known damage to or
4 deficiencies in the equipment.

5 This Section does not relieve any fire department, fire
6 protection district, or township fire department from
7 liability, unless otherwise provided by law, for any damage or
8 injury caused by donated, traded, or sold fire protection
9 equipment that was received through the equipment exchange
10 program.

11 (d) The Office must promote the program to encourage the
12 efficient exchange of equipment among local government
13 entities.

14 (e) The Office must implement the changes to the equipment
15 exchange program required under this amendatory Act of the 94th
16 General Assembly no later than July 1, 2006.

17 (Source: P.A. 93-305, eff. 7-23-03; 94-175, eff. 7-12-05.)

18 Section 935. The Illinois Century Network Act is amended by
19 changing Sections 15 and 20 as follows:

20 (20 ILCS 3921/15)

21 Sec. 15. Management of the Illinois Century Network.

22 (a) Staffing and contractual services necessary to support
23 the network's activities shall be governed by the Illinois
24 Century Network Policy Committee. The committee shall include:

1 (1) 6 standing members as follows:

2 (i) the Illinois State Library Director or
3 designee;

4 (ii) the Illinois State Museum Director or
5 designee;

6 (iii) the Executive Director of the Board of Higher
7 Education or designee;

8 (iv) the Executive Director of the Illinois
9 Community College Board or designee;

10 (v) the State Board of Education State
11 Superintendent or designee; and

12 (vi) the Secretary of Innovation and Technology
13 ~~Director of Central Management Services~~ or designee;

14 (2) up to 7 members who are appointed by the Governor
15 and who:

16 (i) have experience and background in private K-12
17 education, private higher education, or who are from
18 other participant constituents that are not already
19 represented;

20 (ii) shall serve staggered terms up to 3 years as
21 designated by the Governor; and

22 (iii) shall serve until a successor is appointed
23 and qualified; and

24 (3) a Chairperson who is appointed by the Governor and
25 who shall serve a term of 2 years and until a successor is
26 appointed and qualified.

1 (b) Illinois Century Network Policy Committee members
2 shall serve without compensation but shall be entitled to
3 reimbursement for reasonable expenses of travel for members who
4 are required to travel for a distance greater than 20 miles to
5 participate in business of the Illinois Century Network Policy
6 Committee.

7 (Source: P.A. 98-719, eff. 1-1-15.)

8 (20 ILCS 3921/20)

9 Sec. 20. Illinois Century Network Policy Committee. The
10 Illinois Century Network Policy Committee shall advise the
11 Department of Innovation and Technology on general policies ~~set~~
12 ~~general policies for the network~~. The Committee shall advise
13 the Department of Innovation and Technology with regard to ~~have~~
14 the following additional duties and powers:

15 (1) to purchase, acquire, or receive equipment and
16 agreements or contracts for services for the benefit of the
17 Illinois Century Network or its participants;

18 (2) to sell or convey equipment or services desirable
19 for Network operations to its participants at reasonable
20 costs incurred in the acquisition of the equipment or
21 services;

22 (3) to employ and fix the compensation for employees as
23 it deems reasonable to achieve the purposes of this Act;

24 (4) to establish and maintain petty cash funds as
25 provided in Section 13.3 of the State Finance Act;

1 (5) to make, amend, and repeal bylaws, rules,
2 regulations, and resolutions that are consistent with this
3 Act;

4 (6) to make and execute all contracts and instruments
5 necessary or convenient to the exercise of its powers;

6 (7) to exclusively control and manage the Network and
7 all moneys that are donated, paid, or appropriated for the
8 creation, improvement, and operation of the Network;

9 (8) to prepare and submit a budget for the necessary
10 and contingent operation expenses of the Network;

11 (9) to accept grants and funds from the federal and
12 state governments and any federal or state agency and to
13 expend those moneys in accordance and in furtherance of the
14 purposes of this Act;

15 (10) to enter into intergovernmental agreements with
16 other governmental entities, including but not limited to,
17 the Board of Higher Education, the Illinois Community
18 College Board, the State Board of Education, the Department
19 of Central Management Services, and local education
20 agencies, in order to implement and execute the powers and
21 duties set forth in this Act;

22 (11) to acquire or procure telecommunications or
23 computer networks or related services, alone or in
24 cooperation with other governmental or education entities,
25 as may be of reasonable benefit to the Network or its
26 participants for the general purposes set forth in this

1 Act; and

2 (12) to receive assignment of ownership or management
3 rights and the use of telecommunications equipment and
4 services owned or leased by the State of Illinois or other
5 entities providing services to Illinois citizens for use in
6 operation of Network programs and services.

7 (Source: P.A. 91-21, eff. 7-1-99; 92-691, eff. 7-18-02.)

8 Section 940. The State Finance Act is amended by changing
9 Sections 5.55, 6p-1, 6p-2, 6z-34, 8.16a, and 8.16b as follows:

10 (30 ILCS 105/5.55) (from Ch. 127, par. 141.55)

11 Sec. 5.55. The Technology Management ~~Statistical Services~~
12 Revolving Fund.

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

14 (30 ILCS 105/6p-1) (from Ch. 127, par. 142p1)

15 Sec. 6p-1. The Technology Management Revolving Fund
16 (formerly the Statistical Services Revolving Fund) shall be
17 initially financed by a transfer of funds from the General
18 Revenue Fund. Thereafter, all fees and other monies received by
19 the Department of Innovation and Technology ~~Central Management~~
20 ~~Services~~ in payment for information technology and related
21 ~~statistical~~ services rendered pursuant to subsection (b) of
22 Section 30 of the Department of Innovation and Technology Act
23 ~~Section 405-20 of the Department of Central Management Services~~

1 ~~Law (20 ILCS 405/405-20)~~ shall be paid into the Technology
2 Management ~~Statistical Services~~ Revolving Fund. On and after
3 July 1, 2018, or after sufficient moneys have been received in
4 the Communications Revolving Fund to pay all Fiscal Year 2018
5 obligations payable from the Fund, whichever is later, all fees
6 and other moneys received by the Department of Central
7 Management Services in payment for communications services
8 rendered pursuant to the Department of Central Management
9 Services Law of the Civil Administrative Code of Illinois or
10 sale of surplus State communications equipment shall be paid
11 into the Technology Management Revolving Fund. The money in
12 this fund shall be used by the Department of Innovation and
13 Technology ~~Central Management Services~~ as reimbursement for
14 expenditures incurred in rendering information technology and
15 related ~~statistical~~ services and, beginning July 1, 2016, as
16 reimbursement for expenditures incurred in relation to
17 communications services.

18 (Source: P.A. 91-239, eff. 1-1-00.)

19 (30 ILCS 105/6p-2) (from Ch. 127, par. 142p2)

20 Sec. 6p-2. The Communications Revolving Fund shall be
21 initially financed by a transfer of funds from the General
22 Revenue Fund. Thereafter, all fees and other monies received by
23 the Department of Innovation and Technology ~~Central Management~~
24 Services in payment for communications services rendered
25 pursuant to the Department of Innovation and Technology Act

1 ~~Central Management Services Law~~ or sale of surplus State
2 communications equipment shall be paid into the Communications
3 Revolving Fund. Except as otherwise provided in this Section,
4 the money in this fund shall be used by the Department of
5 Innovation and Technology ~~Central Management Services~~ as
6 reimbursement for expenditures incurred in relation to
7 communications services.

8 On the effective date of this amendatory Act of the 93rd
9 General Assembly, or as soon as practicable thereafter, the
10 State Comptroller shall order transferred and the State
11 Treasurer shall transfer \$3,000,000 from the Communications
12 Revolving Fund to the Emergency Public Health Fund to be used
13 for the purposes specified in Section 55.6a of the
14 Environmental Protection Act.

15 In addition to any other transfers that may be provided for
16 by law, on July 1, 2011, or as soon thereafter as practical,
17 the State Comptroller shall direct and the State Treasurer
18 shall transfer the sum of \$5,000,000 from the General Revenue
19 Fund to the Communications Revolving Fund.

20 Notwithstanding any other provision of law, in addition to
21 any other transfers that may be provided by law, on July 1,
22 2018, or after sufficient moneys have been received in the
23 Communications Revolving Fund to pay all Fiscal Year 2018
24 obligations payable from the Fund, whichever is later, the
25 State Comptroller shall direct and the State Treasurer shall
26 transfer the remaining balance from the Communications

1 Revolving Fund into the Technology Management Revolving Fund.
2 Upon completion of the transfer, any future deposits due to
3 that Fund and any outstanding obligations or liabilities of
4 that Fund pass to the Technology Management Revolving Fund.

5 (Source: P.A. 97-641, eff. 12-19-11.)

6 (30 ILCS 105/6z-34)

7 Sec. 6z-34. Secretary of State Special Services Fund. There
8 is created in the State Treasury a special fund to be known as
9 the Secretary of State Special Services Fund. Moneys deposited
10 into the Fund may, subject to appropriation, be used by the
11 Secretary of State for any or all of the following purposes:

12 (1) For general automation efforts within operations
13 of the Office of Secretary of State.

14 (2) For technology applications in any form that will
15 enhance the operational capabilities of the Office of
16 Secretary of State.

17 (3) To provide funds for any type of library grants
18 authorized and administered by the Secretary of State as
19 State Librarian.

20 These funds are in addition to any other funds otherwise
21 authorized to the Office of Secretary of State for like or
22 similar purposes.

23 On August 15, 1997, all fiscal year 1997 receipts that
24 exceed the amount of \$15,000,000 shall be transferred from this
25 Fund to the Statistical Services Revolving Fund; on August 15,

1 1998 and each year thereafter through 2000, all receipts from
2 the fiscal year ending on the previous June 30th that exceed
3 the amount of \$17,000,000 shall be transferred from this Fund
4 to the Statistical Services Revolving Fund; on August 15, 2001
5 and each year thereafter through 2002, all receipts from the
6 fiscal year ending on the previous June 30th that exceed the
7 amount of \$19,000,000 shall be transferred from this Fund to
8 the Statistical Services Revolving Fund; and on August 15, 2003
9 and each year thereafter, all receipts from the fiscal year
10 ending on the previous June 30th that exceed the amount of
11 \$33,000,000 shall be transferred from this Fund to the
12 Technology Management ~~Statistical Services~~ Revolving Fund.

13 (Source: P.A. 92-32, eff. 7-1-01; 93-32, eff. 7-1-03.)

14 (30 ILCS 105/8.16a) (from Ch. 127, par. 144.16a)

15 Sec. 8.16a. Appropriations for the procurement,
16 installation, retention, maintenance and operation of
17 electronic data processing and information technology devices
18 and software used by State ~~state~~ agencies subject to subsection
19 (b) of Section 30 of the Department of Innovation and
20 Technology Act ~~Section 405-20 of the Department of Central~~
21 ~~Management Services Law (20 ILCS 405/405-20)~~, the purchase of
22 necessary supplies and equipment and accessories thereto, and
23 all other expenses incident to the operation and maintenance of
24 those electronic data processing and information technology
25 devices and software are payable from the Technology Management

1 ~~Statistical Services~~ Revolving Fund. However, no contract
2 shall be entered into or obligation incurred for any
3 expenditure from the Technology Management ~~Statistical~~
4 ~~Services~~ Revolving Fund until after the purpose and amount has
5 been approved in writing by the Secretary of Innovation and
6 Technology ~~Director of Central Management Services~~. Until
7 there are sufficient funds in the Technology Management
8 Revolving Fund (formerly known as the Statistical Services
9 Revolving Fund) to carry out the purposes of this amendatory
10 Act of 1965, however, the State agencies subject to subsection
11 (b) of Section 30 of the Department of Innovation and
12 Technology Act ~~that Section 405-20~~ shall, on written approval
13 of the Secretary of Innovation and Technology ~~Director of~~
14 ~~Central Management Services~~, pay the cost of operating and
15 maintaining electronic data processing systems from current
16 appropriations as classified and standardized in "An Act in
17 relation to State finance", approved June 10, 1919, as amended.
18 (Source: P.A. 91-239, eff. 1-1-00.)

19 (30 ILCS 105/8.16b) (from Ch. 127, par. 144.16b)
20 Sec. 8.16b. Appropriations for expenses related to
21 communications services pursuant to the Civil Administrative
22 Code of Illinois are payable from the Communications Revolving
23 Fund. However, no contract shall be entered into or obligation
24 incurred for any expenditure from the Communications Revolving
25 Fund until after the purpose and amount has been approved in

1 writing by the Secretary of Innovation and Technology ~~Director~~
2 ~~of Central Management Services~~.

3 (Source: P.A. 87-817.)

4 Section 945. The Grant Information Collection Act is
5 amended by changing Section 10 as follows:

6 (30 ILCS 707/10)

7 Sec. 10. Grant information collection. The Secretary of
8 Innovation and Technology ~~Chief Information Officer of the~~
9 ~~State, as designated by the Governor,~~ shall coordinate with
10 each State agency to develop, with any existing or newly
11 available resources and technology, appropriate systems to
12 accurately report data containing financial information. These
13 systems shall include a module that is specific to the
14 management and administration of grant funds.

15 Each grantor agency that is authorized to award grant funds
16 to an entity other than the State of Illinois shall coordinate
17 with the Secretary of Innovation and Technology ~~Chief~~
18 ~~Information Officer of the State~~ to provide for the
19 publication, at data.illinois.gov or any other publicly
20 accessible website designated by the Chief Information
21 Officer, of data sets containing information regarding awards
22 of grant funds that the grantor agency has made during the
23 previous fiscal year. Data sets shall be published on at least
24 a quarterly basis and shall include, at a minimum, the

1 following:

2 (1) the name of the grantor agency;

3 (2) the name and postal zip code of the grantee;

4 (3) a short description of the purpose of the award of
5 grant funds;

6 (4) the amount of each award of grant funds;

7 (5) the date of each award of grant funds; and

8 (6) the duration of each award of grant funds.

9 In addition, each grantor agency shall make best efforts,
10 with available resources and technology, to make available in
11 the data sets any other data that is relevant to its award of
12 grant funds.

13 Data not subject to the requirements of this Section
14 include data to which a State agency may deny access pursuant
15 to any provision of a federal, State, or local law, rule, or
16 regulation.

17 (Source: P.A. 98-589, eff. 1-1-14.)

18 Section 950. The Illinois Pension Code is amended by
19 changing Sections 1-160, 14-110, and 15-106 as follows:

20 (40 ILCS 5/1-160)

21 (Text of Section WITHOUT the changes made by P.A. 98-641,
22 which has been held unconstitutional)

23 Sec. 1-160. Provisions applicable to new hires.

24 (a) The provisions of this Section apply to a person who,

1 on or after January 1, 2011, first becomes a member or a
2 participant under any reciprocal retirement system or pension
3 fund established under this Code, other than a retirement
4 system or pension fund established under Article 2, 3, 4, 5, 6,
5 15 or 18 of this Code, notwithstanding any other provision of
6 this Code to the contrary, but do not apply to any self-managed
7 plan established under this Code, to any person with respect to
8 service as a sheriff's law enforcement employee under Article
9 7, or to any participant of the retirement plan established
10 under Section 22-101. Notwithstanding anything to the contrary
11 in this Section, for purposes of this Section, a person who
12 participated in a retirement system under Article 15 prior to
13 January 1, 2011 shall be deemed a person who first became a
14 member or participant prior to January 1, 2011 under any
15 retirement system or pension fund subject to this Section. The
16 changes made to this Section by Public Act 98-596 ~~this~~
17 ~~amendatory Act of the 98th General Assembly~~ are a clarification
18 of existing law and are intended to be retroactive to January
19 1, 2011 (the effective date of Public Act 96-889),
20 notwithstanding the provisions of Section 1-103.1 of this Code.

21 (b) "Final average salary" means the average monthly (or
22 annual) salary obtained by dividing the total salary or
23 earnings calculated under the Article applicable to the member
24 or participant during the 96 consecutive months (or 8
25 consecutive years) of service within the last 120 months (or 10
26 years) of service in which the total salary or earnings

1 calculated under the applicable Article was the highest by the
2 number of months (or years) of service in that period. For the
3 purposes of a person who first becomes a member or participant
4 of any retirement system or pension fund to which this Section
5 applies on or after January 1, 2011, in this Code, "final
6 average salary" shall be substituted for the following:

7 (1) In Article 7 (except for service as sheriff's law
8 enforcement employees), "final rate of earnings".

9 (2) In Articles 8, 9, 10, 11, and 12, "highest average
10 annual salary for any 4 consecutive years within the last
11 10 years of service immediately preceding the date of
12 withdrawal".

13 (3) In Article 13, "average final salary".

14 (4) In Article 14, "final average compensation".

15 (5) In Article 17, "average salary".

16 (6) In Section 22-207, "wages or salary received by him
17 at the date of retirement or discharge".

18 (b-5) Beginning on January 1, 2011, for all purposes under
19 this Code (including without limitation the calculation of
20 benefits and employee contributions), the annual earnings,
21 salary, or wages (based on the plan year) of a member or
22 participant to whom this Section applies shall not exceed
23 \$106,800; however, that amount shall annually thereafter be
24 increased by the lesser of (i) 3% of that amount, including all
25 previous adjustments, or (ii) one-half the annual unadjusted
26 percentage increase (but not less than zero) in the consumer

1 price index-u for the 12 months ending with the September
2 preceding each November 1, including all previous adjustments.

3 For the purposes of this Section, "consumer price index-u"
4 means the index published by the Bureau of Labor Statistics of
5 the United States Department of Labor that measures the average
6 change in prices of goods and services purchased by all urban
7 consumers, United States city average, all items, 1982-84 =
8 100. The new amount resulting from each annual adjustment shall
9 be determined by the Public Pension Division of the Department
10 of Insurance and made available to the boards of the retirement
11 systems and pension funds by November 1 of each year.

12 (c) A member or participant is entitled to a retirement
13 annuity upon written application if he or she has attained age
14 67 (beginning January 1, 2015, age 65 with respect to service
15 under Article 12 of this Code that is subject to this Section)
16 and has at least 10 years of service credit and is otherwise
17 eligible under the requirements of the applicable Article.

18 A member or participant who has attained age 62 (beginning
19 January 1, 2015, age 60 with respect to service under Article
20 12 of this Code that is subject to this Section) and has at
21 least 10 years of service credit and is otherwise eligible
22 under the requirements of the applicable Article may elect to
23 receive the lower retirement annuity provided in subsection (d)
24 of this Section.

25 (d) The retirement annuity of a member or participant who
26 is retiring after attaining age 62 (beginning January 1, 2015,

1 age 60 with respect to service under Article 12 of this Code
2 that is subject to this Section) with at least 10 years of
3 service credit shall be reduced by one-half of 1% for each full
4 month that the member's age is under age 67 (beginning January
5 1, 2015, age 65 with respect to service under Article 12 of
6 this Code that is subject to this Section).

7 (e) Any retirement annuity or supplemental annuity shall be
8 subject to annual increases on the January 1 occurring either
9 on or after the attainment of age 67 (beginning January 1,
10 2015, age 65 with respect to service under Article 12 of this
11 Code that is subject to this Section) or the first anniversary
12 of the annuity start date, whichever is later. Each annual
13 increase shall be calculated at 3% or one-half the annual
14 unadjusted percentage increase (but not less than zero) in the
15 consumer price index-u for the 12 months ending with the
16 September preceding each November 1, whichever is less, of the
17 originally granted retirement annuity. If the annual
18 unadjusted percentage change in the consumer price index-u for
19 the 12 months ending with the September preceding each November
20 1 is zero or there is a decrease, then the annuity shall not be
21 increased.

22 (f) The initial survivor's or widow's annuity of an
23 otherwise eligible survivor or widow of a retired member or
24 participant who first became a member or participant on or
25 after January 1, 2011 shall be in the amount of $66 \frac{2}{3}\%$ of the
26 retired member's or participant's retirement annuity at the

1 date of death. In the case of the death of a member or
2 participant who has not retired and who first became a member
3 or participant on or after January 1, 2011, eligibility for a
4 survivor's or widow's annuity shall be determined by the
5 applicable Article of this Code. The initial benefit shall be
6 66 2/3% of the earned annuity without a reduction due to age. A
7 child's annuity of an otherwise eligible child shall be in the
8 amount prescribed under each Article if applicable. Any
9 survivor's or widow's annuity shall be increased (1) on each
10 January 1 occurring on or after the commencement of the annuity
11 if the deceased member died while receiving a retirement
12 annuity or (2) in other cases, on each January 1 occurring
13 after the first anniversary of the commencement of the annuity.
14 Each annual increase shall be calculated at 3% or one-half the
15 annual unadjusted percentage increase (but not less than zero)
16 in the consumer price index-u for the 12 months ending with the
17 September preceding each November 1, whichever is less, of the
18 originally granted survivor's annuity. If the annual
19 unadjusted percentage change in the consumer price index-u for
20 the 12 months ending with the September preceding each November
21 1 is zero or there is a decrease, then the annuity shall not be
22 increased.

23 (g) The benefits in Section 14-110 apply only if the person
24 is a State policeman, a fire fighter in the fire protection
25 service of a department, ~~or~~ a security employee of the
26 Department of Corrections or the Department of Juvenile

1 Justice, or a security employee of the Department of Innovation
2 and Technology, as those terms are defined in subsection (b)
3 and subsection (c) of Section 14-110. A person who meets the
4 requirements of this Section is entitled to an annuity
5 calculated under the provisions of Section 14-110, in lieu of
6 the regular or minimum retirement annuity, only if the person
7 has withdrawn from service with not less than 20 years of
8 eligible creditable service and has attained age 60, regardless
9 of whether the attainment of age 60 occurs while the person is
10 still in service.

11 (h) If a person who first becomes a member or a participant
12 of a retirement system or pension fund subject to this Section
13 on or after January 1, 2011 is receiving a retirement annuity
14 or retirement pension under that system or fund and becomes a
15 member or participant under any other system or fund created by
16 this Code and is employed on a full-time basis, except for
17 those members or participants exempted from the provisions of
18 this Section under subsection (a) of this Section, then the
19 person's retirement annuity or retirement pension under that
20 system or fund shall be suspended during that employment. Upon
21 termination of that employment, the person's retirement
22 annuity or retirement pension payments shall resume and be
23 recalculated if recalculation is provided for under the
24 applicable Article of this Code.

25 If a person who first becomes a member of a retirement
26 system or pension fund subject to this Section on or after

1 January 1, 2012 and is receiving a retirement annuity or
2 retirement pension under that system or fund and accepts on a
3 contractual basis a position to provide services to a
4 governmental entity from which he or she has retired, then that
5 person's annuity or retirement pension earned as an active
6 employee of the employer shall be suspended during that
7 contractual service. A person receiving an annuity or
8 retirement pension under this Code shall notify the pension
9 fund or retirement system from which he or she is receiving an
10 annuity or retirement pension, as well as his or her
11 contractual employer, of his or her retirement status before
12 accepting contractual employment. A person who fails to submit
13 such notification shall be guilty of a Class A misdemeanor and
14 required to pay a fine of \$1,000. Upon termination of that
15 contractual employment, the person's retirement annuity or
16 retirement pension payments shall resume and, if appropriate,
17 be recalculated under the applicable provisions of this Code.

18 (i) (Blank).

19 (j) In the case of a conflict between the provisions of
20 this Section and any other provision of this Code, the
21 provisions of this Section shall control.

22 (Source: P.A. 97-609, eff. 1-1-12; 98-92, eff. 7-16-13; 98-596,
23 eff. 11-19-13; 98-622, eff. 6-1-14; revised 3-24-16.)

24 (40 ILCS 5/14-110) (from Ch. 108 1/2, par. 14-110)

25 (Text of Section WITHOUT the changes made by P.A. 98-599,

1 which has been held unconstitutional)

2 Sec. 14-110. Alternative retirement annuity.

3 (a) Any member who has withdrawn from service with not less
4 than 20 years of eligible creditable service and has attained
5 age 55, and any member who has withdrawn from service with not
6 less than 25 years of eligible creditable service and has
7 attained age 50, regardless of whether the attainment of either
8 of the specified ages occurs while the member is still in
9 service, shall be entitled to receive at the option of the
10 member, in lieu of the regular or minimum retirement annuity, a
11 retirement annuity computed as follows:

12 (i) for periods of service as a noncovered employee: if
13 retirement occurs on or after January 1, 2001, 3% of final
14 average compensation for each year of creditable service;
15 if retirement occurs before January 1, 2001, 2 1/4% of
16 final average compensation for each of the first 10 years
17 of creditable service, 2 1/2% for each year above 10 years
18 to and including 20 years of creditable service, and 2 3/4%
19 for each year of creditable service above 20 years; and

20 (ii) for periods of eligible creditable service as a
21 covered employee: if retirement occurs on or after January
22 1, 2001, 2.5% of final average compensation for each year
23 of creditable service; if retirement occurs before January
24 1, 2001, 1.67% of final average compensation for each of
25 the first 10 years of such service, 1.90% for each of the
26 next 10 years of such service, 2.10% for each year of such

1 service in excess of 20 but not exceeding 30, and 2.30% for
2 each year in excess of 30.

3 Such annuity shall be subject to a maximum of 75% of final
4 average compensation if retirement occurs before January 1,
5 2001 or to a maximum of 80% of final average compensation if
6 retirement occurs on or after January 1, 2001.

7 These rates shall not be applicable to any service
8 performed by a member as a covered employee which is not
9 eligible creditable service. Service as a covered employee
10 which is not eligible creditable service shall be subject to
11 the rates and provisions of Section 14-108.

12 (b) For the purpose of this Section, "eligible creditable
13 service" means creditable service resulting from service in one
14 or more of the following positions:

15 (1) State policeman;

16 (2) fire fighter in the fire protection service of a
17 department;

18 (3) air pilot;

19 (4) special agent;

20 (5) investigator for the Secretary of State;

21 (6) conservation police officer;

22 (7) investigator for the Department of Revenue or the
23 Illinois Gaming Board;

24 (8) security employee of the Department of Human
25 Services;

26 (9) Central Management Services security police

1 officer;

2 (10) security employee of the Department of
3 Corrections or the Department of Juvenile Justice;

4 (11) dangerous drugs investigator;

5 (12) investigator for the Department of State Police;

6 (13) investigator for the Office of the Attorney
7 General;

8 (14) controlled substance inspector;

9 (15) investigator for the Office of the State's
10 Attorneys Appellate Prosecutor;

11 (16) Commerce Commission police officer;

12 (17) arson investigator;

13 (18) State highway maintenance worker; -

14 (19) security employee of the Department of Innovation
15 and Technology.

16 A person employed in one of the positions specified in this
17 subsection is entitled to eligible creditable service for
18 service credit earned under this Article while undergoing the
19 basic police training course approved by the Illinois Law
20 Enforcement Training Standards Board, if completion of that
21 training is required of persons serving in that position. For
22 the purposes of this Code, service during the required basic
23 police training course shall be deemed performance of the
24 duties of the specified position, even though the person is not
25 a sworn peace officer at the time of the training.

26 (c) For the purposes of this Section:

1 (1) The term "state policeman" includes any title or
2 position in the Department of State Police that is held by
3 an individual employed under the State Police Act.

4 (2) The term "fire fighter in the fire protection
5 service of a department" includes all officers in such fire
6 protection service including fire chiefs and assistant
7 fire chiefs.

8 (3) The term "air pilot" includes any employee whose
9 official job description on file in the Department of
10 Central Management Services, or in the department by which
11 he is employed if that department is not covered by the
12 Personnel Code, states that his principal duty is the
13 operation of aircraft, and who possesses a pilot's license;
14 however, the change in this definition made by this
15 amendatory Act of 1983 shall not operate to exclude any
16 noncovered employee who was an "air pilot" for the purposes
17 of this Section on January 1, 1984.

18 (4) The term "special agent" means any person who by
19 reason of employment by the Division of Narcotic Control,
20 the Bureau of Investigation or, after July 1, 1977, the
21 Division of Criminal Investigation, the Division of
22 Internal Investigation, the Division of Operations, or any
23 other Division or organizational entity in the Department
24 of State Police is vested by law with duties to maintain
25 public order, investigate violations of the criminal law of
26 this State, enforce the laws of this State, make arrests

1 and recover property. The term "special agent" includes any
2 title or position in the Department of State Police that is
3 held by an individual employed under the State Police Act.

4 (5) The term "investigator for the Secretary of State"
5 means any person employed by the Office of the Secretary of
6 State and vested with such investigative duties as render
7 him ineligible for coverage under the Social Security Act
8 by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and
9 218(1)(1) of that Act.

10 A person who became employed as an investigator for the
11 Secretary of State between January 1, 1967 and December 31,
12 1975, and who has served as such until attainment of age
13 60, either continuously or with a single break in service
14 of not more than 3 years duration, which break terminated
15 before January 1, 1976, shall be entitled to have his
16 retirement annuity calculated in accordance with
17 subsection (a), notwithstanding that he has less than 20
18 years of credit for such service.

19 (6) The term "Conservation Police Officer" means any
20 person employed by the Division of Law Enforcement of the
21 Department of Natural Resources and vested with such law
22 enforcement duties as render him ineligible for coverage
23 under the Social Security Act by reason of Sections
24 218(d)(5)(A), 218(d)(8)(D), and 218(1)(1) of that Act. The
25 term "Conservation Police Officer" includes the positions
26 of Chief Conservation Police Administrator and Assistant

1 Conservation Police Administrator.

2 (7) The term "investigator for the Department of
3 Revenue" means any person employed by the Department of
4 Revenue and vested with such investigative duties as render
5 him ineligible for coverage under the Social Security Act
6 by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and
7 218(1)(1) of that Act.

8 The term "investigator for the Illinois Gaming Board"
9 means any person employed as such by the Illinois Gaming
10 Board and vested with such peace officer duties as render
11 the person ineligible for coverage under the Social
12 Security Act by reason of Sections 218(d)(5)(A),
13 218(d)(8)(D), and 218(1)(1) of that Act.

14 (8) The term "security employee of the Department of
15 Human Services" means any person employed by the Department
16 of Human Services who (i) is employed at the Chester Mental
17 Health Center and has daily contact with the residents
18 thereof, (ii) is employed within a security unit at a
19 facility operated by the Department and has daily contact
20 with the residents of the security unit, (iii) is employed
21 at a facility operated by the Department that includes a
22 security unit and is regularly scheduled to work at least
23 50% of his or her working hours within that security unit,
24 or (iv) is a mental health police officer. "Mental health
25 police officer" means any person employed by the Department
26 of Human Services in a position pertaining to the

1 Department's mental health and developmental disabilities
2 functions who is vested with such law enforcement duties as
3 render the person ineligible for coverage under the Social
4 Security Act by reason of Sections 218(d)(5)(A),
5 218(d)(8)(D) and 218(1)(1) of that Act. "Security unit"
6 means that portion of a facility that is devoted to the
7 care, containment, and treatment of persons committed to
8 the Department of Human Services as sexually violent
9 persons, persons unfit to stand trial, or persons not
10 guilty by reason of insanity. With respect to past
11 employment, references to the Department of Human Services
12 include its predecessor, the Department of Mental Health
13 and Developmental Disabilities.

14 The changes made to this subdivision (c)(8) by Public
15 Act 92-14 apply to persons who retire on or after January
16 1, 2001, notwithstanding Section 1-103.1.

17 (9) "Central Management Services security police
18 officer" means any person employed by the Department of
19 Central Management Services who is vested with such law
20 enforcement duties as render him ineligible for coverage
21 under the Social Security Act by reason of Sections
22 218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act.

23 (10) For a member who first became an employee under
24 this Article before July 1, 2005, the term "security
25 employee of the Department of Corrections or the Department
26 of Juvenile Justice" means any employee of the Department

1 of Corrections or the Department of Juvenile Justice or the
2 former Department of Personnel, and any member or employee
3 of the Prisoner Review Board, who has daily contact with
4 inmates or youth by working within a correctional facility
5 or Juvenile facility operated by the Department of Juvenile
6 Justice or who is a parole officer or an employee who has
7 direct contact with committed persons in the performance of
8 his or her job duties. For a member who first becomes an
9 employee under this Article on or after July 1, 2005, the
10 term means an employee of the Department of Corrections or
11 the Department of Juvenile Justice who is any of the
12 following: (i) officially headquartered at a correctional
13 facility or Juvenile facility operated by the Department of
14 Juvenile Justice, (ii) a parole officer, (iii) a member of
15 the apprehension unit, (iv) a member of the intelligence
16 unit, (v) a member of the sort team, or (vi) an
17 investigator.

18 (11) The term "dangerous drugs investigator" means any
19 person who is employed as such by the Department of Human
20 Services.

21 (12) The term "investigator for the Department of State
22 Police" means a person employed by the Department of State
23 Police who is vested under Section 4 of the Narcotic
24 Control Division Abolition Act with such law enforcement
25 powers as render him ineligible for coverage under the
26 Social Security Act by reason of Sections 218(d)(5)(A),

1 218(d)(8)(D) and 218(1)(1) of that Act.

2 (13) "Investigator for the Office of the Attorney
3 General" means any person who is employed as such by the
4 Office of the Attorney General and is vested with such
5 investigative duties as render him ineligible for coverage
6 under the Social Security Act by reason of Sections
7 218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act. For
8 the period before January 1, 1989, the term includes all
9 persons who were employed as investigators by the Office of
10 the Attorney General, without regard to social security
11 status.

12 (14) "Controlled substance inspector" means any person
13 who is employed as such by the Department of Professional
14 Regulation and is vested with such law enforcement duties
15 as render him ineligible for coverage under the Social
16 Security Act by reason of Sections 218(d)(5)(A),
17 218(d)(8)(D) and 218(1)(1) of that Act. The term
18 "controlled substance inspector" includes the Program
19 Executive of Enforcement and the Assistant Program
20 Executive of Enforcement.

21 (15) The term "investigator for the Office of the
22 State's Attorneys Appellate Prosecutor" means a person
23 employed in that capacity on a full time basis under the
24 authority of Section 7.06 of the State's Attorneys
25 Appellate Prosecutor's Act.

26 (16) "Commerce Commission police officer" means any

1 person employed by the Illinois Commerce Commission who is
2 vested with such law enforcement duties as render him
3 ineligible for coverage under the Social Security Act by
4 reason of Sections 218(d)(5)(A), 218(d)(8)(D), and
5 218(1)(1) of that Act.

6 (17) "Arson investigator" means any person who is
7 employed as such by the Office of the State Fire Marshal
8 and is vested with such law enforcement duties as render
9 the person ineligible for coverage under the Social
10 Security Act by reason of Sections 218(d)(5)(A),
11 218(d)(8)(D), and 218(1)(1) of that Act. A person who was
12 employed as an arson investigator on January 1, 1995 and is
13 no longer in service but not yet receiving a retirement
14 annuity may convert his or her creditable service for
15 employment as an arson investigator into eligible
16 creditable service by paying to the System the difference
17 between the employee contributions actually paid for that
18 service and the amounts that would have been contributed if
19 the applicant were contributing at the rate applicable to
20 persons with the same social security status earning
21 eligible creditable service on the date of application.

22 (18) The term "State highway maintenance worker" means
23 a person who is either of the following:

24 (i) A person employed on a full-time basis by the
25 Illinois Department of Transportation in the position
26 of highway maintainer, highway maintenance lead

1 worker, highway maintenance lead/lead worker, heavy
2 construction equipment operator, power shovel
3 operator, or bridge mechanic; and whose principal
4 responsibility is to perform, on the roadway, the
5 actual maintenance necessary to keep the highways that
6 form a part of the State highway system in serviceable
7 condition for vehicular traffic.

8 (ii) A person employed on a full-time basis by the
9 Illinois State Toll Highway Authority in the position
10 of equipment operator/laborer H-4, equipment
11 operator/laborer H-6, welder H-4, welder H-6,
12 mechanical/electrical H-4, mechanical/electrical H-6,
13 water/sewer H-4, water/sewer H-6, sign maker/hanger
14 H-4, sign maker/hanger H-6, roadway lighting H-4,
15 roadway lighting H-6, structural H-4, structural H-6,
16 painter H-4, or painter H-6; and whose principal
17 responsibility is to perform, on the roadway, the
18 actual maintenance necessary to keep the Authority's
19 tollways in serviceable condition for vehicular
20 traffic.

21 (19) The term "security employee of the Department of
22 Innovation and Technology" means a person who was a
23 security employee of the Department of Corrections or the
24 Department of Juvenile Justice, was transferred to the
25 Department of Innovation and Technology pursuant to
26 Executive Order 2016-01, and continues to perform similar

1 job functions under that Department.

2 (d) A security employee of the Department of Corrections or
3 the Department of Juvenile Justice, ~~and~~ a security employee of
4 the Department of Human Services who is not a mental health
5 police officer, and a security employee of the Department of
6 Innovation and Technology shall not be eligible for the
7 alternative retirement annuity provided by this Section unless
8 he or she meets the following minimum age and service
9 requirements at the time of retirement:

10 (i) 25 years of eligible creditable service and age 55;

11 or

12 (ii) beginning January 1, 1987, 25 years of eligible
13 creditable service and age 54, or 24 years of eligible
14 creditable service and age 55; or

15 (iii) beginning January 1, 1988, 25 years of eligible
16 creditable service and age 53, or 23 years of eligible
17 creditable service and age 55; or

18 (iv) beginning January 1, 1989, 25 years of eligible
19 creditable service and age 52, or 22 years of eligible
20 creditable service and age 55; or

21 (v) beginning January 1, 1990, 25 years of eligible
22 creditable service and age 51, or 21 years of eligible
23 creditable service and age 55; or

24 (vi) beginning January 1, 1991, 25 years of eligible
25 creditable service and age 50, or 20 years of eligible
26 creditable service and age 55.

1 Persons who have service credit under Article 16 of this
2 Code for service as a security employee of the Department of
3 Corrections or the Department of Juvenile Justice, or the
4 Department of Human Services in a position requiring
5 certification as a teacher may count such service toward
6 establishing their eligibility under the service requirements
7 of this Section; but such service may be used only for
8 establishing such eligibility, and not for the purpose of
9 increasing or calculating any benefit.

10 (e) If a member enters military service while working in a
11 position in which eligible creditable service may be earned,
12 and returns to State service in the same or another such
13 position, and fulfills in all other respects the conditions
14 prescribed in this Article for credit for military service,
15 such military service shall be credited as eligible creditable
16 service for the purposes of the retirement annuity prescribed
17 in this Section.

18 (f) For purposes of calculating retirement annuities under
19 this Section, periods of service rendered after December 31,
20 1968 and before October 1, 1975 as a covered employee in the
21 position of special agent, conservation police officer, mental
22 health police officer, or investigator for the Secretary of
23 State, shall be deemed to have been service as a noncovered
24 employee, provided that the employee pays to the System prior
25 to retirement an amount equal to (1) the difference between the
26 employee contributions that would have been required for such

1 service as a noncovered employee, and the amount of employee
2 contributions actually paid, plus (2) if payment is made after
3 July 31, 1987, regular interest on the amount specified in item
4 (1) from the date of service to the date of payment.

5 For purposes of calculating retirement annuities under
6 this Section, periods of service rendered after December 31,
7 1968 and before January 1, 1982 as a covered employee in the
8 position of investigator for the Department of Revenue shall be
9 deemed to have been service as a noncovered employee, provided
10 that the employee pays to the System prior to retirement an
11 amount equal to (1) the difference between the employee
12 contributions that would have been required for such service as
13 a noncovered employee, and the amount of employee contributions
14 actually paid, plus (2) if payment is made after January 1,
15 1990, regular interest on the amount specified in item (1) from
16 the date of service to the date of payment.

17 (g) A State policeman may elect, not later than January 1,
18 1990, to establish eligible creditable service for up to 10
19 years of his service as a policeman under Article 3, by filing
20 a written election with the Board, accompanied by payment of an
21 amount to be determined by the Board, equal to (i) the
22 difference between the amount of employee and employer
23 contributions transferred to the System under Section 3-110.5,
24 and the amounts that would have been contributed had such
25 contributions been made at the rates applicable to State
26 policemen, plus (ii) interest thereon at the effective rate for

1 each year, compounded annually, from the date of service to the
2 date of payment.

3 Subject to the limitation in subsection (i), a State
4 policeman may elect, not later than July 1, 1993, to establish
5 eligible creditable service for up to 10 years of his service
6 as a member of the County Police Department under Article 9, by
7 filing a written election with the Board, accompanied by
8 payment of an amount to be determined by the Board, equal to
9 (i) the difference between the amount of employee and employer
10 contributions transferred to the System under Section 9-121.10
11 and the amounts that would have been contributed had those
12 contributions been made at the rates applicable to State
13 policemen, plus (ii) interest thereon at the effective rate for
14 each year, compounded annually, from the date of service to the
15 date of payment.

16 (h) Subject to the limitation in subsection (i), a State
17 policeman or investigator for the Secretary of State may elect
18 to establish eligible creditable service for up to 12 years of
19 his service as a policeman under Article 5, by filing a written
20 election with the Board on or before January 31, 1992, and
21 paying to the System by January 31, 1994 an amount to be
22 determined by the Board, equal to (i) the difference between
23 the amount of employee and employer contributions transferred
24 to the System under Section 5-236, and the amounts that would
25 have been contributed had such contributions been made at the
26 rates applicable to State policemen, plus (ii) interest thereon

1 at the effective rate for each year, compounded annually, from
2 the date of service to the date of payment.

3 Subject to the limitation in subsection (i), a State
4 policeman, conservation police officer, or investigator for
5 the Secretary of State may elect to establish eligible
6 creditable service for up to 10 years of service as a sheriff's
7 law enforcement employee under Article 7, by filing a written
8 election with the Board on or before January 31, 1993, and
9 paying to the System by January 31, 1994 an amount to be
10 determined by the Board, equal to (i) the difference between
11 the amount of employee and employer contributions transferred
12 to the System under Section 7-139.7, and the amounts that would
13 have been contributed had such contributions been made at the
14 rates applicable to State policemen, plus (ii) interest thereon
15 at the effective rate for each year, compounded annually, from
16 the date of service to the date of payment.

17 Subject to the limitation in subsection (i), a State
18 policeman, conservation police officer, or investigator for
19 the Secretary of State may elect to establish eligible
20 creditable service for up to 5 years of service as a police
21 officer under Article 3, a policeman under Article 5, a
22 sheriff's law enforcement employee under Article 7, a member of
23 the county police department under Article 9, or a police
24 officer under Article 15 by filing a written election with the
25 Board and paying to the System an amount to be determined by
26 the Board, equal to (i) the difference between the amount of

1 employee and employer contributions transferred to the System
2 under Section 3-110.6, 5-236, 7-139.8, 9-121.10, or 15-134.4
3 and the amounts that would have been contributed had such
4 contributions been made at the rates applicable to State
5 policemen, plus (ii) interest thereon at the effective rate for
6 each year, compounded annually, from the date of service to the
7 date of payment.

8 Subject to the limitation in subsection (i), an
9 investigator for the Office of the Attorney General, or an
10 investigator for the Department of Revenue, may elect to
11 establish eligible creditable service for up to 5 years of
12 service as a police officer under Article 3, a policeman under
13 Article 5, a sheriff's law enforcement employee under Article
14 7, or a member of the county police department under Article 9
15 by filing a written election with the Board within 6 months
16 after August 25, 2009 (the effective date of Public Act 96-745)
17 and paying to the System an amount to be determined by the
18 Board, equal to (i) the difference between the amount of
19 employee and employer contributions transferred to the System
20 under Section 3-110.6, 5-236, 7-139.8, or 9-121.10 and the
21 amounts that would have been contributed had such contributions
22 been made at the rates applicable to State policemen, plus (ii)
23 interest thereon at the actuarially assumed rate for each year,
24 compounded annually, from the date of service to the date of
25 payment.

26 Subject to the limitation in subsection (i), a State

1 policeman, conservation police officer, investigator for the
2 Office of the Attorney General, an investigator for the
3 Department of Revenue, or investigator for the Secretary of
4 State may elect to establish eligible creditable service for up
5 to 5 years of service as a person employed by a participating
6 municipality to perform police duties, or law enforcement
7 officer employed on a full-time basis by a forest preserve
8 district under Article 7, a county corrections officer, or a
9 court services officer under Article 9, by filing a written
10 election with the Board within 6 months after August 25, 2009
11 (the effective date of Public Act 96-745) and paying to the
12 System an amount to be determined by the Board, equal to (i)
13 the difference between the amount of employee and employer
14 contributions transferred to the System under Sections 7-139.8
15 and 9-121.10 and the amounts that would have been contributed
16 had such contributions been made at the rates applicable to
17 State policemen, plus (ii) interest thereon at the actuarially
18 assumed rate for each year, compounded annually, from the date
19 of service to the date of payment.

20 (i) The total amount of eligible creditable service
21 established by any person under subsections (g), (h), (j), (k),
22 and (l) of this Section shall not exceed 12 years.

23 (j) Subject to the limitation in subsection (i), an
24 investigator for the Office of the State's Attorneys Appellate
25 Prosecutor or a controlled substance inspector may elect to
26 establish eligible creditable service for up to 10 years of his

1 service as a policeman under Article 3 or a sheriff's law
2 enforcement employee under Article 7, by filing a written
3 election with the Board, accompanied by payment of an amount to
4 be determined by the Board, equal to (1) the difference between
5 the amount of employee and employer contributions transferred
6 to the System under Section 3-110.6 or 7-139.8, and the amounts
7 that would have been contributed had such contributions been
8 made at the rates applicable to State policemen, plus (2)
9 interest thereon at the effective rate for each year,
10 compounded annually, from the date of service to the date of
11 payment.

12 (k) Subject to the limitation in subsection (i) of this
13 Section, an alternative formula employee may elect to establish
14 eligible creditable service for periods spent as a full-time
15 law enforcement officer or full-time corrections officer
16 employed by the federal government or by a state or local
17 government located outside of Illinois, for which credit is not
18 held in any other public employee pension fund or retirement
19 system. To obtain this credit, the applicant must file a
20 written application with the Board by March 31, 1998,
21 accompanied by evidence of eligibility acceptable to the Board
22 and payment of an amount to be determined by the Board, equal
23 to (1) employee contributions for the credit being established,
24 based upon the applicant's salary on the first day as an
25 alternative formula employee after the employment for which
26 credit is being established and the rates then applicable to

1 alternative formula employees, plus (2) an amount determined by
2 the Board to be the employer's normal cost of the benefits
3 accrued for the credit being established, plus (3) regular
4 interest on the amounts in items (1) and (2) from the first day
5 as an alternative formula employee after the employment for
6 which credit is being established to the date of payment.

7 (1) Subject to the limitation in subsection (i), a security
8 employee of the Department of Corrections may elect, not later
9 than July 1, 1998, to establish eligible creditable service for
10 up to 10 years of his or her service as a policeman under
11 Article 3, by filing a written election with the Board,
12 accompanied by payment of an amount to be determined by the
13 Board, equal to (i) the difference between the amount of
14 employee and employer contributions transferred to the System
15 under Section 3-110.5, and the amounts that would have been
16 contributed had such contributions been made at the rates
17 applicable to security employees of the Department of
18 Corrections, plus (ii) interest thereon at the effective rate
19 for each year, compounded annually, from the date of service to
20 the date of payment.

21 (m) The amendatory changes to this Section made by this
22 amendatory Act of the 94th General Assembly apply only to: (1)
23 security employees of the Department of Juvenile Justice
24 employed by the Department of Corrections before the effective
25 date of this amendatory Act of the 94th General Assembly and
26 transferred to the Department of Juvenile Justice by this

1 amendatory Act of the 94th General Assembly; and (2) persons
2 employed by the Department of Juvenile Justice on or after the
3 effective date of this amendatory Act of the 94th General
4 Assembly who are required by subsection (b) of Section 3-2.5-15
5 of the Unified Code of Corrections to have a bachelor's or
6 advanced degree from an accredited college or university with a
7 specialization in criminal justice, education, psychology,
8 social work, or a closely related social science or, in the
9 case of persons who provide vocational training, who are
10 required to have adequate knowledge in the skill for which they
11 are providing the vocational training.

12 (n) A person employed in a position under subsection (b) of
13 this Section who has purchased service credit under subsection
14 (j) of Section 14-104 or subsection (b) of Section 14-105 in
15 any other capacity under this Article may convert up to 5 years
16 of that service credit into service credit covered under this
17 Section by paying to the Fund an amount equal to (1) the
18 additional employee contribution required under Section
19 14-133, plus (2) the additional employer contribution required
20 under Section 14-131, plus (3) interest on items (1) and (2) at
21 the actuarially assumed rate from the date of the service to
22 the date of payment.

23 (Source: P.A. 95-530, eff. 8-28-07; 95-1036, eff. 2-17-09;
24 96-37, eff. 7-13-09; 96-745, eff. 8-25-09; 96-1000, eff.
25 7-2-10.)

1 (40 ILCS 5/15-106) (from Ch. 108 1/2, par. 15-106)

2 Sec. 15-106. Employer. "Employer": The University of
3 Illinois, Southern Illinois University, Chicago State
4 University, Eastern Illinois University, Governors State
5 University, Illinois State University, Northeastern Illinois
6 University, Northern Illinois University, Western Illinois
7 University, the State Board of Higher Education, the Illinois
8 Mathematics and Science Academy, the University Civil Service
9 Merit Board, the Board of Trustees of the State Universities
10 Retirement System, the Illinois Community College Board,
11 community college boards, any association of community college
12 boards organized under Section 3-55 of the Public Community
13 College Act, the Board of Examiners established under the
14 Illinois Public Accounting Act, and, only during the period for
15 which employer contributions required under Section 15-155 are
16 paid, the following organizations: the alumni associations,
17 the foundations and the athletic associations which are
18 affiliated with the universities and colleges included in this
19 Section as employers. An individual who begins employment on or
20 after the effective date of this amendatory Act of the 99th
21 General Assembly with any association of community college
22 boards organized under Section 3-55 of the Public Community
23 College Act, the Association of Illinois Middle-Grade Schools,
24 the Illinois Association of School Administrators, the
25 Illinois Association for Supervision and Curriculum
26 Development, the Illinois Principals Association, the Illinois

1 Association of School Business Officials, the Illinois Special
2 Olympics, or an entity not defined as an employer in this
3 Section shall not be deemed an employee for the purposes of
4 this Article with respect to that employment and shall not be
5 eligible to participate in the System with respect to that
6 employment; provided, however, that those individuals who are
7 both employed by such an entity and are participating in the
8 System with respect to that employment on the effective date of
9 this amendatory Act of the 99th General Assembly shall be
10 allowed to continue as participants in the System for the
11 duration of that employment.

12 A department as defined in Section 14-103.04 is an employer
13 for any person appointed by the Governor under the Civil
14 Administrative Code of Illinois who is a participating employee
15 as defined in Section 15-109. The Department of Central
16 Management Services is an employer with respect to persons
17 employed by the State Board of Higher Education in positions
18 with the Illinois Century Network as of June 30, 2004 who
19 remain continuously employed after that date by the Department
20 of Central Management Services in positions with the Illinois
21 Century Network, the Bureau of Communication and Computer
22 Services, or, if applicable, any successor bureau or the
23 Department of Innovation and Technology.

24 The cities of Champaign and Urbana shall be considered
25 employers, but only during the period for which contributions
26 are required to be made under subsection (b-1) of Section

1 15-155 and only with respect to individuals described in
2 subsection (h) of Section 15-107.

3 (Source: P.A. 99-830, eff. 1-1-17; 99-897, eff. 1-1-17.)

4 Section 955. The Illinois Insurance Code is amended by
5 changing Sections 408, 408.2, 1202, and 1206 as follows:

6 (215 ILCS 5/408) (from Ch. 73, par. 1020)

7 Sec. 408. Fees and charges.

8 (1) The Director shall charge, collect and give proper
9 acquittances for the payment of the following fees and charges:

10 (a) For filing all documents submitted for the
11 incorporation or organization or certification of a
12 domestic company, except for a fraternal benefit society,
13 \$2,000.

14 (b) For filing all documents submitted for the
15 incorporation or organization of a fraternal benefit
16 society, \$500.

17 (c) For filing amendments to articles of incorporation
18 and amendments to declaration of organization, except for a
19 fraternal benefit society, a mutual benefit association, a
20 burial society or a farm mutual, \$200.

21 (d) For filing amendments to articles of incorporation
22 of a fraternal benefit society, a mutual benefit
23 association or a burial society, \$100.

24 (e) For filing amendments to articles of incorporation

1 of a farm mutual, \$50.

2 (f) For filing bylaws or amendments thereto, \$50.

3 (g) For filing agreement of merger or consolidation:

4 (i) for a domestic company, except for a fraternal
5 benefit society, a mutual benefit association, a
6 burial society, or a farm mutual, \$2,000.

7 (ii) for a foreign or alien company, except for a
8 fraternal benefit society, \$600.

9 (iii) for a fraternal benefit society, a mutual
10 benefit association, a burial society, or a farm
11 mutual, \$200.

12 (h) For filing agreements of reinsurance by a domestic
13 company, \$200.

14 (i) For filing all documents submitted by a foreign or
15 alien company to be admitted to transact business or
16 accredited as a reinsurer in this State, except for a
17 fraternal benefit society, \$5,000.

18 (j) For filing all documents submitted by a foreign or
19 alien fraternal benefit society to be admitted to transact
20 business in this State, \$500.

21 (k) For filing declaration of withdrawal of a foreign
22 or alien company, \$50.

23 (l) For filing annual statement by a domestic company,
24 except a fraternal benefit society, a mutual benefit
25 association, a burial society, or a farm mutual, \$200.

26 (m) For filing annual statement by a domestic fraternal

1 benefit society, \$100.

2 (n) For filing annual statement by a farm mutual, a
3 mutual benefit association, or a burial society, \$50.

4 (o) For issuing a certificate of authority or renewal
5 thereof except to a foreign fraternal benefit society,
6 \$400.

7 (p) For issuing a certificate of authority or renewal
8 thereof to a foreign fraternal benefit society, \$200.

9 (q) For issuing an amended certificate of authority,
10 \$50.

11 (r) For each certified copy of certificate of
12 authority, \$20.

13 (s) For each certificate of deposit, or valuation, or
14 compliance or surety certificate, \$20.

15 (t) For copies of papers or records per page, \$1.

16 (u) For each certification to copies of papers or
17 records, \$10.

18 (v) For multiple copies of documents or certificates
19 listed in subparagraphs (r), (s), and (u) of paragraph (1)
20 of this Section, \$10 for the first copy of a certificate of
21 any type and \$5 for each additional copy of the same
22 certificate requested at the same time, unless, pursuant to
23 paragraph (2) of this Section, the Director finds these
24 additional fees excessive.

25 (w) For issuing a permit to sell shares or increase
26 paid-up capital:

1 (i) in connection with a public stock offering,
2 \$300;

3 (ii) in any other case, \$100.

4 (x) For issuing any other certificate required or
5 permissible under the law, \$50.

6 (y) For filing a plan of exchange of the stock of a
7 domestic stock insurance company, a plan of
8 demutualization of a domestic mutual company, or a plan of
9 reorganization under Article XII, \$2,000.

10 (z) For filing a statement of acquisition of a domestic
11 company as defined in Section 131.4 of this Code, \$2,000.

12 (aa) For filing an agreement to purchase the business
13 of an organization authorized under the Dental Service Plan
14 Act or the Voluntary Health Services Plans Act or of a
15 health maintenance organization or a limited health
16 service organization, \$2,000.

17 (bb) For filing a statement of acquisition of a foreign
18 or alien insurance company as defined in Section 131.12a of
19 this Code, \$1,000.

20 (cc) For filing a registration statement as required in
21 Sections 131.13 and 131.14, the notification as required by
22 Sections 131.16, 131.20a, or 141.4, or an agreement or
23 transaction required by Sections 124.2(2), 141, 141a, or
24 141.1, \$200.

25 (dd) For filing an application for licensing of:

26 (i) a religious or charitable risk pooling trust or

1 a workers' compensation pool, \$1,000;

2 (ii) a workers' compensation service company,
3 \$500;

4 (iii) a self-insured automobile fleet, \$200; or

5 (iv) a renewal of or amendment of any license
6 issued pursuant to (i), (ii), or (iii) above, \$100.

7 (ee) For filing articles of incorporation for a
8 syndicate to engage in the business of insurance through
9 the Illinois Insurance Exchange, \$2,000.

10 (ff) For filing amended articles of incorporation for a
11 syndicate engaged in the business of insurance through the
12 Illinois Insurance Exchange, \$100.

13 (gg) For filing articles of incorporation for a limited
14 syndicate to join with other subscribers or limited
15 syndicates to do business through the Illinois Insurance
16 Exchange, \$1,000.

17 (hh) For filing amended articles of incorporation for a
18 limited syndicate to do business through the Illinois
19 Insurance Exchange, \$100.

20 (ii) For a permit to solicit subscriptions to a
21 syndicate or limited syndicate, \$100.

22 (jj) For the filing of each form as required in Section
23 143 of this Code, \$50 per form. The fee for advisory and
24 rating organizations shall be \$200 per form.

25 (i) For the purposes of the form filing fee,
26 filings made on insert page basis will be considered

1 one form at the time of its original submission.
2 Changes made to a form subsequent to its approval shall
3 be considered a new filing.

4 (ii) Only one fee shall be charged for a form,
5 regardless of the number of other forms or policies
6 with which it will be used.

7 (iii) Fees charged for a policy filed as it will be
8 issued regardless of the number of forms comprising
9 that policy shall not exceed \$1,500. For advisory or
10 rating organizations, fees charged for a policy filed
11 as it will be issued regardless of the number of forms
12 comprising that policy shall not exceed \$2,500.

13 (iv) The Director may by rule exempt forms from
14 such fees.

15 (kk) For filing an application for licensing of a
16 reinsurance intermediary, \$500.

17 (ll) For filing an application for renewal of a license
18 of a reinsurance intermediary, \$200.

19 (2) When printed copies or numerous copies of the same
20 paper or records are furnished or certified, the Director may
21 reduce such fees for copies if he finds them excessive. He may,
22 when he considers it in the public interest, furnish without
23 charge to state insurance departments and persons other than
24 companies, copies or certified copies of reports of
25 examinations and of other papers and records.

26 (3) The expenses incurred in any performance examination

1 authorized by law shall be paid by the company or person being
2 examined. The charge shall be reasonably related to the cost of
3 the examination including but not limited to compensation of
4 examiners, electronic data processing costs, supervision and
5 preparation of an examination report and lodging and travel
6 expenses. All lodging and travel expenses shall be in accord
7 with the applicable travel regulations as published by the
8 Department of Central Management Services and approved by the
9 Governor's Travel Control Board, except that out-of-state
10 lodging and travel expenses related to examinations authorized
11 under Section 132 shall be in accordance with travel rates
12 prescribed under paragraph 301-7.2 of the Federal Travel
13 Regulations, 41 C.F.R. 301-7.2, for reimbursement of
14 subsistence expenses incurred during official travel. All
15 lodging and travel expenses may be reimbursed directly upon
16 authorization of the Director. With the exception of the direct
17 reimbursements authorized by the Director, all performance
18 examination charges collected by the Department shall be paid
19 to the Insurance Producer Administration Fund, however, the
20 electronic data processing costs incurred by the Department in
21 the performance of any examination shall be billed directly to
22 the company being examined for payment to the Technology
23 Management ~~Statistical Services~~ Revolving Fund.

24 (4) At the time of any service of process on the Director
25 as attorney for such service, the Director shall charge and
26 collect the sum of \$20, which may be recovered as taxable costs

1 by the party to the suit or action causing such service to be
2 made if he prevails in such suit or action.

3 (5) (a) The costs incurred by the Department of Insurance
4 in conducting any hearing authorized by law shall be assessed
5 against the parties to the hearing in such proportion as the
6 Director of Insurance may determine upon consideration of all
7 relevant circumstances including: (1) the nature of the
8 hearing; (2) whether the hearing was instigated by, or for the
9 benefit of a particular party or parties; (3) whether there is
10 a successful party on the merits of the proceeding; and (4) the
11 relative levels of participation by the parties.

12 (b) For purposes of this subsection (5) costs incurred
13 shall mean the hearing officer fees, court reporter fees, and
14 travel expenses of Department of Insurance officers and
15 employees; provided however, that costs incurred shall not
16 include hearing officer fees or court reporter fees unless the
17 Department has retained the services of independent
18 contractors or outside experts to perform such functions.

19 (c) The Director shall make the assessment of costs
20 incurred as part of the final order or decision arising out of
21 the proceeding; provided, however, that such order or decision
22 shall include findings and conclusions in support of the
23 assessment of costs. This subsection (5) shall not be construed
24 as permitting the payment of travel expenses unless calculated
25 in accordance with the applicable travel regulations of the
26 Department of Central Management Services, as approved by the

1 Governor's Travel Control Board. The Director as part of such
2 order or decision shall require all assessments for hearing
3 officer fees and court reporter fees, if any, to be paid
4 directly to the hearing officer or court reporter by the
5 party(s) assessed for such costs. The assessments for travel
6 expenses of Department officers and employees shall be
7 reimbursable to the Director of Insurance for deposit to the
8 fund out of which those expenses had been paid.

9 (d) The provisions of this subsection (5) shall apply in
10 the case of any hearing conducted by the Director of Insurance
11 not otherwise specifically provided for by law.

12 (6) The Director shall charge and collect an annual
13 financial regulation fee from every domestic company for
14 examination and analysis of its financial condition and to fund
15 the internal costs and expenses of the Interstate Insurance
16 Receivership Commission as may be allocated to the State of
17 Illinois and companies doing an insurance business in this
18 State pursuant to Article X of the Interstate Insurance
19 Receivership Compact. The fee shall be the greater fixed amount
20 based upon the combination of nationwide direct premium income
21 and nationwide reinsurance assumed premium income or upon
22 admitted assets calculated under this subsection as follows:

23 (a) Combination of nationwide direct premium income
24 and nationwide reinsurance assumed premium.

25 (i) \$150, if the premium is less than \$500,000 and
26 there is no reinsurance assumed premium;

1 (ii) \$750, if the premium is \$500,000 or more, but
2 less than \$5,000,000 and there is no reinsurance
3 assumed premium; or if the premium is less than
4 \$5,000,000 and the reinsurance assumed premium is less
5 than \$10,000,000;

6 (iii) \$3,750, if the premium is less than
7 \$5,000,000 and the reinsurance assumed premium is
8 \$10,000,000 or more;

9 (iv) \$7,500, if the premium is \$5,000,000 or more,
10 but less than \$10,000,000;

11 (v) \$18,000, if the premium is \$10,000,000 or more,
12 but less than \$25,000,000;

13 (vi) \$22,500, if the premium is \$25,000,000 or
14 more, but less than \$50,000,000;

15 (vii) \$30,000, if the premium is \$50,000,000 or
16 more, but less than \$100,000,000;

17 (viii) \$37,500, if the premium is \$100,000,000 or
18 more.

19 (b) Admitted assets.

20 (i) \$150, if admitted assets are less than
21 \$1,000,000;

22 (ii) \$750, if admitted assets are \$1,000,000 or
23 more, but less than \$5,000,000;

24 (iii) \$3,750, if admitted assets are \$5,000,000 or
25 more, but less than \$25,000,000;

26 (iv) \$7,500, if admitted assets are \$25,000,000 or

1 more, but less than \$50,000,000;

2 (v) \$18,000, if admitted assets are \$50,000,000 or
3 more, but less than \$100,000,000;

4 (vi) \$22,500, if admitted assets are \$100,000,000
5 or more, but less than \$500,000,000;

6 (vii) \$30,000, if admitted assets are \$500,000,000
7 or more, but less than \$1,000,000,000;

8 (viii) \$37,500, if admitted assets are
9 \$1,000,000,000 or more.

10 (c) The sum of financial regulation fees charged to the
11 domestic companies of the same affiliated group shall not
12 exceed \$250,000 in the aggregate in any single year and
13 shall be billed by the Director to the member company
14 designated by the group.

15 (7) The Director shall charge and collect an annual
16 financial regulation fee from every foreign or alien company,
17 except fraternal benefit societies, for the examination and
18 analysis of its financial condition and to fund the internal
19 costs and expenses of the Interstate Insurance Receivership
20 Commission as may be allocated to the State of Illinois and
21 companies doing an insurance business in this State pursuant to
22 Article X of the Interstate Insurance Receivership Compact. The
23 fee shall be a fixed amount based upon Illinois direct premium
24 income and nationwide reinsurance assumed premium income in
25 accordance with the following schedule:

26 (a) \$150, if the premium is less than \$500,000 and

1 there is no reinsurance assumed premium;

2 (b) \$750, if the premium is \$500,000 or more, but less
3 than \$5,000,000 and there is no reinsurance assumed
4 premium; or if the premium is less than \$5,000,000 and the
5 reinsurance assumed premium is less than \$10,000,000;

6 (c) \$3,750, if the premium is less than \$5,000,000 and
7 the reinsurance assumed premium is \$10,000,000 or more;

8 (d) \$7,500, if the premium is \$5,000,000 or more, but
9 less than \$10,000,000;

10 (e) \$18,000, if the premium is \$10,000,000 or more, but
11 less than \$25,000,000;

12 (f) \$22,500, if the premium is \$25,000,000 or more, but
13 less than \$50,000,000;

14 (g) \$30,000, if the premium is \$50,000,000 or more, but
15 less than \$100,000,000;

16 (h) \$37,500, if the premium is \$100,000,000 or more.

17 The sum of financial regulation fees under this subsection
18 (7) charged to the foreign or alien companies within the same
19 affiliated group shall not exceed \$250,000 in the aggregate in
20 any single year and shall be billed by the Director to the
21 member company designated by the group.

22 (8) Beginning January 1, 1992, the financial regulation
23 fees imposed under subsections (6) and (7) of this Section
24 shall be paid by each company or domestic affiliated group
25 annually. After January 1, 1994, the fee shall be billed by
26 Department invoice based upon the company's premium income or

1 admitted assets as shown in its annual statement for the
2 preceding calendar year. The invoice is due upon receipt and
3 must be paid no later than June 30 of each calendar year. All
4 financial regulation fees collected by the Department shall be
5 paid to the Insurance Financial Regulation Fund. The Department
6 may not collect financial examiner per diem charges from
7 companies subject to subsections (6) and (7) of this Section
8 undergoing financial examination after June 30, 1992.

9 (9) In addition to the financial regulation fee required by
10 this Section, a company undergoing any financial examination
11 authorized by law shall pay the following costs and expenses
12 incurred by the Department: electronic data processing costs,
13 the expenses authorized under Section 131.21 and subsection (d)
14 of Section 132.4 of this Code, and lodging and travel expenses.

15 Electronic data processing costs incurred by the
16 Department in the performance of any examination shall be
17 billed directly to the company undergoing examination for
18 payment to the Technology Management ~~Statistical Services~~
19 Revolving Fund. Except for direct reimbursements authorized by
20 the Director or direct payments made under Section 131.21 or
21 subsection (d) of Section 132.4 of this Code, all financial
22 regulation fees and all financial examination charges
23 collected by the Department shall be paid to the Insurance
24 Financial Regulation Fund.

25 All lodging and travel expenses shall be in accordance with
26 applicable travel regulations published by the Department of

1 Central Management Services and approved by the Governor's
2 Travel Control Board, except that out-of-state lodging and
3 travel expenses related to examinations authorized under
4 Sections 132.1 through 132.7 shall be in accordance with travel
5 rates prescribed under paragraph 301-7.2 of the Federal Travel
6 Regulations, 41 C.F.R. 301-7.2, for reimbursement of
7 subsistence expenses incurred during official travel. All
8 lodging and travel expenses may be reimbursed directly upon the
9 authorization of the Director.

10 In the case of an organization or person not subject to the
11 financial regulation fee, the expenses incurred in any
12 financial examination authorized by law shall be paid by the
13 organization or person being examined. The charge shall be
14 reasonably related to the cost of the examination including,
15 but not limited to, compensation of examiners and other costs
16 described in this subsection.

17 (10) Any company, person, or entity failing to make any
18 payment of \$150 or more as required under this Section shall be
19 subject to the penalty and interest provisions provided for in
20 subsections (4) and (7) of Section 412.

21 (11) Unless otherwise specified, all of the fees collected
22 under this Section shall be paid into the Insurance Financial
23 Regulation Fund.

24 (12) For purposes of this Section:

25 (a) "Domestic company" means a company as defined in
26 Section 2 of this Code which is incorporated or organized

1 under the laws of this State, and in addition includes a
2 not-for-profit corporation authorized under the Dental
3 Service Plan Act or the Voluntary Health Services Plans
4 Act, a health maintenance organization, and a limited
5 health service organization.

6 (b) "Foreign company" means a company as defined in
7 Section 2 of this Code which is incorporated or organized
8 under the laws of any state of the United States other than
9 this State and in addition includes a health maintenance
10 organization and a limited health service organization
11 which is incorporated or organized under the laws of any
12 state of the United States other than this State.

13 (c) "Alien company" means a company as defined in
14 Section 2 of this Code which is incorporated or organized
15 under the laws of any country other than the United States.

16 (d) "Fraternal benefit society" means a corporation,
17 society, order, lodge or voluntary association as defined
18 in Section 282.1 of this Code.

19 (e) "Mutual benefit association" means a company,
20 association or corporation authorized by the Director to do
21 business in this State under the provisions of Article
22 XVIII of this Code.

23 (f) "Burial society" means a person, firm,
24 corporation, society or association of individuals
25 authorized by the Director to do business in this State
26 under the provisions of Article XIX of this Code.

1 (g) "Farm mutual" means a district, county and township
2 mutual insurance company authorized by the Director to do
3 business in this State under the provisions of the Farm
4 Mutual Insurance Company Act of 1986.

5 (Source: P.A. 97-486, eff. 1-1-12; 97-603, eff. 8-26-11;
6 97-813, eff. 7-13-12; 98-463, eff. 8-16-13.)

7 (215 ILCS 5/408.2) (from Ch. 73, par. 1020.2)

8 Sec. 408.2. Statistical Services. Any public record, or any
9 data obtained by the Department of Insurance, which is subject
10 to public inspection or copying and which is maintained on a
11 computer processible medium, may be furnished in a computer
12 processed or computer processible medium upon the written
13 request of any applicant and the payment of a reasonable fee
14 established by the Director sufficient to cover the total cost
15 of the Department for processing, maintaining and generating
16 such computer processible records or data, except to the extent
17 of any salaries or compensation of Department officers or
18 employees.

19 The Director of Insurance is specifically authorized to
20 contract with members of the public at large, enter waiver
21 agreements, or otherwise enter written agreements for the
22 purpose of assuring public access to the Department's computer
23 processable records or data, or for the purpose of restricting,
24 controlling or limiting such access where necessary to protect
25 the confidentiality of individuals, companies or other

1 entities identified by such documents.

2 All fees collected by the Director under this Section 408.2
3 shall be deposited in the Technology Management ~~Statistical~~
4 ~~Services~~ Revolving Fund and credited to the account of the
5 Department of Insurance. Any surplus funds remaining in such
6 account at the close of any fiscal year shall be delivered to
7 the State Treasurer for deposit in the Insurance Financial
8 Regulation Fund.

9 (Source: P.A. 84-989.)

10 (215 ILCS 5/1202) (from Ch. 73, par. 1065.902)

11 Sec. 1202. Duties. The Director shall:

12 (a) determine the relationship of insurance premiums
13 and related income as compared to insurance costs and
14 expenses and provide such information to the General
15 Assembly and the general public;

16 (b) study the insurance system in the State of
17 Illinois, and recommend to the General Assembly what it
18 deems to be the most appropriate and comprehensive cost
19 containment system for the State;

20 (c) respond to the requests by agencies of government
21 and the General Assembly for special studies and analysis
22 of data collected pursuant to this Article. Such reports
23 shall be made available in a form prescribed by the
24 Director. The Director may also determine a fee to be
25 charged to the requesting agency to cover the direct and

1 indirect costs for producing such a report, and shall
2 permit affected insurers the right to review the accuracy
3 of the report before it is released. The fees shall be
4 deposited into the Technology Management ~~Statistical~~
5 ~~Services~~ Revolving Fund and credited to the account of the
6 Department of Insurance;

7 (d) make an interim report to the General Assembly no
8 later than August 15, 1987, and an annual report to the
9 General Assembly no later than July 1 every year thereafter
10 which shall include the Director's findings and
11 recommendations regarding its duties as provided under
12 subsections (a), (b), and (c) of this Section.

13 (Source: P.A. 98-226, eff. 1-1-14; 99-642, eff. 7-28-16.)

14 (215 ILCS 5/1206) (from Ch. 73, par. 1065.906)

15 Sec. 1206. Expenses. The companies required to file reports
16 under this Article shall pay a reasonable fee established by
17 the Director sufficient to cover the total cost of the
18 Department incident to or associated with the administration
19 and enforcement of this Article, including the collection,
20 analysis and distribution of the insurance cost data, the
21 conversion of hard copy reports to tape, and the compilation
22 and analysis of basic reports. The Director may establish a
23 schedule of fees for this purpose. Expenses for additional
24 reports shall be billed to those requesting the reports. Any
25 such fees collected under this Section shall be paid to the

1 Director of Insurance and deposited into the Technology
2 Management Statistical Services Revolving Fund and credited to
3 the account of the Department of Insurance.

4 (Source: P.A. 84-1431.)

5 Section 960. The Hydraulic Fracturing Regulatory Act is
6 amended by changing Section 1-110 as follows:

7 (225 ILCS 732/1-110)

8 Sec. 1-110. Public information; website.

9 (a) All information submitted to the Department under this
10 Act is deemed public information, except information deemed to
11 constitute a trade secret under Section 1-77 of this Act and
12 private information and personal information as defined in the
13 Freedom of Information Act.

14 (b) To provide the public and concerned citizens with a
15 centralized repository of information, the Department, in
16 consultation with the Department of Innovation and Technology,
17 shall create and maintain a comprehensive website dedicated to
18 providing information concerning high volume horizontal
19 hydraulic fracturing operations. The website shall contain,
20 assemble, and link the documents and information required by
21 this Act to be posted on the Department's or other agencies'
22 websites. The Department of Innovation and Technology, on
23 behalf of the Department, shall also create and maintain an
24 online searchable database that provides information related

1 to high volume horizontal hydraulic fracturing operations on
2 wells that, at a minimum, includes, for each well it permits,
3 the identity of its operators, its waste disposal, its chemical
4 disclosure information, and any complaints or violations under
5 this Act. The website created under this Section shall allow
6 users to search for completion reports by well name and
7 location, dates of fracturing and drilling operations,
8 operator, and by chemical additives.

9 (Source: P.A. 98-22, eff. 6-17-13; 99-78, eff. 7-20-15.)

10 Section 965. The Illinois Public Aid Code is amended by
11 changing Section 12-10.10 as follows:

12 (305 ILCS 5/12-10.10)

13 Sec. 12-10.10. DHS Technology Initiative Fund.

14 (a) The DHS Technology Initiative Fund is hereby created as
15 a trust fund within the State treasury with the State Treasurer
16 as the ex-officio custodian of the Fund.

17 (b) The Department of Human Services may accept and receive
18 grants, awards, gifts, and bequests from any source, public or
19 private, in support of information technology initiatives.
20 Moneys received in support of information technology
21 initiatives, and any interest earned thereon, shall be
22 deposited into the DHS Technology Initiative Fund.

23 (c) Moneys in the Fund may be used by the Department of
24 Human Services for the purpose of making grants associated with

1 the development and implementation of information technology
2 projects or paying for operational expenses of the Department
3 of Human Services related to such projects.

4 (d) The Department of Human Services, in consultation with
5 the Department of Innovation and Technology, shall use the
6 funds deposited in the DHS Technology Fund to pay for
7 information technology solutions either provided by Department
8 of Innovation and Technology or arranged or coordinated by the
9 Department of Innovation and Technology.

10 (Source: P.A. 98-24, eff. 6-19-13.)

11 Section 970. The Methamphetamine Precursor Tracking Act is
12 amended by changing Section 20 as follows:

13 (720 ILCS 649/20)

14 Sec. 20. Secure website.

15 (a) The Illinois State Police, in consultation with the
16 Department of Innovation and Technology, shall establish a
17 secure website for the transmission of electronic transaction
18 records and make it available free of charge to covered
19 pharmacies.

20 (b) The secure website shall enable covered pharmacies to
21 transmit to the Central Repository an electronic transaction
22 record each time the pharmacy distributes a targeted
23 methamphetamine precursor to a recipient.

24 (c) If the secure website becomes unavailable to a covered

1 pharmacy, the covered pharmacy may, during the period in which
2 the secure website is not available, continue to distribute
3 targeted methamphetamine precursor without using the secure
4 website if, during this period, the covered pharmacy maintains
5 and transmits handwritten logs as described in Sections 20 and
6 25 of the Methamphetamine Precursor Control Act.

7 (Source: P.A. 97-670, eff. 1-19-12.)

8 Section 975. The Workers' Compensation Act is amended by
9 changing Section 17 as follows:

10 (820 ILCS 305/17) (from Ch. 48, par. 138.17)

11 Sec. 17. The Commission shall cause to be printed and
12 furnish free of charge upon request by any employer or employee
13 such blank forms as may facilitate or promote efficient
14 administration and the performance of the duties of the
15 Commission. It shall provide a proper record in which shall be
16 entered and indexed the name of any employer who shall file a
17 notice of declination or withdrawal under this Act, and the
18 date of the filing thereof; and a proper record in which shall
19 be entered and indexed the name of any employee who shall file
20 such notice of declination or withdrawal, and the date of the
21 filing thereof; and such other notices as may be required by
22 this Act; and records in which shall be recorded all
23 proceedings, orders and awards had or made by the Commission or
24 by the arbitration committees, and such other books or records

1 as it shall deem necessary, all such records to be kept in the
2 office of the Commission.

3 The Commission may destroy all papers and documents which
4 have been on file for more than 5 years where there is no claim
5 for compensation pending or where more than 2 years have
6 elapsed since the termination of the compensation period.

7 The Commission shall compile and distribute to interested
8 persons aggregate statistics, taken from any records and
9 reports in the possession of the Commission. The aggregate
10 statistics shall not give the names or otherwise identify
11 persons sustaining injuries or disabilities or the employer of
12 any injured person or person with a disability.

13 The Commission is authorized to establish reasonable fees
14 and methods of payment limited to covering only the costs to
15 the Commission for processing, maintaining and generating
16 records or data necessary for the computerized production of
17 documents, records and other materials except to the extent of
18 any salaries or compensation of Commission officers or
19 employees.

20 All fees collected by the Commission under this Section
21 shall be deposited in the Technology Management ~~Statistical~~
22 ~~Services~~ Revolving Fund and credited to the account of the
23 Illinois Workers' Compensation Commission.

24 (Source: P.A. 99-143, eff. 7-27-15.)

25 Section 980. The Workers' Occupational Diseases Act is

1 amended by changing Section 17 as follows:

2 (820 ILCS 310/17) (from Ch. 48, par. 172.52)

3 Sec. 17. The Commission shall cause to be printed and shall
4 furnish free of charge upon request by any employer or employee
5 such blank forms as it shall deem requisite to facilitate or
6 promote the efficient administration of this Act, and the
7 performance of the duties of the Commission. It shall provide a
8 proper record in which shall be entered and indexed the name of
9 any employer who shall file a notice of election under this
10 Act, and the date of the filing thereof; and a proper record in
11 which shall be entered and indexed the name of any employee who
12 shall file a notice of election, and the date of the filing
13 thereof; and such other notices as may be required by this Act;
14 and records in which shall be recorded all proceedings, orders
15 and awards had or made by the Commission, or by the arbitration
16 committees, and such other books or records as it shall deem
17 necessary, all such records to be kept in the office of the
18 Commission. The Commission, in its discretion, may destroy all
19 papers and documents except notices of election and waivers
20 which have been on file for more than five years where there is
21 no claim for compensation pending, or where more than two years
22 have elapsed since the termination of the compensation period.

23 The Commission shall compile and distribute to interested
24 persons aggregate statistics, taken from any records and
25 reports in the possession of the Commission. The aggregate

1 statistics shall not give the names or otherwise identify
2 persons sustaining injuries or disabilities or the employer of
3 any injured person or person with a disability.

4 The Commission is authorized to establish reasonable fees
5 and methods of payment limited to covering only the costs to
6 the Commission for processing, maintaining and generating
7 records or data necessary for the computerized production of
8 documents, records and other materials except to the extent of
9 any salaries or compensation of Commission officers or
10 employees.

11 All fees collected by the Commission under this Section
12 shall be deposited in the Technology Management ~~Statistical~~
13 ~~Services~~ Revolving Fund and credited to the account of the
14 Illinois Workers' Compensation Commission.

15 (Source: P.A. 99-143, eff. 7-27-15.)

16 Section 995. No acceleration or delay. Where this Act makes
17 changes in a statute that is represented in this Act by text
18 that is not yet or no longer in effect (for example, a Section
19 represented by multiple versions), the use of that text does
20 not accelerate or delay the taking effect of (i) the changes
21 made by this Act or (ii) provisions derived from any other
22 Public Act.

23 Section 997. Severability. The provisions of this Act are
24 severable under Section 1.31 of the Statute on Statutes.

1 Section 999. Effective date. This Act takes effect upon
2 becoming law.".