

1 AN ACT concerning State government.

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

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.

17 The Department of Corrections.

18 The Department of Employment Security.

19 The Illinois Emergency Management Agency.

20 The Department of Financial and Professional Regulation.

21 The Department of Healthcare and Family Services.

22 The Department of Human Rights.

23 The Department of Human Services.

1 The Department of Innovation and Technology.

2 The Department of Insurance.

3 The Department of Juvenile Justice.

4 The Department of Labor.

5 The Department of the Lottery.

6 The Department of Natural Resources.

7 The Department of Public Health.

8 The Department of Revenue.

9 The Department of State Police.

10 The Department of Transportation.

11 The Department of Veterans' Affairs.

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

13 (20 ILCS 5/5-20) (was 20 ILCS 5/4)

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

20 The following officers are hereby created:

21 Director of Aging, for the Department on Aging.

22 Director of Agriculture, for the Department of  
23 Agriculture.

24 Director of Central Management Services, for the  
25 Department of Central Management Services.

1 Director of Children and Family Services, for the  
2 Department of Children and Family Services.

3 Director of Commerce and Economic Opportunity, for the  
4 Department of Commerce and Economic Opportunity.

5 Director of Corrections, for the Department of  
6 Corrections.

7 Director of the Illinois Emergency Management Agency, for  
8 the Illinois Emergency Management Agency.

9 Director of Employment Security, for the Department of  
10 Employment Security.

11 Secretary of Financial and Professional Regulation, for  
12 the Department of Financial and Professional Regulation.

13 Director of Healthcare and Family Services, for the  
14 Department of Healthcare and Family Services.

15 Director of Human Rights, for the Department of Human  
16 Rights.

17 Secretary of Human Services, for the Department of Human  
18 Services.

19 Secretary of Innovation and Technology, for the Department  
20 of Innovation and Technology.

21 Director of Insurance, for the Department of Insurance.

22 Director of Juvenile Justice, for the Department of  
23 Juvenile Justice.

24 Director of Labor, for the Department of Labor.

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

26 Director of Natural Resources, for the Department of

1 Natural Resources.

2 Director of Public Health, for the Department of Public  
3 Health.

4 Director of Revenue, for the Department of Revenue.

5 Director of State Police, for the Department of State  
6 Police.

7 Secretary of Transportation, for the Department of  
8 Transportation.

9 Director of Veterans' Affairs, for the Department of  
10 Veterans' Affairs.

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

12 (20 ILCS 5/5-300) (was 20 ILCS 5/9)

13 Sec. 5-300. Officers' qualifications and salaries. The  
14 executive and administrative officers, whose offices are  
15 created by this Act, must have the qualifications prescribed by  
16 law and shall receive annual salaries, payable in equal monthly  
17 installments, as designated in the Sections following this  
18 Section and preceding Section 5-500. If set by the Governor,  
19 those annual salaries may not exceed 85% of the Governor's  
20 annual salary. Notwithstanding any other provision of law, for  
21 terms beginning after the effective date of this amendatory Act  
22 of the 100th General Assembly, the annual salary of the  
23 director or secretary and assistant director or assistant  
24 secretary of each department created under Section 5-15 shall  
25 be an amount equal to 15% more than the annual salary of the

1 respective officer in effect as of December 31, 2018. The  
2 calculation of the 2018 salary base for this adjustment shall  
3 not include any cost of living adjustments, as authorized by  
4 Senate Joint Resolution 192 of the 86th General Assembly, for  
5 the period beginning July 1, 2009 to June 30, 2019. Beginning  
6 July 1, 2019 and each July 1 thereafter, the directors,  
7 secretaries, assistant directors, and assistant secretaries  
8 shall receive an increase in salary based on a cost of living  
9 adjustment as authorized by Senate Joint Resolution 192 of the  
10 86th General Assembly.

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

13 (20 ILCS 5/5-310) (was 20 ILCS 5/9.21)

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

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

19 (20 ILCS 5/5-315) (was 20 ILCS 5/9.02)

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

24 For terms ending before December 31, 2019, the ~~The~~

1 Assistant Director of Agriculture shall receive an annual  
2 salary as set by the Compensation Review Board.

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

4 (20 ILCS 5/5-320) (was 20 ILCS 5/9.19)

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

9 For terms ending before December 31, 2019, each ~~Each~~  
10 Assistant Director of Central Management Services shall  
11 receive an annual salary as set by the Compensation Review  
12 Board.

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

14 (20 ILCS 5/5-325) (was 20 ILCS 5/9.16)

15 Sec. 5-325. In the Department of Children and Family  
16 Services. For terms ending before December 31, 2019, the ~~The~~  
17 Director of Children and Family Services shall receive an  
18 annual salary as set by the Compensation Review Board.

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

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

21 Sec. 5-330. In the Department of Commerce and Economic  
22 Opportunity. For terms ending before December 31, 2019, the ~~The~~  
23 Director of Commerce and Economic Opportunity shall receive an

1 annual salary as set by the Compensation Review Board.

2 For terms ending before December 31, 2019, the ~~The~~  
3 Assistant Director of Commerce and Economic Opportunity shall  
4 receive an annual salary as set by the Compensation Review  
5 Board.

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

7 (20 ILCS 5/5-335) (was 20 ILCS 5/9.11a)

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

12 For terms ending before December 31, 2019, the ~~The~~  
13 Assistant Director of Corrections shall receive an annual  
14 salary as set by the Compensation Review Board for the  
15 Assistant Director of Corrections-Adult Division.

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

17 (20 ILCS 5/5-340) (was 20 ILCS 5/9.30)

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

22 Each member of the Board of Review shall receive \$15,000.

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

1 (20 ILCS 5/5-345) (was 20 ILCS 5/9.15)

2 Sec. 5-345. In the Department of Financial and Professional  
3 Regulation Institutions. For terms ending before December 31,  
4 2019, the Secretary of Financial and Professional Regulation  
5 ~~The Director of Financial Institutions~~ shall receive an annual  
6 salary as set by the Compensation Review Board.

7 For terms ending before December 31, 2019, the Director of  
8 Financial Institutions, the Director of Professional  
9 Regulation, the Director of Banking, and the Director of Real  
10 Estate ~~The Assistant Director of Financial Institutions~~ shall  
11 receive an annual salary as set by the Compensation Review  
12 Board.

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

14 (20 ILCS 5/5-350) (was 20 ILCS 5/9.24)

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

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

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

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

1        For terms ending before December 31, 2019, the ~~The~~  
2 Assistant Secretaries of Human Services shall each receive an  
3 annual salary as set by the Compensation Review Board.  
4 (Source: P.A. 96-800, eff. 10-30-09.)

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

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

10        For terms ending before December 31, 2019, the ~~The~~  
11 Assistant Director of Insurance shall receive an annual salary  
12 as set by the Compensation Review Board.  
13 (Source: P.A. 96-800, eff. 10-30-09.)

14            (20 ILCS 5/5-362)

15        Sec. 5-362. In the Department of Juvenile Justice. For  
16 terms ending before December 31, 2019, the ~~The~~ Director of  
17 Juvenile Justice shall receive an annual salary as set by the  
18 Compensation Review Board.  
19 (Source: P.A. 96-800, eff. 10-30-09.)

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

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

1 Board.

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

5 The Chief Safety Inspector shall receive \$24,700 from the  
6 third Monday in January, 1979 to the third Monday in January,  
7 1980, and \$25,000 thereafter, or as set by the Compensation  
8 Review Board, whichever is greater.

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

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

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

17 (20 ILCS 5/5-375) (was 20 ILCS 5/9.09)

18 Sec. 5-375. In the Department of Natural Resources. For  
19 terms ending before December 31, 2019 ~~The Director of Natural~~  
20 ~~Resources shall continue to receive the annual salary set by~~  
21 ~~law for the Director of Conservation until January 20, 1997.~~  
22 ~~Beginning on that date,~~ the Director of Natural Resources shall  
23 receive an annual salary as set by the Compensation Review  
24 Board.

25 For terms ending before December 31, 2019 ~~The Assistant~~

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

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

7 (20 ILCS 5/5-395) (was 20 ILCS 5/9.17)

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

12 For terms ending before December 31, 2019, the ~~The~~  
13 Assistant Director of Healthcare and Family Services shall  
14 receive an annual salary as set by the Compensation Review  
15 Board.

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

17 (20 ILCS 5/5-400) (was 20 ILCS 5/9.07)

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

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

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

2 (20 ILCS 5/5-405) (was 20 ILCS 5/9.12)

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

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

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

11 (20 ILCS 5/5-410) (was 20 ILCS 5/9.11)

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

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

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

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

21 Sec. 5-415. In the Department of Transportation. For terms  
22 ending before December 31, 2019, the ~~The~~ Secretary of  
23 Transportation shall receive an annual salary as set by the

1 Compensation Review Board.

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

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

6 (20 ILCS 5/5-420) (was 20 ILCS 5/9.22)

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

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

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

15 (20 ILCS 5/5-385 rep.)

16 (20 ILCS 5/5-390 rep.)

17 Section 7. The Civil Administrative Code of Illinois is  
18 amended by repealing Sections 5-385 and 5-390.

19 Section 10. The Illinois Lottery Law is amended by changing  
20 Section 5 as follows:

21 (20 ILCS 1605/5) (from Ch. 120, par. 1155)

22 Sec. 5. (a) The Department shall be under the supervision

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

13 Any vacancy occurring in the office of the Director shall  
14 be filled in the same manner as the original appointment. In  
15 case of a vacancy during the recess of the Senate, the Governor  
16 shall make a temporary appointment until the next meeting of  
17 the Senate, when the Governor shall nominate some person to  
18 fill the office, and any person so nominated who is confirmed  
19 by the Senate shall hold office during the remainder of the  
20 term and until his or her successor is appointed and qualified.

21 During the absence or inability to act of the Director, or  
22 in the case of a vacancy in the office of Director until a  
23 successor is appointed and qualified, the Governor may  
24 designate some person as Acting Director of the Lottery to  
25 execute the powers and discharge the duties vested by law in  
26 that office. A person who is designated as an Acting Director

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

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

20 The Director shall:

21 (1) be qualified by training and experience to direct a  
22 lottery, including, at a minimum, 5 years of senior  
23 executive-level experience in the successful advertising,  
24 marketing, and selling of consumer products, 4 years of  
25 successful experience directing a lottery on behalf of a  
26 governmental entity, or 5 years of successful senior-level

1 management experience at a lottery on behalf of a  
2 governmental entity;

3 (2) have significant and meaningful management and  
4 regulatory experience; and

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

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

17 (c) No person shall perform the duties and functions of the  
18 Director, or otherwise exercise the authority of the Director,  
19 unless the same shall have been appointed by the Governor  
20 pursuant to this Section.

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

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

24 (20 ILCS 1805/17) (from Ch. 129, par. 220.17)

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

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

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

23           (20 ILCS 2905/1) (from Ch. 127 1/2, par. 1)

24           Sec. 1. There is hereby created the Office of the State

1 Fire Marshal, hereinafter referred to as the Office.

2 The Office shall be under an executive director who shall  
3 be appointed by the Governor with the advice and consent of the  
4 Senate.

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

20 The Office of the State Fire Marshal shall have a division  
21 that shall assume the duties of the Division of Fire  
22 Prevention, Department of Law Enforcement, and a division that  
23 shall assume the duties of Illinois Fire Protection Personnel  
24 Standards and Education Commission. Each division shall be  
25 headed by a division manager who shall be employed by the Fire  
26 Marshal, subject to the Personnel Code, and shall be

1 responsible to the Fire Marshal.

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

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

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

6 Sec. 5. Illinois Emergency Management Agency.

7 (a) There is created within the executive branch of the  
8 State Government an Illinois Emergency Management Agency and a  
9 Director of the Illinois Emergency Management Agency, herein  
10 called the "Director" who shall be the head thereof. The  
11 Director shall be appointed by the Governor, with the advice  
12 and consent of the Senate, and shall serve for a term of 2  
13 years beginning on the third Monday in January of the  
14 odd-numbered year, and until a successor is appointed and has  
15 qualified; except that the term of the first Director appointed  
16 under this Act shall expire on the third Monday in January,  
17 1989. The Director shall not hold any other remunerative public  
18 office. For terms ending before December 31, 2019, the ~~The~~  
19 Director shall receive an annual salary as set by the  
20 Compensation Review Board. For terms beginning after the  
21 effective date of this amendatory Act of the 100th General  
22 Assembly, the annual salary of the Director shall be as  
23 provided in Section 5-300 of the Civil Administrative Code of  
24 Illinois.

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

11           (c) The Director, subject to the direction and control of  
12 the Governor, shall be the executive head of the Illinois  
13 Emergency Management Agency and the State Emergency Response  
14 Commission and shall be responsible under the direction of the  
15 Governor, for carrying out the program for emergency management  
16 of this State. The Director shall also maintain liaison and  
17 cooperate with the emergency management organizations of this  
18 State and other states and of the federal government.

19           (d) The Illinois Emergency Management Agency shall take an  
20 integral part in the development and revision of political  
21 subdivision emergency operations plans prepared under  
22 paragraph (f) of Section 10. To this end it shall employ or  
23 otherwise secure the services of professional and technical  
24 personnel capable of providing expert assistance to the  
25 emergency services and disaster agencies. These personnel  
26 shall consult with emergency services and disaster agencies on

1 a regular basis and shall make field examinations of the areas,  
2 circumstances, and conditions that particular political  
3 subdivision emergency operations plans are intended to apply.

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

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

16 (2) the assessment of emergency response capabilities  
17 related to hazardous chemical emergencies.

18 (f) The Illinois Emergency Management Agency shall:

19 (1) Coordinate the overall emergency management  
20 program of the State.

21 (2) Cooperate with local governments, the federal  
22 government and any public or private agency or entity in  
23 achieving any purpose of this Act and in implementing  
24 emergency management programs for mitigation,  
25 preparedness, response, and recovery.

26 (2.5) Develop a comprehensive emergency preparedness

1 and response plan for any nuclear accident in accordance  
2 with Section 65 of the ~~Department of~~ Nuclear Safety Law of  
3 2004 ~~(20 ILCS 3310)~~ and in development of the Illinois  
4 Nuclear Safety Preparedness program in accordance with  
5 Section 8 of the Illinois Nuclear Safety Preparedness Act.

6 (2.6) Coordinate with the Department of Public Health  
7 with respect to planning for and responding to public  
8 health emergencies.

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

12 (4) Promulgate rules and requirements for political  
13 subdivision emergency operations plans that are not  
14 inconsistent with and are at least as stringent as  
15 applicable federal laws and regulations.

16 (5) Review and approve, in accordance with Illinois  
17 Emergency Management Agency rules, emergency operations  
18 plans for those political subdivisions required to have an  
19 emergency services and disaster agency pursuant to this  
20 Act.

21 (5.5) Promulgate rules and requirements for the  
22 political subdivision emergency management exercises,  
23 including, but not limited to, exercises of the emergency  
24 operations plans.

25 (5.10) Review, evaluate, and approve, in accordance  
26 with Illinois Emergency Management Agency rules, political

1 subdivision emergency management exercises for those  
2 political subdivisions required to have an emergency  
3 services and disaster agency pursuant to this Act.

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

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

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

12 (9) Expand the Earthquake Awareness Program and its  
13 efforts to distribute earthquake preparedness materials to  
14 schools, political subdivisions, community groups, civic  
15 organizations, and the media. Emphasis will be placed on  
16 those areas of the State most at risk from an earthquake.  
17 Maintain the list of all school districts, hospitals,  
18 airports, power plants, including nuclear power plants,  
19 lakes, dams, emergency response facilities of all types,  
20 and all other major public or private structures which are  
21 at the greatest risk of damage from earthquakes under  
22 circumstances where the damage would cause subsequent harm  
23 to the surrounding communities and residents.

24 (10) Disseminate all information, completely and  
25 without delay, on water levels for rivers and streams and  
26 any other data pertaining to potential flooding supplied by

1 the Division of Water Resources within the Department of  
2 Natural Resources to all political subdivisions to the  
3 maximum extent possible.

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

13 (11.5) In coordination with the Department of State  
14 Police, develop and implement a community outreach program  
15 to promote awareness among the State's parents and children  
16 of child abduction prevention and response.

17 (12) Out of funds appropriated for these purposes,  
18 award capital and non-capital grants to Illinois hospitals  
19 or health care facilities located outside of a city with a  
20 population in excess of 1,000,000 to be used for purposes  
21 that include, but are not limited to, preparing to respond  
22 to mass casualties and disasters, maintaining and  
23 improving patient safety and quality of care, and  
24 protecting the confidentiality of patient information. No  
25 single grant for a capital expenditure shall exceed  
26 \$300,000. No single grant for a non-capital expenditure

1 shall exceed \$100,000. In awarding such grants, preference  
2 shall be given to hospitals that serve a significant number  
3 of Medicaid recipients, but do not qualify for  
4 disproportionate share hospital adjustment payments under  
5 the Illinois Public Aid Code. To receive such a grant, a  
6 hospital or health care facility must provide funding of at  
7 least 50% of the cost of the project for which the grant is  
8 being requested. In awarding such grants the Illinois  
9 Emergency Management Agency shall consider the  
10 recommendations of the Illinois Hospital Association.

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

13 (g) The Illinois Emergency Management Agency is authorized  
14 to make grants to various higher education institutions, public  
15 K-12 school districts, area vocational centers as designated by  
16 the State Board of Education, inter-district special education  
17 cooperatives, regional safe schools, and nonpublic K-12  
18 schools for safety and security improvements. For the purpose  
19 of this subsection (g), "higher education institution" means a  
20 public university, a public community college, or an  
21 independent, not-for-profit or for-profit higher education  
22 institution located in this State. Grants made under this  
23 subsection (g) shall be paid out of moneys appropriated for  
24 that purpose from the Build Illinois Bond Fund. The Illinois  
25 Emergency Management Agency shall adopt rules to implement this  
26 subsection (g). These rules may specify: (i) the manner of

1 applying for grants; (ii) project eligibility requirements;  
2 (iii) restrictions on the use of grant moneys; (iv) the manner  
3 in which the various higher education institutions must account  
4 for the use of grant moneys; and (v) any other provision that  
5 the Illinois Emergency Management Agency determines to be  
6 necessary or useful for the administration of this subsection  
7 (g).

8 (g-5) The Illinois Emergency Management Agency is  
9 authorized to make grants to not-for-profit organizations  
10 which are exempt from federal income taxation under section  
11 501(c)(3) of the Federal Internal Revenue Code for eligible  
12 security improvements that assist the organization in  
13 preventing, preparing for, or responding to acts of terrorism.  
14 The Director shall establish procedures and forms by which  
15 applicants may apply for a grant and procedures for  
16 distributing grants to recipients. The procedures shall  
17 require each applicant to do the following:

18 (1) identify and substantiate prior threats or attacks  
19 by a terrorist organization, network, or cell against the  
20 not-for-profit organization;

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

24 (3) discuss potential consequences to the organization  
25 if the site is damaged, destroyed, or disrupted by a  
26 terrorist act;

1           (4) describe how the grant will be used to integrate  
2           organizational preparedness with broader State and local  
3           preparedness efforts;

4           (5) submit a vulnerability assessment conducted by  
5           experienced security, law enforcement, or military  
6           personnel, and a description of how the grant award will be  
7           used to address the vulnerabilities identified in the  
8           assessment; and

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

11          The Agency is authorized to use funds appropriated for the  
12          grant program described in this subsection (g-5) to administer  
13          the program.

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

19          (i) The Illinois Emergency Management Agency may by rule  
20          assess and collect reasonable fees for attendance at  
21          Agency-sponsored conferences to enable the Agency to carry out  
22          the requirements of this Act. Any moneys received under this  
23          subsection shall be deposited in the Emergency Planning and  
24          Training Fund and used by the Agency, subject to appropriation,  
25          for planning and training activities.

26          (j) The Illinois Emergency Management Agency is authorized

1 to make grants to other State agencies, public universities,  
2 units of local government, and statewide mutual aid  
3 organizations to enhance statewide emergency preparedness and  
4 response.

5 (Source: P.A. 100-444, eff. 1-1-18; 100-508, eff. 9-15-17;  
6 100-587, eff. 6-4-18; 100-863, eff. 8-14-18; revised  
7 10-22-18.)

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

10 (20 ILCS 3855/1-70)

11 Sec. 1-70. Agency officials.

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

15 (b) Within the Illinois Power Agency, the Agency shall  
16 establish a Planning and Procurement Bureau and may establish a  
17 Resource Development Bureau. Each Bureau shall report to the  
18 Director.

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

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

6 (e) For terms ending before December 31, 2019, the ~~The~~  
7 Director shall receive an annual salary of \$100,000 or as set  
8 by the Compensation Review Board, whichever is higher. For  
9 terms ending before December 31, 2019, the ~~The~~ Bureau Chiefs  
10 shall each receive an annual salary of \$85,000 or as set by the  
11 Compensation Review Board, whichever is higher. For terms  
12 beginning after the effective date of this amendatory Act of  
13 the 100th General Assembly, the annual salaries for the  
14 Director and the Bureau Chiefs shall be an amount equal to 15%  
15 more than the respective position's annual salary as of  
16 December 31, 2018. The calculation of the 2018 salary base for  
17 this adjustment shall not include any cost of living  
18 adjustments, as authorized by Senate Joint Resolution 192 of  
19 the 86th General Assembly, for the period beginning July 1,  
20 2009 to June 30, 2019. Beginning July 1, 2019 and each July 1  
21 thereafter, the Director and the Bureau Chiefs shall receive an  
22 increase in salary based on a cost of living adjustment as  
23 authorized by Senate Joint Resolution 192 of the 86th General  
24 Assembly.

25 (f) The Director and Bureau Chiefs shall not, for 2 years  
26 prior to appointment or for 2 years after he or she leaves his

1 or her position, be employed by an electric utility,  
2 independent power producer, power marketer, or alternative  
3 retail electric supplier regulated by the Commission or the  
4 Federal Energy Regulatory Commission.

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

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

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

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

2 Sec. 4. Environmental Protection Agency; establishment;  
3 duties.

4 (a) There is established in the Executive Branch of the  
5 State Government an agency to be known as the Environmental  
6 Protection Agency. This Agency shall be under the supervision  
7 and direction of a Director who shall be appointed by the  
8 Governor with the advice and consent of the Senate. The term of  
9 office of the Director shall expire on the third Monday of  
10 January in odd numbered years, provided that he or she shall  
11 hold office until a successor is appointed and has qualified.  
12 For terms ending before December 31, 2019, the ~~The~~ Director  
13 shall receive an annual salary as set by the Compensation  
14 Review Board. For terms beginning after the effective date of  
15 this amendatory Act of the 100th General Assembly, the  
16 Director's annual salary shall be an amount equal to 15% more  
17 than the Director's annual salary as of December 31, 2018. The  
18 calculation of the 2018 salary base for this adjustment shall  
19 not include any cost of living adjustments, as authorized by  
20 Senate Joint Resolution 192 of the 86th General Assembly, for  
21 the period beginning July 1, 2009 to June 30, 2019. Beginning  
22 July 1, 2019 and each July 1 thereafter, the Director shall  
23 receive an increase in salary based on a cost of living  
24 adjustment as authorized by Senate Joint Resolution 192 of the  
25 86th General Assembly. The Director, in accord with the  
26 Personnel Code, shall employ and direct such personnel, and

1 shall provide for such laboratory and other facilities, as may  
2 be necessary to carry out the purposes of this Act. In  
3 addition, the Director may by agreement secure such services as  
4 he or she may deem necessary from any other department, agency,  
5 or unit of the State Government, and may employ and compensate  
6 such consultants and technical assistants as may be required.

7 (b) The Agency shall have the duty to collect and  
8 disseminate such information, acquire such technical data, and  
9 conduct such experiments as may be required to carry out the  
10 purposes of this Act, including ascertainment of the quantity  
11 and nature of discharges from any contaminant source and data  
12 on those sources, and to operate and arrange for the operation  
13 of devices for the monitoring of environmental quality.

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

18 (d) In accordance with constitutional limitations, the  
19 Agency shall have authority to enter at all reasonable times  
20 upon any private or public property for the purpose of:

21 (1) Inspecting and investigating to ascertain possible  
22 violations of this Act, any rule or regulation adopted  
23 under this Act, any permit or term or condition of a  
24 permit, or any Board order; or

25 (2) In accordance with the provisions of this Act,  
26 taking whatever preventive or corrective action, including

1 but not limited to removal or remedial action, that is  
2 necessary or appropriate whenever there is a release or a  
3 substantial threat of a release of (A) a hazardous  
4 substance or pesticide or (B) petroleum from an underground  
5 storage tank.

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

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

17 (g) The Agency shall have the duty to administer, in accord  
18 with Title X of this Act, such permit and certification systems  
19 as may be established by this Act or by regulations adopted  
20 thereunder. The Agency may enter into written delegation  
21 agreements with any department, agency, or unit of State or  
22 local government under which all or portions of this duty may  
23 be delegated for public water supply storage and transport  
24 systems, sewage collection and transport systems, air  
25 pollution control sources with uncontrolled emissions of 100  
26 tons per year or less and application of algicides to waters of

1 the State. Such delegation agreements will require that the  
2 work to be performed thereunder will be in accordance with  
3 Agency criteria, subject to Agency review, and shall include  
4 such financial and program auditing by the Agency as may be  
5 required.

6 (h) The Agency shall have authority to require the  
7 submission of complete plans and specifications from any  
8 applicant for a permit required by this Act or by regulations  
9 thereunder, and to require the submission of such reports  
10 regarding actual or potential violations of this Act, any rule  
11 or regulation adopted under this Act, any permit or term or  
12 condition of a permit, or any Board order, as may be necessary  
13 for the purposes of this Act.

14 (i) The Agency shall have authority to make recommendations  
15 to the Board for the adoption of regulations under Title VII of  
16 the Act.

17 (j) The Agency shall have the duty to represent the State  
18 of Illinois in any and all matters pertaining to plans,  
19 procedures, or negotiations for interstate compacts or other  
20 governmental arrangements relating to environmental  
21 protection.

22 (k) The Agency shall have the authority to accept, receive,  
23 and administer on behalf of the State any grants, gifts, loans,  
24 indirect cost reimbursements, or other funds made available to  
25 the State from any source for purposes of this Act or for air  
26 or water pollution control, public water supply, solid waste

1 disposal, noise abatement, or other environmental protection  
2 activities, surveys, or programs. Any federal funds received by  
3 the Agency pursuant to this subsection shall be deposited in a  
4 trust fund with the State Treasurer and held and disbursed by  
5 him in accordance with Treasurer as Custodian of Funds Act,  
6 provided that such monies shall be used only for the purposes  
7 for which they are contributed and any balance remaining shall  
8 be returned to the contributor.

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

12 (1) The Agency is hereby designated as water pollution  
13 agency for the state for all purposes of the Federal Water  
14 Pollution Control Act, as amended; as implementing agency for  
15 the State for all purposes of the Safe Drinking Water Act,  
16 Public Law 93-523, as now or hereafter amended, except Section  
17 1425 of that Act; as air pollution agency for the state for all  
18 purposes of the Clean Air Act of 1970, Public Law 91-604,  
19 approved December 31, 1970, as amended; and as solid waste  
20 agency for the state for all purposes of the Solid Waste  
21 Disposal Act, Public Law 89-272, approved October 20, 1965, and  
22 amended by the Resource Recovery Act of 1970, Public Law  
23 91-512, approved October 26, 1970, as amended, and amended by  
24 the Resource Conservation and Recovery Act of 1976, (P.L.  
25 94-580) approved October 21, 1976, as amended; as noise control  
26 agency for the state for all purposes of the Noise Control Act

1 of 1972, Public Law 92-574, approved October 27, 1972, as  
2 amended; and as implementing agency for the State for all  
3 purposes of the Comprehensive Environmental Response,  
4 Compensation, and Liability Act of 1980 (P.L. 96-510), as  
5 amended; and otherwise as pollution control agency for the  
6 State pursuant to federal laws integrated with the foregoing  
7 laws, for financing purposes or otherwise. The Agency is hereby  
8 authorized to take all action necessary or appropriate to  
9 secure to the State the benefits of such federal Acts, provided  
10 that the Agency shall transmit to the United States without  
11 change any standards adopted by the Pollution Control Board  
12 pursuant to Section 5(c) of this Act. This subsection (l) of  
13 Section 4 shall not be construed to bar or prohibit the  
14 Environmental Protection Trust Fund Commission from accepting,  
15 receiving, and administering on behalf of the State any grants,  
16 gifts, loans or other funds for which the Commission is  
17 eligible pursuant to the Environmental Protection Trust Fund  
18 Act. The Agency is hereby designated as the State agency for  
19 all purposes of administering the requirements of Section 313  
20 of the federal Emergency Planning and Community Right-to-Know  
21 Act of 1986.

22 Any municipality, sanitary district, or other political  
23 subdivision, or any Agency of the State or interstate Agency,  
24 which makes application for loans or grants under such federal  
25 Acts shall notify the Agency of such application; the Agency  
26 may participate in proceedings under such federal Acts.

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

12           (n) In accordance with the powers conferred upon the Agency  
13 by Sections 10(g), 13(b), 19, 22(d) and 25 of this Act, the  
14 Agency shall have authority to establish and enforce minimum  
15 standards for the operation of laboratories relating to  
16 analyses and laboratory tests for air pollution, water  
17 pollution, noise emissions, contaminant discharges onto land  
18 and sanitary, chemical, and mineral quality of water  
19 distributed by a public water supply. The Agency may enter into  
20 formal working agreements with other departments or agencies of  
21 state government under which all or portions of this authority  
22 may be delegated to the cooperating department or agency.

23           (o) The Agency shall have the authority to issue  
24 certificates of competency to persons and laboratories meeting  
25 the minimum standards established by the Agency in accordance  
26 with Section 4(n) of this Act and to promulgate and enforce

1 regulations relevant to the issuance and use of such  
2 certificates. The Agency may enter into formal working  
3 agreements with other departments or agencies of state  
4 government under which all or portions of this authority may be  
5 delegated to the cooperating department or agency.

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

19 (q) The Agency shall have the authority to provide notice  
20 to any person who may be liable pursuant to Section 22.2(f) of  
21 this Act for a release or a substantial threat of a release of  
22 a hazardous substance or pesticide. Such notice shall include  
23 the identified response action and an opportunity for such  
24 person to perform the response action.

25 (r) The Agency may enter into written delegation agreements  
26 with any unit of local government under which it may delegate

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

15 (s) The Agency shall have authority to take whatever  
16 preventive or corrective action is necessary or appropriate,  
17 including but not limited to expenditure of monies appropriated  
18 from the Build Illinois Bond Fund and the Build Illinois  
19 Purposes Fund for removal or remedial action, whenever any  
20 hazardous substance or pesticide is released or there is a  
21 substantial threat of such a release into the environment. The  
22 State, the Director, and any State employee shall be  
23 indemnified for any damages or injury arising out of or  
24 resulting from any action taken under this subsection. The  
25 Director of the Agency is authorized to enter into such  
26 contracts and agreements as are necessary to carry out the

1 Agency's duties under this subsection.

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

11 (u) Pursuant to the Illinois Administrative Procedure Act,  
12 the Agency shall have the authority to adopt such rules as are  
13 necessary or appropriate for the Agency to implement Section  
14 31.1 of this Act.

15 (v) (Blank.)

16 (w) Neither the State, nor the Director, nor the Board, nor  
17 any State employee shall be liable for any damages or injury  
18 arising out of or resulting from any action taken under  
19 subsection (s).

20 (x)(1) The Agency shall have authority to distribute  
21 grants, subject to appropriation by the General Assembly, to  
22 units of local government for financing and construction of  
23 public water supply facilities. With respect to all monies  
24 appropriated from the Build Illinois Bond Fund or the Build  
25 Illinois Purposes Fund for public water supply grants, such  
26 grants shall be made in accordance with rules promulgated by

1 the Agency. Such rules shall include a requirement for a local  
2 match of 30% of the total project cost for projects funded  
3 through such grants.

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

22 (y) The Agency shall have authority to release any person  
23 from further responsibility for preventive or corrective  
24 action under this Act following successful completion of  
25 preventive or corrective action undertaken by such person upon  
26 written request by the person.

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

12           (aa) The Agency may adopt rules requiring the electronic  
13 submission of any information required to be submitted to the  
14 Agency pursuant to any State or federal law or regulation or  
15 any court or Board order. Any rules adopted under this  
16 subsection (aa) must include, but are not limited to,  
17 identification of the information to be submitted  
18 electronically.

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

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