



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB4074

Introduced 1/16/2020, by Rep. John M. Cabello

SYNOPSIS AS INTRODUCED:

20 ILCS 1605/2	from Ch. 120, par. 1152
20 ILCS 1605/9.1	
20 ILCS 1605/20	from Ch. 120, par. 1170
20 ILCS 1605/21.14 new	
30 ILCS 105/5.930 new	

Amends the Illinois Lottery Law. Requires the Department of the Lottery, beginning on January 1, 2021 or as soon thereafter as is practical, to offer a special instant scratch-off game for the purposes of upkeep, maintenance, and improvements to Illinois State and local parks. Provides that the net revenue from the special instant scratch-off game must be deposited into the Illinois Parks Scratch-off Fund. Provides that the moneys deposited in the Fund shall be used by the Department of Natural Resources for upkeep, maintenance, and improvements to Illinois State and local parks, including grants for those purposes. Authorizes the Department of the Lottery to adopt rules necessary to implement and administer the game. Defines "net revenue". Amends the State Finance Act to create the Illinois Parks Scratch-off Fund. Effective immediately.

LRB101 15636 SMS 64984 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 Illinois Lottery Law is amended by changing
5 Section 2, 9.1, and 20 and by adding Section 21.14 as follows:

6 (20 ILCS 1605/2) (from Ch. 120, par. 1152)

7 Sec. 2. This Act is enacted to implement and establish
8 within the State a lottery to be conducted by the State through
9 the Department. The entire net proceeds of the Lottery are to
10 be used for the support of the State's Common School Fund,
11 except as provided in subsection (o) of Section 9.1 and
12 Sections 21.5, 21.6, 21.7, 21.8, 21.9, 21.10, ~~and~~ 21.11, 21.12,
13 ~~and~~ 21.13, and 21.14. The General Assembly finds that it is in
14 the public interest for the Department to conduct the functions
15 of the Lottery with the assistance of a private manager under a
16 management agreement overseen by the Department. The
17 Department shall be accountable to the General Assembly and the
18 people of the State through a comprehensive system of
19 regulation, audits, reports, and enduring operational
20 oversight. The Department's ongoing conduct of the Lottery
21 through a management agreement with a private manager shall act
22 to promote and ensure the integrity, security, honesty, and
23 fairness of the Lottery's operation and administration. It is

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

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

10 (Source: P.A. 100-466, eff. 6-1-18; 100-647, eff. 7-30-18;
11 100-1068, eff. 8-24-18; 101-81, eff. 7-12-19; 101-561, eff.
12 8-23-19; revised 10-21-19.)

13 (20 ILCS 1605/9.1)

14 Sec. 9.1. Private manager and management agreement.

15 (a) As used in this Section:

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

18 "Request for qualifications" means all materials and
19 documents prepared by the Department to solicit the following
20 from offerors:

21 (1) Statements of qualifications.

22 (2) Proposals to enter into a management agreement,
23 including the identity of any prospective vendor or vendors
24 that the offeror intends to initially engage to assist the
25 offeror in performing its obligations under the management

1 agreement.

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

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

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

16 (c) Pursuant to the terms of this subsection, the
17 Department shall endeavor to expeditiously terminate the
18 existing contracts in support of the Lottery in effect on July
19 13, 2009 (the effective date of Public Act 96-37) ~~this~~
20 ~~amendatory Act of the 96th General Assembly~~ in connection with
21 the selection of the private manager. As part of its obligation
22 to terminate these contracts and select the private manager,
23 the Department shall establish a mutually agreeable timetable
24 to transfer the functions of existing contractors to the
25 private manager so that existing Lottery operations are not
26 materially diminished or impaired during the transition. To

1 that end, the Department shall do the following:

2 (1) where such contracts contain a provision
3 authorizing termination upon notice, the Department shall
4 provide notice of termination to occur upon the mutually
5 agreed timetable for transfer of functions;

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

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

16 If the contracts to support the current operation of the
17 Lottery in effect on July 13, 2009 (the effective date of
18 Public Act 96-34) ~~this amendatory Act of the 96th General~~
19 ~~Assembly~~ are not subject to termination as provided for in this
20 subsection (c), then the Department may include a provision in
21 the contract with the private manager specifying a mutually
22 agreeable methodology for incorporation.

23 (c-5) The Department shall include provisions in the
24 management agreement whereby the private manager shall, for a
25 fee, and pursuant to a contract negotiated with the Department
26 (the "Employee Use Contract"), utilize the services of current

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

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

15 (1) A term not to exceed 10 years, including any
16 renewals.

17 (2) A provision specifying that the Department:

18 (A) shall exercise actual control over all
19 significant business decisions;

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

22 (B) has ready access at any time to information
23 regarding Lottery operations;

24 (C) has the right to demand and receive information
25 from the private manager concerning any aspect of the
26 Lottery operations at any time; and

1 (D) retains ownership of all trade names,
2 trademarks, and intellectual property associated with
3 the Lottery.

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

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

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

24 (6) (Blank).

25 (7) A provision requiring the deposit of all Lottery
26 proceeds to be deposited into the State Lottery Fund except

1 as otherwise provided in Section 20 of this Act.

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

4 (8-5) A provision encouraging that at least 20% of the
5 cost of contracts entered into for goods and services by
6 the private manager in connection with its management of
7 the Lottery, other than contracts with sales agents or
8 technical advisors, be awarded to businesses that are a
9 minority-owned business, a women-owned business, or a
10 business owned by a person with disability, as those terms
11 are defined in the Business Enterprise for Minorities,
12 Women, and Persons with Disabilities Act.

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

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

20 (B) The rights and obligations under contracts
21 with retailers and vendors.

22 (C) The implementation of a comprehensive security
23 program by the private manager.

24 (D) The implementation of a comprehensive system
25 of internal audits.

26 (E) The implementation of a program by the private

1 manager to curb compulsive gambling by persons playing
2 the Lottery.

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

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

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

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

22 (13) A requirement that the Department monitor and
23 oversee the private manager's practices and take action
24 that the Department considers appropriate to ensure that
25 the private manager is in compliance with the terms of the
26 management agreement, while allowing the manager, unless

1 specifically prohibited by law or the management
2 agreement, to negotiate and sign its own contracts with
3 vendors.

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

8 (15) Cash reserves requirements.

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

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

15 (18) Procedures for amendment of the agreement.

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

25 (20) The transition of rights and obligations,
26 including any associated equipment or other assets used in

1 the operation of the Lottery, from the manager to any
2 successor manager of the lottery, including the
3 Department, following the termination of or foreclosure
4 upon the management agreement.

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

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

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

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

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

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

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

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

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

20 (g) The Department shall select at least 2 offerors as
21 finalists to potentially serve as the private manager no later
22 than August 9, 2010. Upon making preliminary selections, the
23 Department shall schedule a public hearing on the finalists'
24 proposals and provide public notice of the hearing at least 7
25 calendar days before the hearing. The notice must include all
26 of the following:

- 1 (1) The date, time, and place of the hearing.
- 2 (2) The subject matter of the hearing.
- 3 (3) A brief description of the management agreement to
4 be awarded.
- 5 (4) The identity of the offerors that have been
6 selected as finalists to serve as the private manager.
- 7 (5) The address and telephone number of the Department.
- 8 (h) At the public hearing, the Department shall (i) provide
9 sufficient time for each finalist to present and explain its
10 proposal to the Department and the Governor or the Governor's
11 designee, including an opportunity to respond to questions
12 posed by the Department, Governor, or designee and (ii) allow
13 the public and non-selected offerors to comment on the
14 presentations. The Governor or a designee shall attend the
15 public hearing. After the public hearing, the Department shall
16 have 14 calendar days to recommend to the Governor whether a
17 management agreement should be entered into with a particular
18 finalist. After reviewing the Department's recommendation, the
19 Governor may accept or reject the Department's recommendation,
20 and shall select a final offeror as the private manager by
21 publication of a notice in the Illinois Procurement Bulletin on
22 or before September 15, 2010. The Governor shall include in the
23 notice a detailed explanation and the reasons why the final
24 offeror is superior to other offerors and will provide
25 management services in a manner that best achieves the
26 objectives of this Section. The Governor shall also sign the

1 management agreement with the private manager.

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

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

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

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

21 (m) Neither this Section nor any management agreement
22 entered into under this Section prohibits the General Assembly
23 from authorizing forms of gambling that are not in direct
24 competition with the Lottery. The forms of gambling authorized
25 by Public Act 101-31 ~~this amendatory Act of the 101st General~~
26 ~~Assembly~~ constitute authorized forms of gambling that are not

1 in direct competition with the Lottery.

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

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

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

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

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

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

11 Except as provided in Sections 21.5, 21.6, 21.7, 21.8,
12 21.9, 21.10, 21.11, 21.12, ~~and~~ 21.13, and 21.14, the Department
13 shall distribute all proceeds of lottery tickets and shares
14 sold in the following priority and manner:

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

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

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

1 (4) On or before September 30 of each fiscal year,
2 deposit any estimated remaining proceeds from the prior
3 fiscal year, subject to payments under items (1), (2), and
4 (3), into the Capital Projects Fund. Beginning in fiscal
5 year 2019, the amount deposited shall be increased or
6 decreased each year by the amount the estimated payment
7 differs from the amount determined from each year-end
8 financial audit. Only remaining net deficits from prior
9 fiscal years may reduce the requirement to deposit these
10 funds, as determined by the annual financial audit.

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

13 (1) the Department shall submit written quarterly
14 reports to the Governor and the General Assembly on the
15 activities and actions of the private manager selected
16 under this Section;

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

26 (3) at least 30 days prior to the beginning of the

1 Department's fiscal year, the Department shall prepare an
2 annual written report on the activities of the private
3 manager selected under this Section and deliver that report
4 to the Governor and General Assembly.

5 (Source: P.A. 100-391, eff. 8-25-17; 100-587, eff. 6-4-18;
6 100-647, eff. 7-30-18; 100-1068, eff. 8-24-18; 101-31, eff.
7 6-28-19; 101-81, eff. 7-12-19; 101-561, eff. 8-23-19; revised
8 10-21-19.)

9 (20 ILCS 1605/20) (from Ch. 120, par. 1170)

10 Sec. 20. State Lottery Fund.

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

22 (b) The receipt and distribution of moneys under Section
23 21.5 of this Act shall be in accordance with Section 21.5.

24 (c) The receipt and distribution of moneys under Section
25 21.6 of this Act shall be in accordance with Section 21.6.

1 (d) The receipt and distribution of moneys under Section
2 21.7 of this Act shall be in accordance with Section 21.7.

3 (e) The receipt and distribution of moneys under Section
4 21.8 of this Act shall be in accordance with Section 21.8.

5 (f) The receipt and distribution of moneys under Section
6 21.9 of this Act shall be in accordance with Section 21.9.

7 (g) The receipt and distribution of moneys under Section
8 21.10 of this Act shall be in accordance with Section 21.10.

9 (h) The receipt and distribution of moneys under Section
10 21.11 of this Act shall be in accordance with Section 21.11.

11 (i) The receipt and distribution of moneys under Section
12 21.12 of this Act shall be in accordance with Section 21.12.

13 (j) The receipt and distribution of moneys under Section
14 21.13 of this Act shall be in accordance with Section 21.13.

15 (k) The receipt and distribution of moneys under Section
16 21.14 of this Act shall be in accordance with Section 21.14.

17 (Source: P.A. 100-647, eff. 7-30-18; 100-1068, eff. 8-24-18;
18 101-81, eff. 7-12-19; 101-561, eff. 8-23-19.)

19 (20 ILCS 1605/21.14 new)

20 Sec. 21.14. Scratch-off for Illinois parks.

21 (a) The Department shall offer a special instant
22 scratch-off game for the purposes of upkeep, maintenance, and
23 improvements to Illinois State and local parks. The game shall
24 commence on January 1, 2021 or as soon thereafter, at the
25 discretion of the Director, as is reasonably practical. The

1 operation of the game shall be governed by this Act and any
2 rules adopted by the Department. If any provision of this
3 Section is inconsistent with any other provision of this Act,
4 then this Section governs.

5 (b) The Illinois Parks Scratch-off Fund is created as a
6 special fund in the State Treasury. Moneys in the Illinois
7 Parks Scratch-off Fund shall be used by the Department of
8 Natural Resources for the purposes of upkeep, maintenance,
9 restoration, and improvements to public parks in the State of
10 Illinois, including grants for those purposes.

11 Moneys received for the purposes of this Section,
12 including, without limitation, net revenue from the special
13 instant scratch-off game and from gifts, grants, and awards
14 from any public or private entity, must be deposited into the
15 Illinois Parks Scratch-off Fund. Any interest earned on moneys
16 in the Illinois Parks Scratch-off Fund must be deposited into
17 the Illinois Parks Scratch-off Fund.

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

23 (c) During the time that tickets are sold for the Illinois
24 Parks scratch-off game, the Department shall not unreasonably
25 diminish the efforts devoted to marketing any other instant
26 scratch-off lottery game.

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

3 Section 10. The State Finance Act is amended by adding
4 Section 5.930 as follows:

5 (30 ILCS 105/5.930 new)

6 Sec. 5.930. The Illinois Parks Scratch-off Fund.

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.