



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB4043

Introduced 1/13/2020, by Rep. Kathleen Willis

SYNOPSIS AS INTRODUCED:

30 ILCS 160/2

from Ch. 127, par. 4002

Amends the Public Use Trust Act. Provides that the Department of Agriculture, the Department of Natural Resources, and the Abraham Lincoln Presidential Library and Museum (currently, the Department of Agriculture and the Department of Natural Resources only) have the power to enter into a trust agreement with a person or group of persons under which the State agency may receive or collect money or other property from the person or group of persons and may expend such money or property solely for a public purpose within the powers and duties of that State agency and stated in the trust agreement.

LRB101 15428 RJF 64718 b

1 AN ACT concerning finance.

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

4 Section 5. The Public Use Trust Act is amended by changing
5 Section 2 as follows:

6 (30 ILCS 160/2) (from Ch. 127, par. 4002)

7 (Text of Section before amendment by P.A. 101-48)

8 Sec. 2. (a) The Department of Agriculture and the
9 Department of Natural Resources have the power to enter into a
10 trust agreement with a person or group of persons under which
11 the State agency may receive or collect money or other property
12 from the person or group of persons and may expend such money
13 or property solely for a public purpose within the powers and
14 duties of that State agency and stated in the trust agreement.
15 The State agency shall be the trustee under any such trust
16 agreement.

17 (b) Money or property received under a trust agreement
18 shall not be deposited in the State treasury and is not subject
19 to appropriation by the General Assembly, but shall be held and
20 invested by the trustee separate and apart from the State
21 treasury. The trustee shall invest money or property received
22 under a trust agreement as provided for trustees under the
23 Trusts and Trustees Act or as otherwise provided in the trust

1 agreement.

2 (c) The trustee shall maintain detailed records of all
3 receipts and disbursements in the same manner as required for
4 trustees under the Trusts and Trustees Act. The trustee shall
5 provide an annual accounting of all receipts, disbursements,
6 and inventory to all donors to the trust and the Auditor
7 General. The annual accounting shall be made available to any
8 member of the public upon request.

9 (Source: P.A. 100-695, eff. 8-3-18.)

10 (Text of Section after amendment by P.A. 101-48)

11 Sec. 2. (a) The Department of Agriculture, ~~and~~ the
12 Department of Natural Resources, and the Abraham Lincoln
13 Presidential Library and Museum have the power to enter into a
14 trust agreement with a person or group of persons under which
15 the State agency may receive or collect money or other property
16 from the person or group of persons and may expend such money
17 or property solely for a public purpose within the powers and
18 duties of that State agency and stated in the trust agreement.
19 The State agency shall be the trustee under any such trust
20 agreement.

21 (b) Money or property received under a trust agreement
22 shall not be deposited in the State treasury and is not subject
23 to appropriation by the General Assembly, but shall be held and
24 invested by the trustee separate and apart from the State
25 treasury. The trustee shall invest money or property received

1 under a trust agreement as provided for trustees under the
2 Illinois Trust Code or as otherwise provided in the trust
3 agreement.

4 (c) The trustee shall maintain detailed records of all
5 receipts and disbursements in the same manner as required for
6 trustees under the Illinois Trust Code. The trustee shall
7 provide an annual accounting of all receipts, disbursements,
8 and inventory to all donors to the trust and the Auditor
9 General. The annual accounting shall be made available to any
10 member of the public upon request.

11 (Source: P.A. 100-695, eff. 8-3-18; 101-48, eff. 1-1-20.)

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