



Rep. Christian L. Mitchell

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LRB100 18248 JWD 43867 a

1 AMENDMENT TO SENATE BILL 3531

2 AMENDMENT NO. _____. Amend Senate Bill 3531 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Civil Administrative Code of Illinois is
5 amended by changing Sections 5-15, 5-20, 5-300, 5-310, 5-315,
6 5-320, 5-325, 5-330, 5-335, 5-340, 5-345, 5-350, 5-355, 5-360,
7 5-362, 5-365, 5-375, 5-395, 5-400, 5-405, 5-410, 5-415, and
8 5-420 as follows:

9 (20 ILCS 5/5-15) (was 20 ILCS 5/3)

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

12 The Department on Aging.

13 The Department of Agriculture.

14 The Department of Central Management Services.

15 The Department of Children and Family Services.

16 The Department of Commerce and Economic Opportunity.

1 The Department of Corrections.
2 The Department of Employment Security.
3 The Illinois Emergency Management Agency.
4 The Department of Financial and Professional Regulation.
5 The Department of Healthcare and Family Services.
6 The Department of Human Rights.
7 The Department of Human Services.
8 The Department of Innovation and Technology.
9 The Department of Insurance.
10 The Department of Juvenile Justice.
11 The Department of Labor.
12 The Department of the Lottery.
13 The Department of Natural Resources.
14 The Department of Public Health.
15 The Department of Revenue.
16 The Department of State Police.
17 The Department of Transportation.
18 The Department of Veterans' Affairs.

19 (Source: P.A. 100-611, eff. 7-20-18.)

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

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

1 department.

2 The following officers are hereby created:

3 Director of Aging, for the Department on Aging.

4 Director of Agriculture, for the Department of
5 Agriculture.

6 Director of Central Management Services, for the
7 Department of Central Management Services.

8 Director of Children and Family Services, for the
9 Department of Children and Family Services.

10 Director of Commerce and Economic Opportunity, for the
11 Department of Commerce and Economic Opportunity.

12 Director of Corrections, for the Department of
13 Corrections.

14 Director of the Illinois Emergency Management Agency, for
15 the Illinois Emergency Management Agency.

16 Director of Employment Security, for the Department of
17 Employment Security.

18 Secretary of Financial and Professional Regulation, for
19 the Department of Financial and Professional Regulation.

20 Director of Healthcare and Family Services, for the
21 Department of Healthcare and Family Services.

22 Director of Human Rights, for the Department of Human
23 Rights.

24 Secretary of Human Services, for the Department of Human
25 Services.

26 Secretary of Innovation and Technology, for the Department

1 of Innovation and Technology.

2 Director of Insurance, for the Department of Insurance.

3 Director of Juvenile Justice, for the Department of
4 Juvenile Justice.

5 Director of Labor, for the Department of Labor.

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

7 Director of Natural Resources, for the Department of
8 Natural Resources.

9 Director of Public Health, for the Department of Public
10 Health.

11 Director of Revenue, for the Department of Revenue.

12 Director of State Police, for the Department of State
13 Police.

14 Secretary of Transportation, for the Department of
15 Transportation.

16 Director of Veterans' Affairs, for the Department of
17 Veterans' Affairs.

18 (Source: P.A. 100-611, eff. 7-20-18.)

19 (20 ILCS 5/5-300) (was 20 ILCS 5/9)

20 Sec. 5-300. Officers' qualifications and salaries. The
21 executive and administrative officers, whose offices are
22 created by this Act, must have the qualifications prescribed by
23 law and shall receive annual salaries, payable in equal monthly
24 installments, as designated in the Sections following this
25 Section and preceding Section 5-500. If set by the Governor,

1 those annual salaries may not exceed 85% of the Governor's
2 annual salary. Notwithstanding any other provision of law, for
3 terms beginning after the effective date of this amendatory Act
4 of the 100th General Assembly, the annual salary of the
5 director or secretary and assistant director or assistant
6 secretary of each department created under Section 5-15 shall
7 be an amount equal to 15% more than the annual salary of the
8 respective officer in effect as of December 31, 2018. The
9 calculation of the 2018 salary base for this adjustment shall
10 not include any cost of living adjustments, as authorized by
11 Senate Joint Resolution 192 of the 86th General Assembly, for
12 the period beginning July 1, 2009 to June 30, 2019. Beginning
13 July 1, 2019 and each July 1 thereafter, the directors,
14 secretaries, assistant directors, and assistant secretaries
15 shall receive an increase in salary based on a cost of living
16 adjustment as authorized by Senate Joint Resolution 192 of the
17 86th General Assembly.

18 (Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 92-16,
19 eff. 6-28-01.)

20 (20 ILCS 5/5-310) (was 20 ILCS 5/9.21)

21 Sec. 5-310. In the Department on Aging. For terms ending
22 before December 31, 2019, the ~~The~~ Director of Aging shall
23 receive an annual salary as set by the Compensation Review
24 Board.

25 (Source: P.A. 96-800, eff. 10-30-09.)

1 (20 ILCS 5/5-315) (was 20 ILCS 5/9.02)

2 Sec. 5-315. In the Department of Agriculture. For terms
3 ending before December 31, 2019, the ~~The~~ Director of
4 Agriculture shall receive an annual salary as set by the
5 Compensation Review Board.

6 For terms ending before December 31, 2019, the ~~The~~
7 Assistant Director of Agriculture shall receive an annual
8 salary as set by the Compensation Review Board.

9 (Source: P.A. 96-800, eff. 10-30-09.)

10 (20 ILCS 5/5-320) (was 20 ILCS 5/9.19)

11 Sec. 5-320. In the Department of Central Management
12 Services. For terms ending before December 31, 2019, the ~~The~~
13 Director of Central Management Services shall receive an annual
14 salary as set by the Compensation Review Board.

15 For terms ending before December 31, 2019, each ~~Each~~
16 Assistant Director of Central Management Services shall
17 receive an annual salary as set by the Compensation Review
18 Board.

19 (Source: P.A. 96-800, eff. 10-30-09.)

20 (20 ILCS 5/5-325) (was 20 ILCS 5/9.16)

21 Sec. 5-325. In the Department of Children and Family
22 Services. For terms ending before December 31, 2019, the ~~The~~
23 Director of Children and Family Services shall receive an

1 annual salary as set by the Compensation Review Board.

2 (Source: P.A. 96-800, eff. 10-30-09.)

3 (20 ILCS 5/5-330) (was 20 ILCS 5/9.18)

4 Sec. 5-330. In the Department of Commerce and Economic
5 Opportunity. For terms ending before December 31, 2019, the ~~The~~
6 Director of Commerce and Economic Opportunity shall receive an
7 annual salary as set by the Compensation Review Board.

8 For terms ending before December 31, 2019, the ~~The~~
9 Assistant Director of Commerce and Economic Opportunity shall
10 receive an annual salary as set by the Compensation Review
11 Board.

12 (Source: P.A. 96-800, eff. 10-30-09.)

13 (20 ILCS 5/5-335) (was 20 ILCS 5/9.11a)

14 Sec. 5-335. In the Department of Corrections. For terms
15 ending before December 31, 2019, the ~~The~~ Director of
16 Corrections shall receive an annual salary as set by the
17 Compensation Review Board.

18 For terms ending before December 31, 2019, the ~~The~~
19 Assistant Director of Corrections shall receive an annual
20 salary as set by the Compensation Review Board for the
21 Assistant Director of Corrections-Adult Division.

22 (Source: P.A. 96-800, eff. 10-30-09; 97-1083, eff. 8-24-12.)

23 (20 ILCS 5/5-340) (was 20 ILCS 5/9.30)

1 Sec. 5-340. In the Department of Employment Security. For
2 terms ending before December 31, 2019, the ~~The~~ Director of
3 Employment Security shall receive an annual salary as set by
4 the Compensation Review Board.

5 Each member of the Board of Review shall receive \$15,000.
6 (Source: P.A. 96-800, eff. 10-30-09.)

7 (20 ILCS 5/5-345) (was 20 ILCS 5/9.15)

8 Sec. 5-345. In the Department of Financial and Professional
9 Regulation Institutions. For terms ending before December 31,
10 2019, the Secretary of Financial and Professional Regulation
11 ~~The Director of Financial Institutions~~ shall receive an annual
12 salary as set by the Compensation Review Board.

13 For terms ending before December 31, 2019, the Director of
14 Financial Institutions, the Director of Professional
15 Regulation, the Director of Banking, and the Director of Real
16 Estate ~~The Assistant Director of Financial Institutions~~ shall
17 receive an annual salary as set by the Compensation Review
18 Board.

19 (Source: P.A. 96-800, eff. 10-30-09.)

20 (20 ILCS 5/5-350) (was 20 ILCS 5/9.24)

21 Sec. 5-350. In the Department of Human Rights. For terms
22 ending before December 31, 2019, the ~~The~~ Director of Human
23 Rights shall receive an annual salary as set by the
24 Compensation Review Board.

1 (Source: P.A. 96-800, eff. 10-30-09.)

2 (20 ILCS 5/5-355) (was 20 ILCS 5/9.05a)

3 Sec. 5-355. In the Department of Human Services. For terms
4 ending before December 31, 2019, the ~~The~~ Secretary of Human
5 Services shall receive an annual salary as set by the
6 Compensation Review Board.

7 For terms ending before December 31, 2019, the ~~The~~
8 Assistant Secretaries of Human Services shall each receive an
9 annual salary as set by the Compensation Review Board.

10 (Source: P.A. 96-800, eff. 10-30-09.)

11 (20 ILCS 5/5-360) (was 20 ILCS 5/9.10)

12 Sec. 5-360. In the Department of Insurance. For terms
13 ending before December 31, 2019, the ~~The~~ Director of Insurance
14 shall receive an annual salary as set by the Compensation
15 Review Board.

16 For terms ending before December 31, 2019, the ~~The~~
17 Assistant Director of Insurance shall receive an annual salary
18 as set by the Compensation Review Board.

19 (Source: P.A. 96-800, eff. 10-30-09.)

20 (20 ILCS 5/5-362)

21 Sec. 5-362. In the Department of Juvenile Justice. For
22 terms ending before December 31, 2019, the ~~The~~ Director of
23 Juvenile Justice shall receive an annual salary as set by the

1 Compensation Review Board.

2 (Source: P.A. 96-800, eff. 10-30-09.)

3 (20 ILCS 5/5-365) (was 20 ILCS 5/9.03)

4 Sec. 5-365. In the Department of Labor. For terms ending
5 before December 31, 2019, the ~~The~~ Director of Labor shall
6 receive an annual salary as set by the Compensation Review
7 Board.

8 For terms ending before December 31, 2019, the ~~The~~
9 Assistant Director of Labor shall receive an annual salary as
10 set by the Compensation Review Board.

11 The Chief Safety Inspector shall receive \$24,700 from the
12 third Monday in January, 1979 to the third Monday in January,
13 1980, and \$25,000 thereafter, or as set by the Compensation
14 Review Board, whichever is greater.

15 The Superintendent of Occupational Safety and Health shall
16 receive \$27,500, or as set by the Compensation Review Board,
17 whichever is greater.

18 The Superintendent of Women's and Children's Employment
19 shall receive \$22,000 from the third Monday in January, 1979 to
20 the third Monday in January, 1980, and \$22,500 thereafter, or
21 as set by the Compensation Review Board, whichever is greater.

22 (Source: P.A. 98-874, eff. 1-1-15.)

23 (20 ILCS 5/5-375) (was 20 ILCS 5/9.09)

24 Sec. 5-375. In the Department of Natural Resources. For

1 terms ending before December 31, 2019 ~~The Director of Natural~~
2 ~~Resources shall continue to receive the annual salary set by~~
3 ~~law for the Director of Conservation until January 20, 1997.~~
4 ~~Beginning on that date,~~ the Director of Natural Resources shall
5 receive an annual salary as set by the Compensation Review
6 Board.

7 For terms ending before December 31, 2019 ~~The Assistant~~
8 ~~Director of Natural Resources shall continue to receive the~~
9 ~~annual salary set by law for the Assistant Director of~~
10 ~~Conservation until January 20, 1997.~~ Beginning on that date,
11 the Assistant Director of Natural Resources shall receive an
12 annual salary as set by the Compensation Review Board.

13 (Source: P.A. 96-800, eff. 10-30-09.)

14 (20 ILCS 5/5-395) (was 20 ILCS 5/9.17)

15 Sec. 5-395. In the Department of Healthcare and Family
16 Services. For terms ending before December 31, 2019, the ~~The~~
17 Director of Healthcare and Family Services shall receive an
18 annual salary as set by the Compensation Review Board.

19 For terms ending before December 31, 2019, the ~~The~~
20 Assistant Director of Healthcare and Family Services shall
21 receive an annual salary as set by the Compensation Review
22 Board.

23 (Source: P.A. 95-331, eff. 8-21-07; 96-800, eff. 10-30-09.)

24 (20 ILCS 5/5-400) (was 20 ILCS 5/9.07)

1 Sec. 5-400. In the Department of Public Health. For terms
2 ending before December 31, 2019, the ~~The~~ Director of Public
3 Health shall receive an annual salary as set by the
4 Compensation Review Board.

5 For terms ending before December 31, 2019, the ~~The~~
6 Assistant Director of Public Health shall receive an annual
7 salary as set by the Compensation Review Board.

8 (Source: P.A. 96-800, eff. 10-30-09.)

9 (20 ILCS 5/5-405) (was 20 ILCS 5/9.12)

10 Sec. 5-405. In the Department of Revenue. For terms ending
11 before December 31, 2019, the ~~The~~ Director of Revenue shall
12 receive an annual salary as set by the Compensation Review
13 Board.

14 For terms ending before December 31, 2019, the ~~The~~
15 Assistant Director of Revenue shall receive an annual salary as
16 set by the Compensation Review Board.

17 (Source: P.A. 96-800, eff. 10-30-09.)

18 (20 ILCS 5/5-410) (was 20 ILCS 5/9.11)

19 Sec. 5-410. In the Department of State Police. For terms
20 ending before December 31, 2019, the ~~The~~ Director of State
21 Police shall receive an annual salary as set by the
22 Compensation Review Board.

23 For terms ending before December 31, 2019, the ~~The~~
24 Assistant Director of State Police shall receive an annual

1 salary as set by the Compensation Review Board.

2 (Source: P.A. 96-800, eff. 10-30-09.)

3 (20 ILCS 5/5-415) (was 20 ILCS 5/9.05)

4 Sec. 5-415. In the Department of Transportation. For terms
5 ending before December 31, 2019, the ~~The~~ Secretary of
6 Transportation shall receive an annual salary as set by the
7 Compensation Review Board.

8 For terms ending before December 31, 2019, the ~~The~~
9 Assistant Secretary of Transportation shall receive an annual
10 salary as set by the Compensation Review Board.

11 (Source: P.A. 96-800, eff. 10-30-09.)

12 (20 ILCS 5/5-420) (was 20 ILCS 5/9.22)

13 Sec. 5-420. In the Department of Veterans' Affairs. For
14 terms ending before December 31, 2019, the ~~The~~ Director of
15 Veterans' Affairs shall receive an annual salary as set by the
16 Compensation Review Board.

17 For terms ending before December 31, 2019, the ~~The~~
18 Assistant Director of Veterans' Affairs shall receive an annual
19 salary as set by the Compensation Review Board.

20 (Source: P.A. 96-800, eff. 10-30-09.)

21 (20 ILCS 5/5-385 rep.)

22 (20 ILCS 5/5-390 rep.)

23 Section 7. The Civil Administrative Code of Illinois is

1 amended by repealing Sections 5-385 and 5-390.

2 Section 10. The Illinois Lottery Law is amended by changing
3 Section 5 as follows:

4 (20 ILCS 1605/5) (from Ch. 120, par. 1155)

5 Sec. 5. (a) The Department shall be under the supervision
6 and direction of a Director, who shall be a person qualified by
7 training and experience to perform the duties required by this
8 Act. The Director shall be appointed by the Governor, by and
9 with the advice and consent of the Senate. The term of office
10 of the Director shall expire on the third Monday of January in
11 odd numbered years provided that he or she shall hold office
12 until a successor is appointed and qualified. For terms ending
13 before December 31, 2019, the ~~The~~ annual salary of the Director
14 is \$142,000. For terms beginning after the effective date of
15 this amendatory Act of the 100th General Assembly, the annual
16 salary of the Director shall be as provided in Section 5-300 of
17 the Civil Administrative Code of Illinois.

18 Any vacancy occurring in the office of the Director shall
19 be filled in the same manner as the original appointment. In
20 case of a vacancy during the recess of the Senate, the Governor
21 shall make a temporary appointment until the next meeting of
22 the Senate, when the Governor shall nominate some person to
23 fill the office, and any person so nominated who is confirmed
24 by the Senate shall hold office during the remainder of the

1 term and until his or her successor is appointed and qualified.

2 During the absence or inability to act of the Director, or
3 in the case of a vacancy in the office of Director until a
4 successor is appointed and qualified, the Governor may
5 designate some person as Acting Director of the Lottery to
6 execute the powers and discharge the duties vested by law in
7 that office. A person who is designated as an Acting Director
8 shall not continue in office for more than 60 calendar days
9 unless the Governor files a message with the Secretary of the
10 Senate nominating that person to fill the office. After 60
11 calendar days, the office is considered vacant and shall be
12 filled only under this Section. No person who has been
13 appointed by the Governor to serve as Acting Director shall,
14 except at the Senate's request, be designated again as an
15 Acting Director at the same session of that Senate, subject to
16 the provisions of this Section. A person appointed as an Acting
17 Director is not required to meet the requirements of paragraph
18 (1) of subsection (b) of this Section. In no case may the
19 Governor designate a person to serve as Acting Director if that
20 person has prior to the effective date of this amendatory Act
21 of the 97th General Assembly exercised any of the duties and
22 functions of the office of Director without having been
23 nominated by the Governor to serve as Director.

24 (b) The Director shall devote his or her entire time and
25 attention to the duties of the office and shall not be engaged
26 in any other profession or occupation.

1 The Director shall:

2 (1) be qualified by training and experience to direct a
3 lottery, including, at a minimum, 5 years of senior
4 executive-level experience in the successful advertising,
5 marketing, and selling of consumer products, 4 years of
6 successful experience directing a lottery on behalf of a
7 governmental entity, or 5 years of successful senior-level
8 management experience at a lottery on behalf of a
9 governmental entity;

10 (2) have significant and meaningful management and
11 regulatory experience; and

12 (3) have a good reputation, particularly as a person of
13 honesty, independence, and integrity.

14 The Director shall not during his or her term of
15 appointment: become a candidate for any elective office; hold
16 any other elected or appointed public office; be actively
17 involved in the affairs of any political party or political
18 organization; advocate for the appointment of another person to
19 an appointed or elected office or position; or actively
20 participate in any campaign for any elective office. The
21 Director may be appointed to serve on a governmental advisory
22 or board study commission or as otherwise expressly authorized
23 by law.

24 (c) No person shall perform the duties and functions of the
25 Director, or otherwise exercise the authority of the Director,
26 unless the same shall have been appointed by the Governor

1 pursuant to this Section.

2 (Source: P.A. 97-464, eff. 8-19-11; 98-499, eff. 8-16-13.)

3 Section 15. The Military Code of Illinois is amended by
4 changing Section 17 as follows:

5 (20 ILCS 1805/17) (from Ch. 129, par. 220.17)

6 Sec. 17. The Adjutant General and the Assistant Adjutants
7 General shall give their entire time to their military duties.
8 For terms ending before December 31, 2019, the ~~The~~ Adjutant
9 General shall receive an annual salary as set by the
10 Compensation Review Board, and each Assistant Adjutant General
11 shall receive an annual salary as set by the Compensation
12 Review Board. For terms beginning after the effective date of
13 this amendatory Act of the 100th General Assembly, the annual
14 salaries for the Adjutant General and the Assistant Adjutants
15 General shall be an amount equal to 15% more than the
16 respective officer's annual salary as of December 31, 2018. The
17 calculation of the 2018 salary base for this adjustment shall
18 not include any cost of living adjustments, as authorized by
19 Senate Joint Resolution 192 of the 86th General Assembly, for
20 the period beginning July 1, 2009 to June 30, 2019. Beginning
21 July 1, 2019 and each July 1 thereafter, the Adjutant General
22 and the Assistant Adjutants General shall receive an increase
23 in salary based on a cost of living adjustment as authorized by
24 Senate Joint Resolution 192 of the 86th General Assembly.

1 (Source: P.A. 96-800, eff. 10-30-09.)

2 Section 20. The State Fire Marshal Act is amended by
3 changing Section 1 as follows:

4 (20 ILCS 2905/1) (from Ch. 127 1/2, par. 1)

5 Sec. 1. There is hereby created the Office of the State
6 Fire Marshal, hereinafter referred to as the Office.

7 The Office shall be under an executive director who shall
8 be appointed by the Governor with the advice and consent of the
9 Senate.

10 The executive director of the Office shall be known as the
11 State Fire Marshal. For terms ending before December 31, 2019,
12 the State Fire Marshal and shall receive an annual salary as
13 set by the Compensation Review Board. For terms beginning after
14 the effective date of this amendatory Act of the 100th General
15 Assembly, the State Fire Marshal's annual salary shall be an
16 amount equal to 15% more than the State Fire Marshal's annual
17 salary as of December 31, 2018. The calculation of the 2018
18 salary base for this adjustment shall not include any cost of
19 living adjustments, as authorized by Senate Joint Resolution
20 192 of the 86th General Assembly, for the period beginning July
21 1, 2009 to June 30, 2019. Beginning July 1, 2019 and each July
22 1 thereafter, the State Fire Marshal shall receive an increase
23 in salary based on a cost of living adjustment as authorized by
24 Senate Joint Resolution 192 of the 86th General Assembly.

1 The Office of the State Fire Marshal shall have a division
2 that shall assume the duties of the Division of Fire
3 Prevention, Department of Law Enforcement, and a division that
4 shall assume the duties of Illinois Fire Protection Personnel
5 Standards and Education Commission. Each division shall be
6 headed by a division manager who shall be employed by the Fire
7 Marshal, subject to the Personnel Code, and shall be
8 responsible to the Fire Marshal.

9 (Source: P.A. 96-800, eff. 10-30-09.)

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

12 (20 ILCS 3305/5) (from Ch. 127, par. 1055)

13 Sec. 5. Illinois Emergency Management Agency.

14 (a) There is created within the executive branch of the
15 State Government an Illinois Emergency Management Agency and a
16 Director of the Illinois Emergency Management Agency, herein
17 called the "Director" who shall be the head thereof. The
18 Director shall be appointed by the Governor, with the advice
19 and consent of the Senate, and shall serve for a term of 2
20 years beginning on the third Monday in January of the
21 odd-numbered year, and until a successor is appointed and has
22 qualified; except that the term of the first Director appointed
23 under this Act shall expire on the third Monday in January,
24 1989. The Director shall not hold any other remunerative public

1 office. For terms ending before December 31, 2019, the ~~The~~
2 Director shall receive an annual salary as set by the
3 Compensation Review Board. For terms beginning after the
4 effective date of this amendatory Act of the 100th General
5 Assembly, the annual salary of the Director shall be as
6 provided in Section 5-300 of the Civil Administrative Code of
7 Illinois.

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

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

26 (d) The Illinois Emergency Management Agency shall take an

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

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

21 (1) the development of emergency operations plan
22 provisions for hazardous chemical emergencies; and

23 (2) the assessment of emergency response capabilities
24 related to hazardous chemical emergencies.

25 (f) The Illinois Emergency Management Agency shall:

26 (1) Coordinate the overall emergency management

1 program of the State.

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

7 (2.5) Develop a comprehensive emergency preparedness
8 and response plan for any nuclear accident in accordance
9 with Section 65 of the ~~Department of~~ Nuclear Safety Law of
10 2004 ~~(20 ILCS 3310)~~ and in development of the Illinois
11 Nuclear Safety Preparedness program in accordance with
12 Section 8 of the Illinois Nuclear Safety Preparedness Act.

13 (2.6) Coordinate with the Department of Public Health
14 with respect to planning for and responding to public
15 health emergencies.

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

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

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

1 Act.

2 (5.5) Promulgate rules and requirements for the
3 political subdivision emergency management exercises,
4 including, but not limited to, exercises of the emergency
5 operations plans.

6 (5.10) Review, evaluate, and approve, in accordance
7 with Illinois Emergency Management Agency rules, political
8 subdivision emergency management exercises for those
9 political subdivisions required to have an emergency
10 services and disaster agency pursuant to this Act.

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

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

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

19 (9) Expand the Earthquake Awareness Program and its
20 efforts to distribute earthquake preparedness materials to
21 schools, political subdivisions, community groups, civic
22 organizations, and the media. Emphasis will be placed on
23 those areas of the State most at risk from an earthquake.
24 Maintain the list of all school districts, hospitals,
25 airports, power plants, including nuclear power plants,
26 lakes, dams, emergency response facilities of all types,

1 and all other major public or private structures which are
2 at the greatest risk of damage from earthquakes under
3 circumstances where the damage would cause subsequent harm
4 to the surrounding communities and residents.

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

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

20 (11.5) In coordination with the Department of State
21 Police, develop and implement a community outreach program
22 to promote awareness among the State's parents and children
23 of child abduction prevention and response.

24 (12) Out of funds appropriated for these purposes,
25 award capital and non-capital grants to Illinois hospitals
26 or health care facilities located outside of a city with a

1 population in excess of 1,000,000 to be used for purposes
2 that include, but are not limited to, preparing to respond
3 to mass casualties and disasters, maintaining and
4 improving patient safety and quality of care, and
5 protecting the confidentiality of patient information. No
6 single grant for a capital expenditure shall exceed
7 \$300,000. No single grant for a non-capital expenditure
8 shall exceed \$100,000. In awarding such grants, preference
9 shall be given to hospitals that serve a significant number
10 of Medicaid recipients, but do not qualify for
11 disproportionate share hospital adjustment payments under
12 the Illinois Public Aid Code. To receive such a grant, a
13 hospital or health care facility must provide funding of at
14 least 50% of the cost of the project for which the grant is
15 being requested. In awarding such grants the Illinois
16 Emergency Management Agency shall consider the
17 recommendations of the Illinois Hospital Association.

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

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

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

15 (g-5) The Illinois Emergency Management Agency is
16 authorized to make grants to not-for-profit organizations
17 which are exempt from federal income taxation under section
18 501(c)(3) of the Federal Internal Revenue Code for eligible
19 security improvements that assist the organization in
20 preventing, preparing for, or responding to acts of terrorism.
21 The Director shall establish procedures and forms by which
22 applicants may apply for a grant and procedures for
23 distributing grants to recipients. The procedures shall
24 require each applicant to do the following:

- 25 (1) identify and substantiate prior threats or attacks
26 by a terrorist organization, network, or cell against the

1 not-for-profit organization;

2 (2) indicate the symbolic or strategic value of one or
3 more sites that renders the site a possible target of
4 terrorism;

5 (3) discuss potential consequences to the organization
6 if the site is damaged, destroyed, or disrupted by a
7 terrorist act;

8 (4) describe how the grant will be used to integrate
9 organizational preparedness with broader State and local
10 preparedness efforts;

11 (5) submit a vulnerability assessment conducted by
12 experienced security, law enforcement, or military
13 personnel, and a description of how the grant award will be
14 used to address the vulnerabilities identified in the
15 assessment; and

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

18 The Agency is authorized to use funds appropriated for the
19 grant program described in this subsection (g-5) to administer
20 the program.

21 (h) Except as provided in Section 17.5 of this Act, any
22 moneys received by the Agency from donations or sponsorships
23 shall be deposited in the Emergency Planning and Training Fund
24 and used by the Agency, subject to appropriation, to effectuate
25 planning and training activities.

26 (i) The Illinois Emergency Management Agency may by rule

1 assess and collect reasonable fees for attendance at
2 Agency-sponsored conferences to enable the Agency to carry out
3 the requirements of this Act. Any moneys received under this
4 subsection shall be deposited in the Emergency Planning and
5 Training Fund and used by the Agency, subject to appropriation,
6 for planning and training activities.

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

12 (Source: P.A. 100-444, eff. 1-1-18; 100-508, eff. 9-15-17;
13 100-587, eff. 6-4-18; 100-863, eff. 8-14-18; revised
14 10-22-18.)

15 Section 30. The Illinois Power Agency Act is amended by
16 changing Section 1-70 as follows:

17 (20 ILCS 3855/1-70)

18 Sec. 1-70. Agency officials.

19 (a) The Agency shall have a Director who meets the
20 qualifications specified in Section 5-222 of the Civil
21 Administrative Code of Illinois ~~(20 ILCS 5/5-222)~~.

22 (b) Within the Illinois Power Agency, the Agency shall
23 establish a Planning and Procurement Bureau and may establish a
24 Resource Development Bureau. Each Bureau shall report to the

1 Director.

2 (c) The Chief of the Planning and Procurement Bureau shall
3 be appointed by the Director, at the Director's sole
4 discretion, and (i) shall have at least 5 years of direct
5 experience in electricity supply planning and procurement and
6 (ii) shall also hold an advanced degree in risk management,
7 law, business, or a related field.

8 (d) The Chief of the Resource Development Bureau may be
9 appointed by the Director and (i) shall have at least 5 years
10 of direct experience in electric generating project
11 development and (ii) shall also hold an advanced degree in
12 economics, engineering, law, business, or a related field.

13 (e) For terms ending before December 31, 2019, the ~~The~~
14 Director shall receive an annual salary of \$100,000 or as set
15 by the Compensation Review Board, whichever is higher. For
16 terms ending before December 31, 2019, the ~~The~~ Bureau Chiefs
17 shall each receive an annual salary of \$85,000 or as set by the
18 Compensation Review Board, whichever is higher. For terms
19 beginning after the effective date of this amendatory Act of
20 the 100th General Assembly, the annual salaries for the
21 Director and the Bureau Chiefs shall be an amount equal to 15%
22 more than the respective position's annual salary as of
23 December 31, 2018. The calculation of the 2018 salary base for
24 this adjustment shall not include any cost of living
25 adjustments, as authorized by Senate Joint Resolution 192 of
26 the 86th General Assembly, for the period beginning July 1,

1 2009 to June 30, 2019. Beginning July 1, 2019 and each July 1
2 thereafter, the Director and the Bureau Chiefs shall receive an
3 increase in salary based on a cost of living adjustment as
4 authorized by Senate Joint Resolution 192 of the 86th General
5 Assembly.

6 (f) The Director and Bureau Chiefs shall not, for 2 years
7 prior to appointment or for 2 years after he or she leaves his
8 or her position, be employed by an electric utility,
9 independent power producer, power marketer, or alternative
10 retail electric supplier regulated by the Commission or the
11 Federal Energy Regulatory Commission.

12 (g) The Director and Bureau Chiefs are prohibited from: (i)
13 owning, directly or indirectly, 5% or more of the voting
14 capital stock of an electric utility, independent power
15 producer, power marketer, or alternative retail electric
16 supplier; (ii) being in any chain of successive ownership of 5%
17 or more of the voting capital stock of any electric utility,
18 independent power producer, power marketer, or alternative
19 retail electric supplier; (iii) receiving any form of
20 compensation, fee, payment, or other consideration from an
21 electric utility, independent power producer, power marketer,
22 or alternative retail electric supplier, including legal fees,
23 consulting fees, bonuses, or other sums. These limitations do
24 not apply to any compensation received pursuant to a defined
25 benefit plan or other form of deferred compensation, provided
26 that the individual has otherwise severed all ties to the

1 utility, power producer, power marketer, or alternative retail
2 electric supplier.

3 (Source: P.A. 99-536, eff. 7-8-16.)

4 Section 35. The Environmental Protection Act is amended by
5 changing Section 4 as follows:

6 (415 ILCS 5/4) (from Ch. 111 1/2, par. 1004)

7 Sec. 4. Environmental Protection Agency; establishment;
8 duties.

9 (a) There is established in the Executive Branch of the
10 State Government an agency to be known as the Environmental
11 Protection Agency. This Agency shall be under the supervision
12 and direction of a Director who shall be appointed by the
13 Governor with the advice and consent of the Senate. The term of
14 office of the Director shall expire on the third Monday of
15 January in odd numbered years, provided that he or she shall
16 hold office until a successor is appointed and has qualified.
17 For terms ending before December 31, 2019, the ~~The~~ Director
18 shall receive an annual salary as set by the Compensation
19 Review Board. For terms beginning after the effective date of
20 this amendatory Act of the 100th General Assembly, the
21 Director's annual salary shall be an amount equal to 15% more
22 than the Director's annual salary as of December 31, 2018. The
23 calculation of the 2018 salary base for this adjustment shall
24 not include any cost of living adjustments, as authorized by

1 Senate Joint Resolution 192 of the 86th General Assembly, for
2 the period beginning July 1, 2009 to June 30, 2019. Beginning
3 July 1, 2019 and each July 1 thereafter, the Director shall
4 receive an increase in salary based on a cost of living
5 adjustment as authorized by Senate Joint Resolution 192 of the
6 86th General Assembly. The Director, in accord with the
7 Personnel Code, shall employ and direct such personnel, and
8 shall provide for such laboratory and other facilities, as may
9 be necessary to carry out the purposes of this Act. In
10 addition, the Director may by agreement secure such services as
11 he or she may deem necessary from any other department, agency,
12 or unit of the State Government, and may employ and compensate
13 such consultants and technical assistants as may be required.

14 (b) The Agency shall have the duty to collect and
15 disseminate such information, acquire such technical data, and
16 conduct such experiments as may be required to carry out the
17 purposes of this Act, including ascertainment of the quantity
18 and nature of discharges from any contaminant source and data
19 on those sources, and to operate and arrange for the operation
20 of devices for the monitoring of environmental quality.

21 (c) The Agency shall have authority to conduct a program of
22 continuing surveillance and of regular or periodic inspection
23 of actual or potential contaminant or noise sources, of public
24 water supplies, and of refuse disposal sites.

25 (d) In accordance with constitutional limitations, the
26 Agency shall have authority to enter at all reasonable times

1 upon any private or public property for the purpose of:

2 (1) Inspecting and investigating to ascertain possible
3 violations of this Act, any rule or regulation adopted
4 under this Act, any permit or term or condition of a
5 permit, or any Board order; or

6 (2) In accordance with the provisions of this Act,
7 taking whatever preventive or corrective action, including
8 but not limited to removal or remedial action, that is
9 necessary or appropriate whenever there is a release or a
10 substantial threat of a release of (A) a hazardous
11 substance or pesticide or (B) petroleum from an underground
12 storage tank.

13 (e) The Agency shall have the duty to investigate
14 violations of this Act, any rule or regulation adopted under
15 this Act, any permit or term or condition of a permit, or any
16 Board order; to issue administrative citations as provided in
17 Section 31.1 of this Act; and to take such summary enforcement
18 action as is provided for by Section 34 of this Act.

19 (f) The Agency shall appear before the Board in any hearing
20 upon a petition for variance or time-limited water quality
21 standard, the denial of a permit, or the validity or effect of
22 a rule or regulation of the Board, and shall have the authority
23 to appear before the Board in any hearing under the Act.

24 (g) The Agency shall have the duty to administer, in accord
25 with Title X of this Act, such permit and certification systems
26 as may be established by this Act or by regulations adopted

1 thereunder. The Agency may enter into written delegation
2 agreements with any department, agency, or unit of State or
3 local government under which all or portions of this duty may
4 be delegated for public water supply storage and transport
5 systems, sewage collection and transport systems, air
6 pollution control sources with uncontrolled emissions of 100
7 tons per year or less and application of algicides to waters of
8 the State. Such delegation agreements will require that the
9 work to be performed thereunder will be in accordance with
10 Agency criteria, subject to Agency review, and shall include
11 such financial and program auditing by the Agency as may be
12 required.

13 (h) The Agency shall have authority to require the
14 submission of complete plans and specifications from any
15 applicant for a permit required by this Act or by regulations
16 thereunder, and to require the submission of such reports
17 regarding actual or potential violations of this Act, any rule
18 or regulation adopted under this Act, any permit or term or
19 condition of a permit, or any Board order, as may be necessary
20 for the purposes of this Act.

21 (i) The Agency shall have authority to make recommendations
22 to the Board for the adoption of regulations under Title VII of
23 the Act.

24 (j) The Agency shall have the duty to represent the State
25 of Illinois in any and all matters pertaining to plans,
26 procedures, or negotiations for interstate compacts or other

1 governmental arrangements relating to environmental
2 protection.

3 (k) The Agency shall have the authority to accept, receive,
4 and administer on behalf of the State any grants, gifts, loans,
5 indirect cost reimbursements, or other funds made available to
6 the State from any source for purposes of this Act or for air
7 or water pollution control, public water supply, solid waste
8 disposal, noise abatement, or other environmental protection
9 activities, surveys, or programs. Any federal funds received by
10 the Agency pursuant to this subsection shall be deposited in a
11 trust fund with the State Treasurer and held and disbursed by
12 him in accordance with Treasurer as Custodian of Funds Act,
13 provided that such monies shall be used only for the purposes
14 for which they are contributed and any balance remaining shall
15 be returned to the contributor.

16 The Agency is authorized to promulgate such regulations and
17 enter into such contracts as it may deem necessary for carrying
18 out the provisions of this subsection.

19 (l) The Agency is hereby designated as water pollution
20 agency for the state for all purposes of the Federal Water
21 Pollution Control Act, as amended; as implementing agency for
22 the State for all purposes of the Safe Drinking Water Act,
23 Public Law 93-523, as now or hereafter amended, except Section
24 1425 of that Act; as air pollution agency for the state for all
25 purposes of the Clean Air Act of 1970, Public Law 91-604,
26 approved December 31, 1970, as amended; and as solid waste

1 agency for the state for all purposes of the Solid Waste
2 Disposal Act, Public Law 89-272, approved October 20, 1965, and
3 amended by the Resource Recovery Act of 1970, Public Law
4 91-512, approved October 26, 1970, as amended, and amended by
5 the Resource Conservation and Recovery Act of 1976, (P.L.
6 94-580) approved October 21, 1976, as amended; as noise control
7 agency for the state for all purposes of the Noise Control Act
8 of 1972, Public Law 92-574, approved October 27, 1972, as
9 amended; and as implementing agency for the State for all
10 purposes of the Comprehensive Environmental Response,
11 Compensation, and Liability Act of 1980 (P.L. 96-510), as
12 amended; and otherwise as pollution control agency for the
13 State pursuant to federal laws integrated with the foregoing
14 laws, for financing purposes or otherwise. The Agency is hereby
15 authorized to take all action necessary or appropriate to
16 secure to the State the benefits of such federal Acts, provided
17 that the Agency shall transmit to the United States without
18 change any standards adopted by the Pollution Control Board
19 pursuant to Section 5(c) of this Act. This subsection (1) of
20 Section 4 shall not be construed to bar or prohibit the
21 Environmental Protection Trust Fund Commission from accepting,
22 receiving, and administering on behalf of the State any grants,
23 gifts, loans or other funds for which the Commission is
24 eligible pursuant to the Environmental Protection Trust Fund
25 Act. The Agency is hereby designated as the State agency for
26 all purposes of administering the requirements of Section 313

1 of the federal Emergency Planning and Community Right-to-Know
2 Act of 1986.

3 Any municipality, sanitary district, or other political
4 subdivision, or any Agency of the State or interstate Agency,
5 which makes application for loans or grants under such federal
6 Acts shall notify the Agency of such application; the Agency
7 may participate in proceedings under such federal Acts.

8 (m) The Agency shall have authority, consistent with
9 Section 5(c) and other provisions of this Act, and for purposes
10 of Section 303(e) of the Federal Water Pollution Control Act,
11 as now or hereafter amended, to engage in planning processes
12 and activities and to develop plans in cooperation with units
13 of local government, state agencies and officers, and other
14 appropriate persons in connection with the jurisdiction or
15 duties of each such unit, agency, officer or person. Public
16 hearings shall be held on the planning process, at which any
17 person shall be permitted to appear and be heard, pursuant to
18 procedural regulations promulgated by the Agency.

19 (n) In accordance with the powers conferred upon the Agency
20 by Sections 10(g), 13(b), 19, 22(d) and 25 of this Act, the
21 Agency shall have authority to establish and enforce minimum
22 standards for the operation of laboratories relating to
23 analyses and laboratory tests for air pollution, water
24 pollution, noise emissions, contaminant discharges onto land
25 and sanitary, chemical, and mineral quality of water
26 distributed by a public water supply. The Agency may enter into

1 formal working agreements with other departments or agencies of
2 state government under which all or portions of this authority
3 may be delegated to the cooperating department or agency.

4 (o) The Agency shall have the authority to issue
5 certificates of competency to persons and laboratories meeting
6 the minimum standards established by the Agency in accordance
7 with Section 4(n) of this Act and to promulgate and enforce
8 regulations relevant to the issuance and use of such
9 certificates. The Agency may enter into formal working
10 agreements with other departments or agencies of state
11 government under which all or portions of this authority may be
12 delegated to the cooperating department or agency.

13 (p) Except as provided in Section 17.7, the Agency shall
14 have the duty to analyze samples as required from each public
15 water supply to determine compliance with the contaminant
16 levels specified by the Pollution Control Board. The maximum
17 number of samples which the Agency shall be required to analyze
18 for microbiological quality shall be 6 per month, but the
19 Agency may, at its option, analyze a larger number each month
20 for any supply. Results of sample analyses for additional
21 required bacteriological testing, turbidity, residual chlorine
22 and radionuclides are to be provided to the Agency in
23 accordance with Section 19. Owners of water supplies may enter
24 into agreements with the Agency to provide for reduced Agency
25 participation in sample analyses.

26 (q) The Agency shall have the authority to provide notice

1 to any person who may be liable pursuant to Section 22.2(f) of
2 this Act for a release or a substantial threat of a release of
3 a hazardous substance or pesticide. Such notice shall include
4 the identified response action and an opportunity for such
5 person to perform the response action.

6 (r) The Agency may enter into written delegation agreements
7 with any unit of local government under which it may delegate
8 all or portions of its inspecting, investigating and
9 enforcement functions. Such delegation agreements shall
10 require that work performed thereunder be in accordance with
11 Agency criteria and subject to Agency review. Notwithstanding
12 any other provision of law to the contrary, no unit of local
13 government shall be liable for any injury resulting from the
14 exercise of its authority pursuant to such a delegation
15 agreement unless the injury is proximately caused by the
16 willful and wanton negligence of an agent or employee of the
17 unit of local government, and any policy of insurance coverage
18 issued to a unit of local government may provide for the denial
19 of liability and the nonpayment of claims based upon injuries
20 for which the unit of local government is not liable pursuant
21 to this subsection (r).

22 (s) The Agency shall have authority to take whatever
23 preventive or corrective action is necessary or appropriate,
24 including but not limited to expenditure of monies appropriated
25 from the Build Illinois Bond Fund and the Build Illinois
26 Purposes Fund for removal or remedial action, whenever any

1 hazardous substance or pesticide is released or there is a
2 substantial threat of such a release into the environment. The
3 State, the Director, and any State employee shall be
4 indemnified for any damages or injury arising out of or
5 resulting from any action taken under this subsection. The
6 Director of the Agency is authorized to enter into such
7 contracts and agreements as are necessary to carry out the
8 Agency's duties under this subsection.

9 (t) The Agency shall have authority to distribute grants,
10 subject to appropriation by the General Assembly, to units of
11 local government for financing and construction of wastewater
12 facilities in both incorporated and unincorporated areas. With
13 respect to all monies appropriated from the Build Illinois Bond
14 Fund and the Build Illinois Purposes Fund for wastewater
15 facility grants, the Agency shall make distributions in
16 conformity with the rules and regulations established pursuant
17 to the Anti-Pollution Bond Act, as now or hereafter amended.

18 (u) Pursuant to the Illinois Administrative Procedure Act,
19 the Agency shall have the authority to adopt such rules as are
20 necessary or appropriate for the Agency to implement Section
21 31.1 of this Act.

22 (v) (Blank.)

23 (w) Neither the State, nor the Director, nor the Board, nor
24 any State employee shall be liable for any damages or injury
25 arising out of or resulting from any action taken under
26 subsection (s).

1 (x)(1) The Agency shall have authority to distribute
2 grants, subject to appropriation by the General Assembly, to
3 units of local government for financing and construction of
4 public water supply facilities. With respect to all monies
5 appropriated from the Build Illinois Bond Fund or the Build
6 Illinois Purposes Fund for public water supply grants, such
7 grants shall be made in accordance with rules promulgated by
8 the Agency. Such rules shall include a requirement for a local
9 match of 30% of the total project cost for projects funded
10 through such grants.

11 (2) The Agency shall not terminate a grant to a unit of
12 local government for the financing and construction of public
13 water supply facilities unless and until the Agency adopts
14 rules that set forth precise and complete standards, pursuant
15 to Section 5-20 of the Illinois Administrative Procedure Act,
16 for the termination of such grants. The Agency shall not make
17 determinations on whether specific grant conditions are
18 necessary to ensure the integrity of a project or on whether
19 subagreements shall be awarded, with respect to grants for the
20 financing and construction of public water supply facilities,
21 unless and until the Agency adopts rules that set forth precise
22 and complete standards, pursuant to Section 5-20 of the
23 Illinois Administrative Procedure Act, for making such
24 determinations. The Agency shall not issue a stop-work order in
25 relation to such grants unless and until the Agency adopts
26 precise and complete standards, pursuant to Section 5-20 of the

1 Illinois Administrative Procedure Act, for determining whether
2 to issue a stop-work order.

3 (y) The Agency shall have authority to release any person
4 from further responsibility for preventive or corrective
5 action under this Act following successful completion of
6 preventive or corrective action undertaken by such person upon
7 written request by the person.

8 (z) To the extent permitted by any applicable federal law
9 or regulation, for all work performed for State construction
10 projects which are funded in whole or in part by a capital
11 infrastructure bill enacted by the 96th General Assembly by
12 sums appropriated to the Environmental Protection Agency, at
13 least 50% of the total labor hours must be performed by actual
14 residents of the State of Illinois. For purposes of this
15 subsection, "actual residents of the State of Illinois" means
16 persons domiciled in the State of Illinois. The Department of
17 Labor shall promulgate rules providing for the enforcement of
18 this subsection.

19 (aa) The Agency may adopt rules requiring the electronic
20 submission of any information required to be submitted to the
21 Agency pursuant to any State or federal law or regulation or
22 any court or Board order. Any rules adopted under this
23 subsection (aa) must include, but are not limited to,
24 identification of the information to be submitted
25 electronically.

26 (Source: P.A. 98-72, eff. 7-15-13; 99-937, eff. 2-24-17.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.".