

1 AMENDMENT TO SENATE BILL 874

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 874 by replacing  
3 everything after the enacting clause with the following:

4 "ARTICLE 1

5 Section 1-1. Short title. This Act may be cited as the  
6 FY2004 Budget Implementation (State Finance-Administration)  
7 Act.

8 Section 1-5. Purpose. It is the purpose of this Act to  
9 make changes relating to State finance-administration that  
10 are necessary to implement the State's FY2004 budget.

11 ARTICLE 20

12 Section 20-5. The Department of Central Management  
13 Services Law of the Civil Administrative Code of Illinois is  
14 amended by adding Section 405-410 as follows:

15 (20 ILCS 405/405-410 new)

16 Sec. 405-410. Transfer of Information Technology  
17 functions.

18 (a) Notwithstanding any other law to the contrary, on or

1 before June 30, 2004, the Director of Central Management  
2 Services, working in cooperation with the Director of any  
3 other agency, department, board, or commission directly  
4 responsible to the Governor, may direct the transfer, to the  
5 Department of Central Management Services, of those  
6 information technology functions at that agency, department,  
7 board, or commission that are suitable for centralization.

8 Upon receipt of the written direction to transfer  
9 information technology functions to the Department of Central  
10 Management Services, the personnel, equipment, and property  
11 (both real and personal) directly relating to the transferred  
12 functions shall be transferred to the Department of Central  
13 Management Services, and the relevant documents, records, and  
14 correspondence shall be transferred or copied, as the  
15 Director may prescribe.

16 (b) Upon receiving written direction from the Director  
17 of Central Management Services, the Comptroller and Treasurer  
18 are authorized to transfer the unexpended balance of any  
19 appropriations related to the information technology  
20 functions transferred to the Department of Central Management  
21 Services and shall make the necessary fund transfers from any  
22 special fund in the State Treasury or from any other federal  
23 or State trust fund held by the Treasurer to the General  
24 Revenue Fund for use by the Department of Central Management  
25 Services in support of information technology functions or  
26 any other related costs or expenses of the Department of  
27 Central Management Services.

28 (c) The rights of employees and the State and its  
29 agencies under the Personnel Code and applicable collective  
30 bargaining agreements or under any pension, retirement, or  
31 annuity plan shall not be affected by any transfer under this  
32 Section.

33 (d) The functions transferred to the Department of  
34 Central Management Services by this Section shall be vested

1 in and shall be exercised by the Department of Central  
2 Management Services. Each act done in the exercise of those  
3 functions shall have the same legal effect as if done by the  
4 agencies, offices, divisions, departments, bureaus, boards  
5 and commissions from which they were transferred.

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

13 Whenever reports or notices are now required to be made  
14 or given or papers or documents furnished or served by any  
15 person in regards to the functions transferred to or upon the  
16 agencies, offices, divisions, departments, bureaus, boards,  
17 and commissions from which the functions were transferred,  
18 the same shall be made, given, furnished or served in the  
19 same manner to or upon the Department of Central Management  
20 Services.

21 This Section does not affect any act done, ratified, or  
22 cancelled or any right occurring or established or any action  
23 or proceeding had or commenced in an administrative, civil,  
24 or criminal cause regarding the functions transferred, but  
25 those proceedings may be continued by the Department of  
26 Central Management Services.

27 This Section does not affect the legality of any rules in  
28 the Illinois Administrative Code regarding the functions  
29 transferred in this Section that are in force on the  
30 effective date of this Section. If necessary, however, the  
31 affected agencies shall propose, adopt, or repeal rules, rule  
32 amendments, and rule recodifications as appropriate to  
33 effectuate this Section.

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ARTICLE 25

Section 25-5. The Civil Administrative Code of Illinois is amended by changing Sections 1-5, 5-15, 5-20, and 5-120 as follows:

(20 ILCS 5/1-5)

Sec. 1-5. Articles. The Civil Administrative Code of Illinois consists of the following Articles:

Article 1. General Provisions (20 ILCS 5/1-1 and following).

Article 5. Departments of State Government Law (20 ILCS 5/5-1 and following).

Article 50. State Budget Law (15 ILCS 20/).

Article 110. Department on Aging Law (20 ILCS 110/).

Article 205. Department of Agriculture Law (20 ILCS 205/).

Article 250. State Fair Grounds Title Law (5 ILCS 620/).

Article 310. Department of Human Services (Alcoholism and Substance Abuse) Law (20 ILCS 310/).

Article 405. Department of Central Management Services Law (20 ILCS 405/).

Article 510. Department of Children and Family Services Powers Law (20 ILCS 510/).

Article 605. Department of Commerce and Economic Opportunity Community-Affairs Law (20 ILCS 605/).

Article 805. Department of Natural Resources (Conservation) Law (20 ILCS 805/).

Article 1005. Department of Employment Security Law (20 ILCS 1005/).

Article 1405. Department of Insurance Law (20 ILCS 1405/).

Article 1505. Department of Labor Law (20 ILCS 1505/).

Article 1710. Department of Human Services (Mental Health

1 and Developmental Disabilities) Law (20 ILCS 1710/).

2 Article 1905. Department of Natural Resources (Mines and  
3 Minerals) Law (20 ILCS 1905/).

4 Article 2005. Department of Nuclear Safety Law (20 ILCS  
5 2005/).

6 Article 2105. Department of Professional Regulation Law  
7 (20 ILCS 2105/).

8 Article 2205. Department of Public Aid Law (20 ILCS  
9 2205/).

10 Article 2310. Department of Public Health Powers and  
11 Duties Law (20 ILCS 2310/).

12 Article 2505. Department of Revenue Law (20 ILCS 2505/).

13 Article 2510. Certified Audit Program Law (20 ILCS  
14 2510/).

15 Article 2605. Department of State Police Law (20 ILCS  
16 2605/).

17 Article 2705. Department of Transportation Law (20 ILCS  
18 2705/).

19 Article 3000. University of Illinois Exercise of  
20 Functions and Duties Law (110 ILCS 355/).

21 (Source: P.A. 91-239, eff. 1-1-00; 92-16, eff. 6-28-01;  
22 92-651, eff. 7-11-02.)

23 (20 ILCS 5/5-15) (was 20 ILCS 5/3)

24 Sec. 5-15. Departments of State government. The  
25 Departments of State government are created as follows:

26 The Department on Aging.

27 The Department of Agriculture.

28 The Department of Central Management Services.

29 The Department of Children and Family Services.

30 The Department of Commerce and Economic Opportunity  
31 Community-Affairs.

32 The Department of Corrections.

33 The Department of Employment Security.

- 1 The Department of Financial Institutions.
- 2 The Department of Human Rights.
- 3 The Department of Human Services.
- 4 The Department of Insurance.
- 5 The Department of Labor.
- 6 The Department of the Lottery.
- 7 The Department of Natural Resources.
- 8 The Department of Nuclear Safety.
- 9 The Department of Professional Regulation.
- 10 The Department of Public Aid.
- 11 The Department of Public Health.
- 12 The Department of Revenue.
- 13 The Department of State Police.
- 14 The Department of Transportation.
- 15 The Department of Veterans' Affairs.
- 16 (Source: P.A. 91-239, eff. 1-1-00.)

17 (20 ILCS 5/5-20) (was 20 ILCS 5/4)

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

24 The following officers are hereby created:

25 Director of Aging, for the Department on Aging.

26 Director of Agriculture, for the Department of  
27 Agriculture.

28 Director of Central Management Services, for the  
29 Department of Central Management Services.

30 Director of Children and Family Services, for the  
31 Department of Children and Family Services.

32 Director of Commerce and Economic Opportunity Community  
33 Affairs, for the Department of Commerce and Economic

1 Opportunity Community-Affairs.

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

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

6 Director of Financial Institutions, for the Department of  
7 Financial Institutions.

8 Director of Human Rights, for the Department of Human  
9 Rights.

10 Secretary of Human Services, for the Department of Human  
11 Services.

12 Director of Insurance, for the Department of Insurance.

13 Director of Labor, for the Department of Labor.

14 Director of the Lottery, for the Department of the  
15 Lottery.

16 Director of Natural Resources, for the Department of  
17 Natural Resources.

18 Director of Nuclear Safety, for the Department of Nuclear  
19 Safety.

20 Director of Professional Regulation, for the Department  
21 of Professional Regulation.

22 Director of Public Aid, for the Department of Public Aid.

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

25 Director of Revenue, for the Department of Revenue.

26 Director of State Police, for the Department of State  
27 Police.

28 Secretary of Transportation, for the Department of  
29 Transportation.

30 Director of Veterans' Affairs, for the Department of  
31 Veterans' Affairs.

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

33 (20 ILCS 5/5-120) (was 20 ILCS 5/5.13g)

1           Sec. 5-120. In the Department of Commerce and Economic  
 2 Opportunity Community-Affairs. Assistant Director of Commerce  
 3 and Economic Opportunity Community-Affairs.

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

5           Section 25-10. The Department of Commerce and Community  
 6 Affairs Law of the Civil Administrative Code of Illinois is  
 7 amended by changing Sections 605-1 and 605-5 and by adding  
 8 Section 605-7 as follows:

9           (20 ILCS 605/605-1)

10          Sec. 605-1. Article short title. This Article 605 of the  
 11 Civil Administrative Code of Illinois may be cited as the  
 12 Department of Commerce and Economic Opportunity Community  
 13 Affairs Law.

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

15          (20 ILCS 605/605-5) (was 20 ILCS 605/46.1 in part)

16          Sec. 605-5. Definitions. As used in the Sections  
 17 following this Section:

18          "Department" means the Department of Commerce and  
 19 Economic Opportunity Community-Affairs.

20          "Director" means the Director of Commerce and Economic  
 21 Opportunity Community-Affairs.

22          "Local government" means every county, municipality,  
 23 township, school district, and other local political  
 24 subdivision having authority to enact laws and ordinances, to  
 25 administer laws and ordinances, to raise taxes, or to expend  
 26 funds.

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

28          (20 ILCS 605/605-7 new)

29          Sec. 605-7. Name change. On the effective date of this  
 30 amendatory Act of the 93rd General Assembly, the name of the

1 Department of Commerce and Community Affairs is changed to  
2 the Department of Commerce and Economic Opportunity.  
3 References in any law, appropriation, rule, form, or other  
4 document (i) to the Department of Commerce and Community  
5 Affairs or to DCCA are deemed, in appropriate contexts, to be  
6 references to the Department of Commerce and Economic  
7 Opportunity for all purposes and (ii) to the Director of  
8 Commerce and Community Affairs are deemed, in appropriate  
9 contexts, to be references to the Director of Commerce and  
10 Economic Opportunity for all purposes.

11 ARTICLE 30

12 Section 30-5. The Illinois Procurement Code is amended  
13 by changing Section 50-11 and adding Section 50-12 as  
14 follows:

15 (30 ILCS 500/50-11)

16 Sec. 50-11. Debt delinquency.

17 (a) No person shall submit a bid for or enter into a  
18 contract with a State agency under this Code if that person  
19 knows or should know that he or she or any affiliate is  
20 delinquent in the payment of any debt to the State, unless  
21 the person or affiliate has entered into a deferred payment  
22 plan to pay off the debt. For purposes of this Section, the  
23 phrase "delinquent in the payment of any debt" shall be  
24 determined by the Debt Collection Board. For purposes of this  
25 Section, the term "affiliate" means any entity that (1)  
26 directly, indirectly, or constructively controls another  
27 entity, (2) is directly, indirectly, or constructively  
28 controlled by another entity, or (3) is subject to the  
29 control of a common entity. For purposes of this subsection  
30 (a), a person controls an entity if the person owns, directly  
31 or individually, more than 10% of the voting securities of

1 that entity. As used in this subsection (a), the term "voting  
 2 security" means a security that (1) confers upon the holder  
 3 the right to vote for the election of members of the board of  
 4 directors or similar governing body of the business or (2) is  
 5 convertible into, or entitles the holder to receive upon its  
 6 exercise, a security that confers such a right to vote. A  
 7 general partnership interest is a voting security.

8 (b) Every bid submitted to and contract executed by the  
 9 State shall contain a certification by the bidder or  
 10 contractor that the contractor and its affiliate is not  
 11 barred from being awarded a contract under this Section and  
 12 that the contractor acknowledges that the contracting State  
 13 agency may declare the contract void if the certification  
 14 completed pursuant to this subsection (b) is false.

15 (Source: P.A. 92-404, eff. 7-1-02.)

16 (30 ILCS 500/50-12 new)

17 Sec. 50-12. Collection and remittance of Illinois Use  
 18 Tax.

19 (a) No person shall enter into a contract with a State  
 20 agency under this Code unless the person and all affiliates  
 21 of the person collect and remit Illinois Use Tax on all sales  
 22 of tangible personal property into the State of Illinois in  
 23 accordance with the provisions of the Illinois Use Tax Act  
 24 regardless of whether the person or affiliate is a "retailer  
 25 maintaining a place of business within this State" as defined  
 26 in Section 2 of the Use Tax Act. For purposes of this  
 27 Section, the term "affiliate" means any entity that (1)  
 28 directly, indirectly, or constructively controls another  
 29 entity, (2) is directly, indirectly, or constructively  
 30 controlled by another entity, or (3) is subject to the  
 31 control of a common entity. For purposes of this subsection  
 32 (a), an entity controls another entity if it owns, directly  
 33 or individually, more than 10% of the voting securities of

1 that entity. As used in this subsection (a), the term "voting  
2 security" means a security that (1) confers upon the holder  
3 the right to vote for the election of members of the board of  
4 directors or similar governing body of the business or (2) is  
5 convertible into, or entitles the holder to receive upon its  
6 exercise, a security that confers such a right to vote. A  
7 general partnership interest is a voting security.

8 (b) Every bid submitted and contract executed by the  
9 State shall contain a certification by the bidder or  
10 contractor that the bidder or contractor is not barred from  
11 bidding for or entering into a contract under subsection (a)  
12 of this Section and that the bidder or contractor  
13 acknowledges that the contracting State agency may declare  
14 the contract void if the certification completed pursuant to  
15 this subsection (b) is false.

16 Section 30-10. The Illinois Income Tax Act is amended by  
17 changing Section 917 as follows:

18 (35 ILCS 5/917) (from Ch. 120, par. 9-917)

19 Sec. 917. Confidentiality and information sharing.

20 (a) Confidentiality. Except as provided in this Section,  
21 all information received by the Department from returns filed  
22 under this Act, or from any investigation conducted under the  
23 provisions of this Act, shall be confidential, except for  
24 official purposes within the Department or pursuant to  
25 official procedures for collection of any State tax or  
26 pursuant to an investigation or audit by the Illinois State  
27 Scholarship Commission of a delinquent student loan or  
28 monetary award or enforcement of any civil or criminal  
29 penalty or sanction imposed by this Act or by another statute  
30 imposing a State tax, and any person who divulges any such  
31 information in any manner, except for such purposes and  
32 pursuant to order of the Director or in accordance with a

1 proper judicial order, shall be guilty of a Class A  
2 misdemeanor. However, the provisions of this paragraph are  
3 not applicable to information furnished to a licensed  
4 attorney representing the taxpayer where an appeal or a  
5 protest has been filed on behalf of the taxpayer.

6 (b) Public information. Nothing contained in this Act  
7 shall prevent the Director from publishing or making  
8 available to the public the names and addresses of persons  
9 filing returns under this Act, or from publishing or making  
10 available reasonable statistics concerning the operation of  
11 the tax wherein the contents of returns are grouped into  
12 aggregates in such a way that the information contained in  
13 any individual return shall not be disclosed.

14 (c) Governmental agencies. The Director may make  
15 available to the Secretary of the Treasury of the United  
16 States or his delegate, or the proper officer or his delegate  
17 of any other state imposing a tax upon or measured by income,  
18 for exclusively official purposes, information received by  
19 the Department in the administration of this Act, but such  
20 permission shall be granted only if the United States or such  
21 other state, as the case may be, grants the Department  
22 substantially similar privileges. The Director may exchange  
23 information with the Illinois Department of Public Aid and  
24 the Department of Human Services (acting as successor to the  
25 Department of Public Aid under the Department of Human  
26 Services Act) for the purpose of verifying sources and  
27 amounts of income and for other purposes directly connected  
28 with the administration of this Act and the Illinois Public  
29 Aid Code. The Director may exchange information with the  
30 Director of the Department of Employment Security for the  
31 purpose of verifying sources and amounts of income and for  
32 other purposes directly connected with the administration of  
33 this Act and Acts administered by the Department of  
34 Employment Security. The Director may make available to the

1 Illinois Industrial Commission information regarding  
2 employers for the purpose of verifying the insurance coverage  
3 required under the Workers' Compensation Act and Workers'  
4 Occupational Diseases Act.

5 The Director may make available to any State agency,  
6 including the Illinois Supreme Court, which licenses persons  
7 to engage in any occupation, information that a person  
8 licensed by such agency has failed to file returns under this  
9 Act or pay the tax, penalty and interest shown therein, or  
10 has failed to pay any final assessment of tax, penalty or  
11 interest due under this Act. The Director may make available  
12 to any State agency, including the Illinois Supreme Court,  
13 information regarding whether a bidder, contractor, or an  
14 affiliate of a bidder or contractor has failed to file  
15 returns under this Act or pay the tax, penalty, and interest  
16 shown therein, or has failed to pay any final assessment of  
17 tax, penalty, or interest due under this Act, for the limited  
18 purpose of enforcing bidder and contractor certifications.  
19 For purposes of this Section, the term "affiliate" means any  
20 entity that (1) directly, indirectly, or constructively  
21 controls another entity, (2) is directly, indirectly, or  
22 constructively controlled by another entity, or (3) is  
23 subject to the control of a common entity. For purposes of  
24 this subsection (a), an entity controls another entity if it  
25 owns, directly or individually, more than 10% of the voting  
26 securities of that entity. As used in this subsection (a),  
27 the term "voting security" means a security that (1) confers  
28 upon the holder the right to vote for the election of members  
29 of the board of directors or similar governing body of the  
30 business or (2) is convertible into, or entitles the holder  
31 to receive upon its exercise, a security that confers such a  
32 right to vote. A general partnership interest is a voting  
33 security.

34 The Director may make available to any State agency,

1 including the Illinois Supreme Court, units of local  
2 government, and school districts, information regarding  
3 whether a bidder or contractor is an affiliate of a person  
4 who is not collecting and remitting Illinois Use taxes, for  
5 the limited purpose of enforcing bidder and contractor  
6 certifications.

7 The Director may also make available to the Secretary of  
8 State information that a corporation which has been issued a  
9 certificate of incorporation by the Secretary of State has  
10 failed to file returns under this Act or pay the tax, penalty  
11 and interest shown therein, or has failed to pay any final  
12 assessment of tax, penalty or interest due under this Act. An  
13 assessment is final when all proceedings in court for review  
14 of such assessment have terminated or the time for the taking  
15 thereof has expired without such proceedings being  
16 instituted. For taxable years ending on or after December  
17 31, 1987, the Director may make available to the Director or  
18 principal officer of any Department of the State of Illinois,  
19 information that a person employed by such Department has  
20 failed to file returns under this Act or pay the tax, penalty  
21 and interest shown therein. For purposes of this paragraph,  
22 the word "Department" shall have the same meaning as provided  
23 in Section 3 of the State Employees Group Insurance Act of  
24 1971.

25 (d) The Director shall make available for public  
26 inspection in the Department's principal office and for  
27 publication, at cost, administrative decisions issued on or  
28 after January 1, 1995. These decisions are to be made  
29 available in a manner so that the following taxpayer  
30 information is not disclosed:

31 (1) The names, addresses, and identification  
32 numbers of the taxpayer, related entities, and employees.

33 (2) At the sole discretion of the Director, trade  
34 secrets or other confidential information identified as

1 such by the taxpayer, no later than 30 days after receipt  
2 of an administrative decision, by such means as the  
3 Department shall provide by rule.

4 The Director shall determine the appropriate extent of  
5 the deletions allowed in paragraph (2). In the event the  
6 taxpayer does not submit deletions, the Director shall make  
7 only the deletions specified in paragraph (1).

8 The Director shall make available for public inspection  
9 and publication an administrative decision within 180 days  
10 after the issuance of the administrative decision. The term  
11 "administrative decision" has the same meaning as defined in  
12 Section 3-101 of Article III of the Code of Civil Procedure.  
13 Costs collected under this Section shall be paid into the Tax  
14 Compliance and Administration Fund.

15 (e) Nothing contained in this Act shall prevent the  
16 Director from divulging information to any person pursuant to  
17 a request or authorization made by the taxpayer, by an  
18 authorized representative of the taxpayer, or, in the case of  
19 information related to a joint return, by the spouse filing  
20 the joint return with the taxpayer.

21 (Source: P.A. 89-507, eff. 7-1-97; 90-491, eff. 1-1-98.)

22 Section 30-15. The Retailers' Occupation Tax Act is  
23 amended by changing Section 11 as follows:

24 (35 ILCS 120/11) (from Ch. 120, par. 450)

25 Sec. 11. All information received by the Department from  
26 returns filed under this Act, or from any investigation  
27 conducted under this Act, shall be confidential, except for  
28 official purposes, and any person who divulges any such  
29 information in any manner, except in accordance with a proper  
30 judicial order or as otherwise provided by law, shall be  
31 guilty of a Class B misdemeanor.

32 Nothing in this Act prevents the Director of Revenue from

1 publishing or making available to the public the names and  
2 addresses of persons filing returns under this Act, or  
3 reasonable statistics concerning the operation of the tax by  
4 grouping the contents of returns so the information in any  
5 individual return is not disclosed.

6 Nothing in this Act prevents the Director of Revenue from  
7 divulging to the United States Government or the government  
8 of any other state, or any village that does not levy any  
9 real property taxes for village operations and that receives  
10 more than 60% of its general corporate revenue from taxes  
11 under the Use Tax Act, the Service Use Tax Act, the Service  
12 Occupation Tax Act, and the Retailers' Occupation Tax Act, or  
13 any officer or agency thereof, for exclusively official  
14 purposes, information received by the Department in  
15 administering this Act, provided that such other governmental  
16 agency agrees to divulge requested tax information to the  
17 Department.

18 The Department's furnishing of information derived from a  
19 taxpayer's return or from an investigation conducted under  
20 this Act to the surety on a taxpayer's bond that has been  
21 furnished to the Department under this Act, either to provide  
22 notice to such surety of its potential liability under the  
23 bond or, in order to support the Department's demand for  
24 payment from such surety under the bond, is an official  
25 purpose within the meaning of this Section.

26 The furnishing upon request of information obtained by  
27 the Department from returns filed under this Act or  
28 investigations conducted under this Act to the Illinois  
29 Liquor Control Commission for official use is deemed to be an  
30 official purpose within the meaning of this Section.

31 Notice to a surety of potential liability shall not be  
32 given unless the taxpayer has first been notified, not less  
33 than 10 days prior thereto, of the Department's intent to so  
34 notify the surety.

1           The furnishing upon request of the Auditor General, or  
2 his authorized agents, for official use, of returns filed and  
3 information related thereto under this Act is deemed to be an  
4 official purpose within the meaning of this Section.

5           Where an appeal or a protest has been filed on behalf of  
6 a taxpayer, the furnishing upon request of the attorney for  
7 the taxpayer of returns filed by the taxpayer and information  
8 related thereto under this Act is deemed to be an official  
9 purpose within the meaning of this Section.

10          The furnishing of financial information to a home rule  
11 unit that has imposed a tax similar to that imposed by this  
12 Act pursuant to its home rule powers, or to any village that  
13 does not levy any real property taxes for village operations  
14 and that receives more than 60% of its general corporate  
15 revenue from taxes under the Use Tax Act, the Service Use Tax  
16 Act, the Service Occupation Tax Act, and the Retailers'  
17 Occupation Tax Act, upon request of the Chief Executive  
18 thereof, is an official purpose within the meaning of this  
19 Section, provided the home rule unit or village that does  
20 not levy any real property taxes for village operations and  
21 that receives more than 60% of its general corporate revenue  
22 from taxes under the Use Tax Act, the Service Use Tax Act,  
23 the Service Occupation Tax Act, and the Retailers' Occupation  
24 Tax Act agrees in writing to the requirements of this  
25 Section.

26          For a village that does not levy any real property taxes  
27 for village operations and that receives more than 60% of its  
28 general corporate revenue from taxes under the Use Tax Act,  
29 Service Use Tax Act, Service Occupation Tax Act, and  
30 Retailers' Occupation Tax Act, the officers eligible to  
31 receive information from the Department of Revenue under this  
32 Section are the village manager and the chief financial  
33 officer of the village.

34          Information so provided shall be subject to all

1 confidentiality provisions of this Section. The written  
2 agreement shall provide for reciprocity, limitations on  
3 access, disclosure, and procedures for requesting  
4 information.

5 The Department may make available to the Board of  
6 Trustees of any Metro East Mass Transit District information  
7 contained on transaction reporting returns required to be  
8 filed under Section 3 of this Act that report sales made  
9 within the boundary of the taxing authority of that Metro  
10 East Mass Transit District, as provided in Section 5.01 of  
11 the Local Mass Transit District Act. The disclosure shall be  
12 made pursuant to a written agreement between the Department  
13 and the Board of Trustees of a Metro East Mass Transit  
14 District, which is an official purpose within the meaning of  
15 this Section. The written agreement between the Department  
16 and the Board of Trustees of a Metro East Mass Transit  
17 District shall provide for reciprocity, limitations on  
18 access, disclosure, and procedures for requesting  
19 information. Information so provided shall be subject to all  
20 confidentiality provisions of this Section.

21 The Director may make available to any State agency,  
22 including the Illinois Supreme Court, which licenses persons  
23 to engage in any occupation, information that a person  
24 licensed by such agency has failed to file returns under this  
25 Act or pay the tax, penalty and interest shown therein, or  
26 has failed to pay any final assessment of tax, penalty or  
27 interest due under this Act. The Director may make available  
28 to any State agency, including the Illinois Supreme Court,  
29 information regarding whether a bidder, contractor, or an  
30 affiliate of a bidder or contractor has failed to collect and  
31 remit Illinois Use tax on sales into Illinois, or any tax  
32 under this Act or pay the tax, penalty, and interest shown  
33 therein, or has failed to pay any final assessment of tax,  
34 penalty, or interest due under this Act, for the limited

1 purpose of enforcing bidder and contractor certifications.  
2 The Director may make available to units of local government  
3 and school districts that require bidder and contractor  
4 certifications, as set forth in Sections 50-11 and 50-12 of  
5 the Illinois Procurement Code, information regarding whether  
6 a bidder, contractor, or an affiliate of a bidder or  
7 contractor has failed to collect and remit Illinois Use tax  
8 on sales into Illinois, file returns under this Act, or pay  
9 the tax, penalty, and interest shown therein, or has failed  
10 to pay any final assessment of tax, penalty, or interest due  
11 under this Act, for the limited purpose of enforcing bidder  
12 and contractor certifications. For purposes of this Section,  
13 the term "affiliate" means any entity that (1) directly,  
14 indirectly, or constructively controls another entity, (2) is  
15 directly, indirectly, or constructively controlled by another  
16 entity, or (3) is subject to the control of a common entity.  
17 For purposes of this Section, an entity controls another  
18 entity if it owns, directly or individually, more than 10% of  
19 the voting securities of that entity. As used in this  
20 Section, the term "voting security" means a security that (1)  
21 confers upon the holder the right to vote for the election of  
22 members of the board of directors or similar governing body  
23 of the business or (2) is convertible into, or entitles the  
24 holder to receive upon its exercise, a security that confers  
25 such a right to vote. A general partnership interest is a  
26 voting security.

27 The Director may make available to any State agency,  
28 including the Illinois Supreme Court, units of local  
29 government, and school districts, information regarding  
30 whether a bidder or contractor is an affiliate of a person  
31 who is not collecting and remitting Illinois Use taxes for  
32 the limited purpose of enforcing bidder and contractor  
33 certifications.

34 The Director may also make available to the Secretary of

1 State information that a limited liability company, which has  
2 filed articles of organization with the Secretary of State,  
3 or corporation which has been issued a certificate of  
4 incorporation by the Secretary of State has failed to file  
5 returns under this Act or pay the tax, penalty and interest  
6 shown therein, or has failed to pay any final assessment of  
7 tax, penalty or interest due under this Act. An assessment  
8 is final when all proceedings in court for review of such  
9 assessment have terminated or the time for the taking thereof  
10 has expired without such proceedings being instituted.

11 The Director shall make available for public inspection  
12 in the Department's principal office and for publication, at  
13 cost, administrative decisions issued on or after January 1,  
14 1995. These decisions are to be made available in a manner  
15 so that the following taxpayer information is not disclosed:

16 (1) The names, addresses, and identification  
17 numbers of the taxpayer, related entities, and employees.

18 (2) At the sole discretion of the Director, trade  
19 secrets or other confidential information identified as  
20 such by the taxpayer, no later than 30 days after receipt  
21 of an administrative decision, by such means as the  
22 Department shall provide by rule.

23 The Director shall determine the appropriate extent of  
24 the deletions allowed in paragraph (2). In the event the  
25 taxpayer does not submit deletions, the Director shall make  
26 only the deletions specified in paragraph (1).

27 The Director shall make available for public inspection  
28 and publication an administrative decision within 180 days  
29 after the issuance of the administrative decision. The term  
30 "administrative decision" has the same meaning as defined in  
31 Section 3-101 of Article III of the Code of Civil Procedure.  
32 Costs collected under this Section shall be paid into the Tax  
33 Compliance and Administration Fund.

34 Nothing contained in this Act shall prevent the Director

1 from divulging information to any person pursuant to a  
2 request or authorization made by the taxpayer or by an  
3 authorized representative of the taxpayer.

4 (Source: P.A. 90-491, eff. 1-1-98; 91-954, eff. 1-1-02.)

5 Section 30-20. The Counties Code is amended by changing  
6 Section 5-1022 as follows:

7 (55 ILCS 5/5-1022) (from Ch. 34, par. 5-1022)

8 Sec. 5-1022. Competitive bids.

9 (a) Any purchase by a county with fewer than 2,000,000  
10 inhabitants of services, materials, equipment or supplies in  
11 excess of \$10,000, other than professional services, shall be  
12 contracted for in one of the following ways:

13 (1) by a contract let to the lowest responsible  
14 bidder after advertising for bids in a newspaper  
15 published within the county or, if no newspaper is  
16 published within the county, then a newspaper having  
17 general circulation within the county; or

18 (2) by a contract let without advertising for bids  
19 in the case of an emergency if authorized by the county  
20 board.

21 (b) In determining the lowest responsible bidder, the  
22 county board shall take into consideration the qualities of  
23 the articles supplied; their conformity with the  
24 specifications; their suitability to the requirements of the  
25 county, availability of support services; uniqueness of the  
26 service, materials, equipment, or supplies as it applies to  
27 networked, integrated computer systems; compatibility to  
28 existing equipment; and the delivery terms. The county board  
29 also may take into consideration whether a bidder is a  
30 private enterprise or a State-controlled enterprise and,  
31 notwithstanding any other provision of this Section or a  
32 lower bid by a State-controlled enterprise, may let a

1 contract to the lowest responsible bidder that is a private  
2 enterprise.

3 (c) This Section does not apply to contracts by a county  
4 with the federal government or to purchases of used  
5 equipment, purchases at auction or similar transactions which  
6 by their very nature are not suitable to competitive bids,  
7 pursuant to an ordinance adopted by the county board.

8 (d) Notwithstanding the provisions of this Section, a  
9 county may let without advertising for bids in the case of  
10 purchases and contracts, when individual orders do not exceed  
11 \$25,000, for the use, purchase, delivery, movement, or  
12 installation of data processing equipment, software, or  
13 services and telecommunications and inter-connect equipment,  
14 software, and services.

15 (e) A county may require, as a condition of any contract  
16 for goods and services, that persons awarded a contract with  
17 the county and all affiliates of the person collect and remit  
18 Illinois Use Tax on all sales of tangible personal property  
19 into the State of Illinois in accordance with the provisions  
20 of the Illinois Use Tax Act regardless of whether the person  
21 or affiliate is a "retailer maintaining a place of business  
22 within this State" as defined in Section 2 of the Use Tax  
23 Act. For purposes of this subsection (e), the term  
24 "affiliate" means any entity that (1) directly, indirectly,  
25 or constructively controls another entity, (2) is directly,  
26 indirectly, or constructively controlled by another entity,  
27 or (3) is subject to the control of a common entity. For  
28 purposes of this subsection (e), an entity controls another  
29 entity if it owns, directly or individually, more than 10% of  
30 the voting securities of that entity. As used in this  
31 subsection (e), the term "voting security" means a security  
32 that (1) confers upon the holder the right to vote for the  
33 election of members of the board of directors or similar  
34 governing body of the business or (2) is convertible into, or

1 entitles the holder to receive upon its exercise, a security  
2 that confers such a right to vote. A general partnership  
3 interest is a voting security.

4 (f) Bids submitted to, and contracts executed by, the  
5 county may require a certification by the bidder or  
6 contractor that the bidder or contractor is not barred from  
7 bidding for or entering into a contract under this Section  
8 and that the bidder or contractor acknowledges that the  
9 county may declare the contract void if the certification  
10 completed pursuant to this subsection (f) is false.

11 (Source: P.A. 90-517, eff. 8-22-97.)

12 Section 30-25. The Illinois Municipal Code is amended by  
13 changing Sections 8-9-2 and 8-10-3 as follows:

14 (65 ILCS 5/8-9-2) (from Ch. 24, par. 8-9-2)

15 Sec. 8-9-2. (a) In municipalities of less than 500,000  
16 population, the corporate authorities may provide by  
17 ordinance that all supplies needed for use of the  
18 municipality shall be furnished by contract, let to the  
19 lowest bidder.

20 In municipalities of more than 500,000 population the  
21 provisions of Division 10 of this Article 8 shall apply to  
22 and govern the purchase of supplies.

23 The provisions of this Section are subject to any  
24 contrary provisions contained in "An Act concerning the use  
25 of Illinois mined coal in certain plants and institutions",  
26 filed July 13, 1937, as heretofore and hereafter amended.

27 (b) The corporate authorities of a municipality may by  
28 ordinance provide that contracts to provide goods and  
29 services to the municipality contain a provision requiring  
30 the contractor and its affiliates to collect and remit  
31 Illinois Use Tax on all sales of tangible personal property  
32 into the State of Illinois in accordance with the provisions

1 of the Illinois Use Tax Act, and municipal use tax on all  
2 sales of tangible personal property into the municipality in  
3 accordance with a municipal ordinance authorized by Section  
4 8-11-6 or 8-11-1.5, during the term of the contract or for  
5 some other specified period, regardless of whether the  
6 contractor or affiliate is a "retailer maintaining a place of  
7 business within this State" as defined in Section 2 of the  
8 Use Tax Act. The provision may state that if the requirement  
9 is not met, the contract may be terminated by the  
10 municipality, and the contractor may be subject to such other  
11 penalties or the exercise of such remedies as may be stated  
12 in the contract or the ordinance adopted under this Section.  
13 An ordinance adopted under this Section may contain  
14 exceptions for emergencies or other circumstances when the  
15 exception is in the best interest of the public. For purposes  
16 of this Section, the term "affiliate" means any entity that  
17 (1) directly, indirectly, or constructively controls another  
18 entity, (2) is directly, indirectly, or constructively  
19 controlled by another entity, or (3) is subject to the  
20 control of a common entity. For purposes of this subsection  
21 (b), an entity controls another entity if it owns, directly,  
22 or individually, more than 10% of the voting securities of  
23 that entity. As used in this subsection (b), the term "voting  
24 security" means a security that (1) confers upon the holder  
25 the right to vote for the election of members of the board of  
26 directors or similar governing body of the business or (2) is  
27 convertible into, or entitles the holder to receive upon its  
28 exercise, a security that confers such a right to vote. A  
29 general partnership interest is a voting security.

30 (Source: Laws 1967, p. 3729.)

31 (65 ILCS 5/8-10-3) (from Ch. 24, par. 8-10-3)  
32 Sec. 8-10-3. (a) Except as otherwise herein provided,  
33 all purchase orders or contracts of whatever nature, for

1 labor, services or work, the purchase, lease, or sale of  
2 personal property, materials, equipment or supplies,  
3 involving amounts in excess of \$10,000, made by or on behalf  
4 of any such municipality, shall be let by free and open  
5 competitive bidding after advertisement, to the lowest  
6 responsible bidder, or in the appropriate instance, to the  
7 highest responsible bidder, depending upon whether such  
8 municipality is to expend or to receive money. All such  
9 purchase orders or contracts, as defined above, which shall  
10 involve amounts of \$10,000, or less, shall be let in the  
11 manner described above whenever practicable, except that such  
12 purchase orders or contracts may be let in the open market in  
13 a manner calculated to insure the best interests of the  
14 public, after solicitation of bids by mail, telephone, or  
15 otherwise. The provisions of this Section are subject to any  
16 contrary provision contained in "An Act concerning the use of  
17 Illinois mined coal in certain plants and institutions",  
18 filed July 13, 1937, as heretofore and hereafter amended.

19 (b) The corporate authorities of a municipality may by  
20 ordinance provide that contracts to provide goods and  
21 services to the municipality contain a provision requiring  
22 the contractor and its affiliates to collect and remit  
23 Illinois Use Tax on all sales of tangible personal property  
24 into the State of Illinois in accordance with the provisions  
25 of the Illinois Use Tax Act, and municipal use tax on all  
26 sales of tangible personal property into the municipality in  
27 accordance with a municipal ordinance authorized by Section  
28 8-11-6 or 8-11-1.5, during the term of the contract or for  
29 some other specified period, regardless of whether the  
30 contractor or affiliate is a "retailer maintaining a place of  
31 business within this State" as defined in Section 2 of the  
32 Use Tax Act. The provision may state that if the requirement  
33 is not met, the contract may be terminated by the  
34 municipality, and the contractor may be subject to such other

1 penalties or the exercise of such remedies as may be stated  
2 in the contract or the ordinance adopted under this Section.  
3 An ordinance adopted under this Section may contain  
4 exceptions for emergencies or other circumstances when the  
5 exception is in the best interest of the public. For purposes  
6 of this Section, the term "affiliate" means any entity that  
7 (1) directly, indirectly, or constructively controls another  
8 entity, (2) is directly, indirectly, or constructively  
9 controlled by another entity, or (3) is subject to the  
10 control of a common entity. For purposes of this subsection  
11 (b), an entity controls another entity if it owns, directly  
12 or individually, more than 10% of the voting securities of  
13 that entity. As used in this subsection (b), the term "voting  
14 security" means a security that (1) confers upon the holder  
15 the right to vote for the election of members of the board of  
16 directors or similar governing body of the business or (2) is  
17 convertible into, or entitles the holder to receive upon its  
18 exercise, a security that confers such a right to vote. A  
19 general partnership interest is a voting security.

20 (Source: P.A. 81-1376.)

21 Section 30-30. The School Code is amended by changing  
22 Section 10-20.21 as follows:

23 (105 ILCS 5/10-20.21) (from Ch. 122, par. 10-20.21)

24 Sec. 10-20.21. Contracts.

25 (a) To award all contracts for purchase of supplies,  
26 materials or work or contracts with private carriers for  
27 transportation of pupils involving an expenditure in excess  
28 of \$10,000 to the lowest responsible bidder, considering  
29 conformity with specifications, terms of delivery, quality  
30 and serviceability, after due advertisement, except the  
31 following: (i) contracts for the services of individuals  
32 possessing a high degree of professional skill where the

1 ability or fitness of the individual plays an important part;  
2 (ii) contracts for the printing of finance committee reports  
3 and departmental reports; (iii) contracts for the printing or  
4 engraving of bonds, tax warrants and other evidences of  
5 indebtedness; (iv) contracts for the purchase of perishable  
6 foods and perishable beverages; (v) contracts for materials  
7 and work which have been awarded to the lowest responsible  
8 bidder after due advertisement, but due to unforeseen  
9 revisions, not the fault of the contractor for materials and  
10 work, must be revised causing expenditures not in excess of  
11 10% of the contract price; (vi) contracts for the maintenance  
12 or servicing of, or provision of repair parts for, equipment  
13 which are made with the manufacturer or authorized service  
14 agent of that equipment where the provision of parts,  
15 maintenance, or servicing can best be performed by the  
16 manufacturer or authorized service agent; (vii) purchases and  
17 contracts for the use, purchase, delivery, movement, or  
18 installation of data processing equipment, software, or  
19 services and telecommunications and interconnect equipment,  
20 software, and services; (viii) contracts for duplicating  
21 machines and supplies; (ix) contracts for the purchase of  
22 natural gas when the cost is less than that offered by a  
23 public utility; (x) purchases of equipment previously owned  
24 by some entity other than the district itself; (xi) contracts  
25 for repair, maintenance, remodeling, renovation, or  
26 construction, or a single project involving an expenditure  
27 not to exceed \$20,000 and not involving a change or increase  
28 in the size, type, or extent of an existing facility; (xii)  
29 contracts for goods or services procured from another  
30 governmental agency; (xiii) contracts for goods or services  
31 which are economically procurable from only one source, such  
32 as for the purchase of magazines, books, periodicals,  
33 pamphlets and reports, and for utility services such as  
34 water, light, heat, telephone or telegraph; and (xiv) where

1 funds are expended in an emergency and such emergency  
2 expenditure is approved by 3/4 of the members of the board.  
3 All competitive bids for contracts involving an expenditure  
4 in excess of \$10,000 must be sealed by the bidder and must be  
5 opened by a member or employee of the school board at a  
6 public bid opening at which the contents of the bids must be  
7 announced. Each bidder must receive at least 3 days' notice  
8 of the time and place of the bid opening. For purposes of  
9 this Section due advertisement includes, but is not limited  
10 to, at least one public notice at least 10 days before the  
11 bid date in a newspaper published in the district, or if no  
12 newspaper is published in the district, in a newspaper of  
13 general circulation in the area of the district.

14 (b) To require, as a condition of any contract for goods  
15 and services, that persons bidding for and awarded a contract  
16 and all affiliates of the person collect and remit Illinois  
17 Use Tax on all sales of tangible personal property into the  
18 State of Illinois in accordance with the provisions of the  
19 Illinois Use Tax Act regardless of whether the person or  
20 affiliate is a "retailer maintaining a place of business  
21 within this State" as defined in Section 2 of the Use Tax  
22 Act. For purposes of this Section, the term "affiliate" means  
23 any entity that (1) directly, indirectly, or constructively  
24 controls another entity, (2) is directly, indirectly, or  
25 constructively controlled by another entity, or (3) is  
26 subject to the control of a common entity. For purposes of  
27 this subsection (b), an entity controls another entity if it  
28 owns, directly or individually, more than 10% of the voting  
29 securities of that entity. As used in this subsection (b),  
30 the term "voting security" means a security that (1) confers  
31 upon the holder the right to vote for the election of members  
32 of the board of directors or similar governing body of the  
33 business or (2) is convertible into, or entitles the holder  
34 to receive upon its exercise, a security that confers such a

1 right to vote. A general partnership interest is a voting  
2 security.

3 To require that bids and contracts include a  
4 certification by the bidder or contractor that the bidder or  
5 contractor is not barred from bidding for or entering into a  
6 contract under this Section and that the bidder or contractor  
7 acknowledges that the school board may declare the contract  
8 void if the certification completed pursuant to this  
9 subsection (b) is false.

10 (Source: P.A. 86-411; 87-414.)

11 ARTICLE 50

12 Section 50-3. The Department of Central Management  
13 Services Law of the Civil Administrative Code of Illinois is  
14 amended by adding Section 405-292 as follows:

15 (20 ILCS 405/405-292 new)

16 Sec. 405-292. Business processing reengineering;  
17 planning for a more efficient government.

18 (a) The Department shall be responsible for recommending  
19 to the Governor efficiency initiatives to reorganize,  
20 restructure, and reengineer the business processes of the  
21 State. In performing this responsibility the Department shall  
22 have the power and duty to do the following:

23 (1) Propose the transfer, consolidation,  
24 reorganization, restructuring, reengineering, or  
25 elimination of programs, processes, or functions in order  
26 to attain efficiency in operations and cost savings  
27 through the efficiency initiatives.

28 (2) Control the procurement of contracted services  
29 in connection with the efficiency initiatives to assist  
30 in the analysis, design, planning, and implementation of  
31 proposals approved by the Governor to attain efficiency

1 in operations and cost savings; and

2 (3) Establish the amount of cost savings to be  
3 realized by State agencies from implementing the  
4 efficiency initiatives, which shall be paid to the  
5 Department for deposit into the Efficiency Initiatives  
6 Revolving Fund.

7 (b) For the purposes of this Section, "State agencies"  
8 means all departments, boards, commissions, and agencies of  
9 the State of Illinois subject to the Governor.

10 Section 50-5. The Department of Commerce and Community  
11 Affairs Law of the Civil Administrative Code of Illinois is  
12 amended by changing Section 605-705 and by adding Section  
13 605-807 as follows:

14 (20 ILCS 605/605-705) (was 20 ILCS 605/46.6a)

15 Sec. 605-705. Grants to local tourism and convention  
16 bureaus.

17 (a) To establish a grant program for local tourism and  
18 convention bureaus. The Department will develop and  
19 implement a program for the use of funds, as authorized under  
20 this Act, by local tourism and convention bureaus. For the  
21 purposes of this Act, bureaus eligible to receive funds are  
22 those local tourism and convention bureaus that are (i)  
23 either units of local government or incorporated as  
24 not-for-profit organizations; (ii) in legal existence for a  
25 minimum of 2 years before July 1, 2001; (iii) operating with  
26 a paid, full-time staff whose sole purpose is to promote  
27 tourism in the designated service area; and (iv) affiliated  
28 with one or more municipalities or counties that support the  
29 bureau with local hotel-motel taxes. After July 1, 2001,  
30 bureaus requesting certification in order to receive funds  
31 for the first time must be local tourism and convention  
32 bureaus that are (i) either units of local government or

1 incorporated as not-for-profit organizations; (ii) in legal  
2 existence for a minimum of 2 years before the request for  
3 certification; (iii) operating with a paid, full-time staff  
4 whose sole purpose is to promote tourism in the designated  
5 service area; and (iv) affiliated with multiple  
6 municipalities or counties that support the bureau with local  
7 hotel-motel taxes. Each bureau receiving funds under this Act  
8 will be certified by the Department as the designated  
9 recipient to serve an area of the State. Notwithstanding the  
10 criteria set forth in this subsection (a), or any rule  
11 adopted under this subsection (a), the Director of the  
12 Department may provide for the award of grant funds to one or  
13 more entities if in the Department's judgment that action is  
14 necessary in order to prevent a loss of funding critical to  
15 promoting tourism in a designated geographic area of the  
16 State.

17 (b) To distribute grants to local tourism and convention  
18 bureaus from appropriations made from the Local Tourism Fund  
19 for that purpose. Of the amounts appropriated annually to  
20 the Department for expenditure under this Section, one-third  
21 of those monies shall be used for grants to convention and  
22 tourism bureaus in cities with a population greater than  
23 500,000. The remaining two-thirds of the annual  
24 appropriation shall be used for grants to convention and  
25 tourism bureaus in the remainder of the State, in accordance  
26 with a formula based upon the population served. The  
27 Department may reserve up to 10% of the total local tourism  
28 funds available for costs of administering the program  
29 ~~appropriated~~ to conduct audits of grants, to provide  
30 incentive funds to those bureaus that will conduct  
31 promotional activities designed to further the Department's  
32 statewide advertising campaign, to fund special statewide  
33 promotional activities, and to fund promotional activities  
34 that support an increased use of the State's parks or

1 historic sites.

2 (Source: P.A. 91-239, eff. 1-1-00; 91-357, eff. 7-29-99;  
3 92-16, eff. 6-28-01; 92-38, eff. 6-28-01; 92-524, eff.  
4 2-8-02.)

5 (20 ILCS 605/605-807 new)

6 Sec. 605-807. Federal Workforce Training Fund.

7 (a) The Federal Workforce Training Fund is created as a  
8 special fund in the State treasury. The Department may accept  
9 gifts, grants, awards, matching contributions, interest  
10 income, appropriations, and cost sharings from individuals,  
11 businesses, governments, and other third party sources, on  
12 terms that the Director deems advisable. Moneys received  
13 under this Section may be expended for purposes consistent  
14 with the conditions under which those moneys are received,  
15 subject to appropriations made by the General Assembly for  
16 those purposes.

17 (b) Beginning on the effective date of this amendatory  
18 Act of the 93rd General Assembly, all moneys received by the  
19 State pursuant to the federal Workforce Investment Act or  
20 Section 403(a)(5) of the federal Social Security Act shall be  
21 deposited into the Federal Workforce Training Fund, to be  
22 used for purposes consistent with the conditions under which  
23 those moneys are received by the State, except that any  
24 moneys received pursuant to the federal Workforce Investment  
25 Act and necessary to pay liabilities incurred in connection  
26 with that Act and outstanding as of June 30, 2003, or any  
27 moneys received pursuant to Section 403(a)(5) of the federal  
28 Social Security Act and necessary to pay liabilities incurred  
29 in connection with that Act and outstanding as of June 30,  
30 2003, shall be deposited into the Title III Social Security  
31 and Employment Fund.

32 On September 1, 2003, or as soon thereafter as may be  
33 reasonably practical, the State Comptroller shall transfer

1 all unobligated moneys received by the State pursuant to the  
2 federal Workforce Investment Act or Section 403(a)(5) of the  
3 federal Social Security Act from the Title III Social  
4 Security and Employment Fund to the Federal Workforce  
5 Training Fund. The moneys transferred pursuant to this  
6 Amendatory Act of the 93rd General Assembly may be used or  
7 expended for purposes consistent with the conditions under  
8 which those moneys were received by the State.

9 (c) Beginning on the effective date of this amendatory  
10 Act of the 93rd General Assembly, all moneys received by the  
11 State pursuant to the federal Illinois Trade Adjustment  
12 Assistance Program shall be deposited into the Federal  
13 Workforce Training Fund, to be used for purposes consistent  
14 with the conditions under which those moneys are received by  
15 the State, except that any moneys received pursuant to the  
16 federal Illinois Trade Adjustment Assistance Program and  
17 necessary to pay liabilities incurred in connection with that  
18 program and outstanding as of June 30, 2003, shall be  
19 deposited into the Title III Social Security and Employment  
20 Fund.

21 On July 1, 2003 or as soon thereafter as may be  
22 reasonably practical, the State Comptroller shall make one or  
23 more transfers of all moneys received by the State pursuant  
24 to the federal Illinois Trade Adjustment Assistance Program  
25 in excess of those necessary to pay liabilities in connection  
26 with that program and outstanding as of June 30, 2003 from  
27 the Title III Social Security and Employment Fund to the  
28 Federal Workforce Training Fund. The moneys transferred  
29 pursuant to this amendatory Act of the 93rd General Assembly  
30 may be used or expended for purposes consistent with the  
31 conditions under which those moneys were received by the  
32 State.

33 Section 50-7. The Department of Revenue Law of the Civil

1 Administrative Code of Illinois is amended by changing  
2 Section 2505-400 as follows:

3 (20 ILCS 2505/2505-400) (was 20 ILCS 2505/39b49)

4 Sec. 2505-400. Contracts for collection assistance.

5 (a) The Department has the power to contract for  
6 collection assistance on a contingent fee basis, with  
7 collection fees to be retained by the collection agency and  
8 the net collections to be paid to the Department. In the case  
9 of any liability referred to a collection agency on or after  
10 July 1, 2003, any fee charged to the State by the collection  
11 agency shall be considered additional State tax of the  
12 taxpayer imposed under the Act under which the tax being  
13 collected was imposed, shall be deemed assessed at the time  
14 payment of the tax is made to the collection agency, and  
15 shall be separately stated in any statement or notice of the  
16 liability issued by the collection agency to the taxpayer.

17 (b) The Department has the power to enter into written  
18 agreements with State's Attorneys for pursuit of civil  
19 liability under Section 17-1a of the Criminal Code of 1961  
20 against persons who have issued to the Department checks or  
21 other orders in violation of the provisions of paragraph (d)  
22 of subsection (B) of Section 17-1 of the Criminal Code of  
23 1961. Of the amount collected, the Department shall retain  
24 the amount owing upon the dishonored check or order along  
25 with the dishonored check fee imposed under the Uniform  
26 Penalty and Interest Act. The balance of damages, fees, and  
27 costs collected under Section 17-1a of the Criminal Code of  
28 1961 shall be retained by the State's Attorney. The agreement  
29 shall not affect the allocation of fines and costs imposed in  
30 any criminal prosecution.

31 (c) The Department may issue the Secretary of the  
32 Treasury of the United States (or his or her delegate)  
33 notice, as required by Section 6402(e) of the Internal

1 Revenue Code, of any past due, legally enforceable State  
 2 income tax obligation of a taxpayer. The Department must  
 3 notify the taxpayer that any fee charged to the State by the  
 4 Secretary of the Treasury of the United States (or his or her  
 5 delegate) under Internal Revenue Code Section 6402(e) is  
 6 considered additional State income tax of the taxpayer with  
 7 respect to whom the Department issued the notice, and is  
 8 deemed assessed upon issuance by the Department of notice to  
 9 the Secretary of the Treasury of the United States (or his or  
 10 her delegate) under Section 6402(e) of the Internal Revenue  
 11 Code; a notice of additional State income tax is not  
 12 considered a notice of deficiency, and the taxpayer has no  
 13 right of protest.

14 (Source: P.A. 91-239, eff. 1-1-00; 92-492, eff. 1-1-02.)

15 Section 50-8. The Bureau of the Budget Act is amended by  
 16 changing the Act title and Sections 0.01, 1, 2, 2.5, 2.7, 3,  
 17 4, 5.1, 6, 6.01, 7, and 9 and by adding Section 9.5 as  
 18 follows:

19 (20 ILCS 3005/Act title)

20 An Act to create the Governor's Office of Management and  
 21 ~~a-Bureau-of-the~~ Bureau of the Budget and to define its powers and duties  
 22 ~~and-to-make-an-appropriation.~~

23 (20 ILCS 3005/0.01) (from Ch. 127, par. 410)

24 Sec. 0.01. Short title. This Act may be cited as the  
 25 Governor's Office of Management and ~~Bureau-of-the~~ Bureau of the Budget Act.

26 (Source: P.A. 86-1324.)

27 (20 ILCS 3005/1) (from Ch. 127, par. 411)

28 Sec. 1. Definitions. "Bureau"-means--the--Bureau--of--the  
 29 Budget-

30 "Capital expenditure" means money spent for replacing,

1 remodeling, expanding, or acquiring facilities, buildings or  
 2 land owned directly by the State through any State  
 3 department, authority, public corporation of the State, State  
 4 college or university, or any other public agency created by  
 5 the State, but not units of local government or school  
 6 districts.

7 "Director" means the Director of the Governor's Office of  
 8 Management and Bureau-~~of-the~~ Budget.

9 "Office" means the Governor's Office of Management and  
 10 Budget.

11 "State Agency," whether used in the singular or plural,  
 12 means all Departments, Officers, Commissions, Boards,  
 13 Institutions and bodies, politic and corporate of the State,  
 14 including the Offices of Clerk of the Supreme Court and  
 15 Clerks of the Appellate Courts; except it shall not mean the  
 16 several Courts of the State, nor the Legislature, its  
 17 Committees or Commissions, nor the Constitutionally elected  
 18 State Officers.

19 (Source: P.A. 81-1094.)

20 (20 ILCS 3005/2) (from Ch. 127, par. 412)

21 Sec. 2. There is created in the executive office of the  
 22 Governor an Office a-Bureau to be known as the Governor's  
 23 Office of Management and Bureau-~~of-the~~ Budget. The Office  
 24 Bureau shall be headed by a Director, who shall be appointed  
 25 by the Governor. The functions of the Office Bureau shall be  
 26 as prescribed in Sections 2.1 through 2.7 of this Act.

27 (Source: P.A. 89-460, eff. 5-24-96.)

28 (20 ILCS 3005/2.5) (from Ch. 127, par. 412.5)

29 Sec. 2.5. Effective January 1, 1980, to require the  
 30 preparation and submission of an annual long-range capital  
 31 expenditure plan for all State agencies. Such Capital Plan  
 32 shall detail each project for each of the following 3 fiscal

1 years, including the project cost in current dollar amounts,  
2 the future maintenance costs for the completed project, the  
3 anticipated life expectancy of the project and the impact the  
4 project will have on the annual operating budget for the  
5 agency. Each State agency's annual capital plan shall  
6 include energy conservation projects intended to reduce  
7 energy costs to the greatest extent possible in those  
8 agency's buildings and facilities included in the capital  
9 plan. Each State agency's annual capital plan shall be  
10 submitted to the Office Bureau no later than January 15th of  
11 each year. A summary of all capital plans and future needs  
12 assessments shall be included in the Governor's Budget  
13 Request and the detail of the capital plans shall be  
14 delivered to the Chairmen and Minority Spokesmen of the House  
15 and Senate Appropriations Committees and the Illinois  
16 Economic and Fiscal Commission on the date of the Governor's  
17 Budget Address to the General Assembly.

18 (Source: P.A. 87-852.)

19 (20 ILCS 3005/2.7)

20 Sec. 2.7. Securities information. To assist those  
21 entities underwriting securities that are payable from State  
22 appropriations, whether issued by the State or by others, by  
23 providing financial and other information regarding the State  
24 to securities investors, nationally recognized securities  
25 information repositories, or the federal Municipal Securities  
26 Rulemaking Board, and to any State information depository as  
27 required by the federal Securities and Exchange Act of 1934  
28 and the rules promulgated thereunder. The Governor's Office  
29 of Management and ~~Bureau-of-the~~ Budget is the only State  
30 office authorized to provide such information.

31 (Source: P.A. 89-460, eff. 5-24-96.)

32 (20 ILCS 3005/3) (from Ch. 127, par. 413)

1           Sec. 3. The Director, under such rules and regulations as  
2 the Governor may prescribe, may organize the Office Bureau,  
3 allocate functions and duties within it, and appoint  
4 employees, in such a manner as best enables it to achieve its  
5 purposes and fulfill its responsibilities. He is authorized  
6 to make expenditures for necessary expenses of the Office  
7 Bureau within the appropriations made therefor.

8           (Source: P. A. 76-23.)

9           (20 ILCS 3005/4) (from Ch. 127, par. 414)

10          Sec. 4. Under such regulations as the Governor may  
11 prescribe, (1) every State agency shall furnish to the Office  
12 Bureau such information as the Office Bureau may from time to  
13 time require, and (2) the Director or any duly authorized  
14 employee of the Office Bureau shall for the purpose of  
15 securing such information, have access to, and the right to  
16 examine, all books, documents, papers or records of any State  
17 agency.

18          (Source: P. A. 76-23.)

19          (20 ILCS 3005/5.1) (from Ch. 127, par. 415)

20          Sec. 5.1. Under such regulations as the Governor may  
21 prescribe, every State agency, other than State colleges and  
22 universities, agencies of legislative and judicial branches  
23 of State government, and elected State executive officers not  
24 including the Governor, shall file with the Illinois  
25 Commission on Intergovernmental Cooperation all applications  
26 for federal grants, contracts and agreements. The Commission  
27 on Intergovernmental Cooperation shall immediately forward  
28 all such materials to the Office Bureau for the Office's  
29 Bureau's approval. Any application for federal funds which  
30 has not received Office Bureau approval shall be considered  
31 void and any funds received as a result of such application  
32 shall be returned to the federal government before they are

1 spent. Each State agency subject to this Section shall, at  
2 least 45 days before submitting its application to the  
3 federal agency, report in detail to the Commission on  
4 Intergovernmental Cooperation what the grant is intended to  
5 accomplish and the specific plans for spending the federal  
6 dollars received pursuant to the grant. The Commission on  
7 Intergovernmental Cooperation shall immediately forward such  
8 materials to the Office Bureau. The Office Bureau may approve  
9 the submission of an application to the federal agency in  
10 less than 45 days after its receipt by the Office Bureau when  
11 the Office Bureau determines that the circumstances require  
12 an expedited application. Such reports of applications and  
13 plans of expenditure shall include but shall not be limited  
14 to:

15 (1) an estimate of both the direct and indirect costs in  
16 non-federal revenues of participation in the federal program;

17 (2) the probable length of duration of the program, a  
18 schedule of fund receipts and an estimate of the cost to the  
19 State of maintaining the program if and when the federal  
20 financial assistance or grant is terminated;

21 (3) a list of State or local agencies utilizing the  
22 financial assistance as direct recipients or subgrantees;

23 (4) a description of each program proposed to be funded  
24 by the financial assistance or grant; and

25 (5) a description of any financial, program or planning  
26 commitment on the part of the State required by the federal  
27 government as a requirement for receipt of the financial  
28 assistance or grant.

29 All State agencies subject to this Section shall  
30 immediately file with the Illinois Commission on  
31 Intergovernmental Cooperation, any awards of federal funds  
32 and any and all changes in the programs, in awards, in  
33 program duration, in schedule of fund receipts, and in  
34 estimated costs to the State of maintaining the program if

1 and when federal assistance is terminated, or in direct and  
2 indirect costs, of any grant under which they are or expect  
3 to be receiving federal funds. The Commission on  
4 Intergovernmental Cooperation shall immediately forward such  
5 materials to the Office Bureau.

6 The Office Bureau in cooperation with the Commission on  
7 Intergovernmental Cooperation shall develop standard forms  
8 and a system of identifying numbers for the applications and  
9 reports required by this Section. Upon receipt from the State  
10 agencies of each application and report, the Commission shall  
11 promptly designate the appropriate identifying number  
12 therefor and communicate such number to the respective State  
13 agency, the Comptroller and the Office Bureau.

14 Each State agency subject to this Section shall include  
15 in each report to the Comptroller of the receipt of federal  
16 funds the identifying number applicable to the grant under  
17 which such funds are received.

18 (Source: P.A. 87-961.)

19 (20 ILCS 3005/6) (from Ch. 127, par. 416)

20 Sec. 6. In performing its responsibility under Section  
21 2.1, to assist the Governor in submitting a recommended  
22 budget, the Office Bureau shall:

23 (a) Distribute to all state agencies the proper blanks  
24 necessary to the preparation of budget estimates, which  
25 blanks shall be in such form as shall be prescribed by the  
26 Director, to procure, among other things, information as to  
27 the revenues and expenditures for the preceding fiscal year,  
28 the appropriations made by the General Assembly for the  
29 preceding fiscal year, the expenditures therefrom,  
30 obligations incurred thereon, and the amounts unobligated and  
31 unexpended, an estimate of the revenues and expenditures of  
32 the current fiscal year, and an estimate of the revenues and  
33 amounts needed for the respective departments and offices for

1 the next succeeding fiscal year.

2 (b) Require from each state agency its estimate of  
3 receipts and expenditures for the succeeding fiscal year,  
4 accompanied by a statement in writing giving facts and  
5 explanation of reasons for each item of expenditure  
6 requested.

7 (c) Make, at the discretion of the Director, further  
8 inquiries and investigations as to any item desired.

9 (d) Approve, disapprove or alter the estimates.

10 (Source: P. A. 76-2411.)

11 (20 ILCS 3005/6.01) (from Ch. 127, par. 416.01)

12 Sec. 6.01. The several courts of the State, the General  
13 Assembly, its committees and commissions, and the elective  
14 officers in the Executive department shall file with the  
15 Office Bureau information which will enable the Governor to  
16 present to the General Assembly estimates of the amount of  
17 money required to be raised by taxation for all purposes.  
18 They shall submit to the Office Bureau, on forms prescribed  
19 by the Office Bureau, information as to the revenues and  
20 expenditures for the preceding fiscal year, the  
21 appropriations made by the General Assembly for the preceding  
22 fiscal year, the expenditures therefrom, obligations incurred  
23 thereon, and the amounts unobligated and unexpended, an  
24 estimate of the revenues and expenditures of the current  
25 fiscal year, and an estimate of the revenues and amounts  
26 needed for the respective departments and offices for the  
27 next succeeding fiscal year.

28 (Source: P. A. 76-2411.)

29 (20 ILCS 3005/7) (from Ch. 127, par. 417)

30 Sec. 7. All statements and estimates of expenditures  
31 submitted to the Office Bureau in connection with the  
32 preparation of a State budget, and any other estimates of

1 expenditures, supporting requests for appropriations, shall  
2 be formulated according to the various functions and  
3 activities for which the respective department, office or  
4 institution of the State government (including the elective  
5 officers in the executive department and including the  
6 University of Illinois and the judicial department) is  
7 responsible. All such statements and estimates of  
8 expenditures relating to a particular function or activity  
9 shall be further formulated or subject to analysis in  
10 accordance with the following classification of objects:

- 11 (1) Personal services
- 12 (2) State contribution for employee group insurance
- 13 (3) Contractual services
- 14 (4) Travel
- 15 (5) Commodities
- 16 (6) Equipment
- 17 (7) Permanent improvements
- 18 (8) Land
- 19 (9) Electronic Data Processing
- 20 (10) Telecommunication services
- 21 (11) Operation of Automotive Equipment
- 22 (12) Contingencies
- 23 (13) Reserve
- 24 (14) Interest
- 25 (15) Awards and Grants
- 26 (16) Debt Retirement
- 27 (17) Non-cost Charges

28 (Source: P.A. 83-1303.)

29 (20 ILCS 3005/9) (from Ch. 127, par. 419)

30 Sec. 9. All statements and estimates of expenditures  
31 submitted to the Director of the Office Bureau in connection  
32 with the preparation of a State budget, and any other  
33 estimates of expenditures supporting requests for

1 appropriations, shall be accompanied by comparative  
2 performance data formulated according to the various  
3 functions and activities, and, whenever the nature of the  
4 work admits, according to the work units, for which the  
5 respective state agency is responsible. All such statements  
6 and estimates of expenditures shall be accompanied, in  
7 addition, by a tabulation of all position and employment  
8 titles in such department, office or institution, the number  
9 of each, and the salaries for each, formulated according to  
10 divisions, bureaus, sections, offices, departments, boards,  
11 and similar subdivisions, which shall correspond as nearly as  
12 practicable to the functions and activities for which the  
13 department, office or institution is responsible.

14 (Source: P. A. 76-2411.)

15 (20 ILCS 3005/9.5 new)

16 Sec. 9.5. Name change. On the effective date of this  
17 amendatory Act of the 93rd General Assembly, the name of the  
18 Bureau of the Budget is changed to the Governor's Office of  
19 Management and Budget. References in any law, appropriation,  
20 rule, form, or other document (i) to the Bureau of the Budget  
21 or to BOB are deemed, in appropriate contexts, to be  
22 references to the Governor's Office of Management and Budget  
23 for all purposes and (ii) to the Director of the Bureau of  
24 the Budget are deemed, in appropriate contexts, to be  
25 references to the Director of the Governor's Office of  
26 Management and Budget for all purposes.

27 Section 50-9. The Arts Council Act is amended by  
28 changing Sections 1 and 6 as follows:

29 (20 ILCS 3915/1) (from Ch. 127, par. 214.11)

30 Sec. 1. Council created. There is created the Illinois  
31 Arts Council, an agency of the State of Illinois.

1        The Illinois Arts Council shall be composed of not less  
2 than 13 nor more than 35 members to be appointed by the  
3 Governor, one of whom shall be a senior citizen age 60 or  
4 over. In making initial appointments, the Governor shall  
5 designate approximately one-half of the members to serve for  
6 2 years, and the balance of the members to serve for 4 years,  
7 each term of office to commence July 1, 1965. The senior  
8 citizen member first appointed under this amendatory Act of  
9 1984 shall serve for a term of 4 years commencing July 1,  
10 1985. Thereafter all appointments shall be made for a 4 year  
11 term. The Governor shall designate the Chairman of the  
12 Council from among the members thereof.

13        (Source: P.A. 83-1538.)

14        (20 ILCS 3915/6) (from Ch. 127, par. 214.16)

15        Sec. 6. Employees; operational services.

16        (a) The Council may employ an executive director, a  
17 secretary and such clerical, technical and other employees  
18 and assistants as it considers necessary for the proper  
19 transaction of its business.

20        (b) The Department of Central Management Services shall  
21 provide to the Illinois Arts Council the same type and level  
22 of services as it provides to other State agencies, including  
23 but not limited to office space, communications, facilities  
24 management, and any other operational services that the  
25 Department provides to other State offices and agencies, as  
26 necessary to fulfill the Council's statutory mandate.

27        (Source: Laws 1965, p. 1965.)

28        Section 50-10. The State Finance Act is amended by  
29 changing Section 8.3 and by adding Sections 5.596, 6p-5,  
30 8.16c, and 8j as follows:

1 (30 ILCS 105/5.596 new)

2 Sec. 5.596. The Efficiency Initiatives Revolving Fund.

3 (30 ILCS 105/6p-5 new)

4 Sec. 6p-5. Efficiency Initiatives Revolving Fund.

5 Amounts designated by the Director of Central Management  
6 Services and approved by the Governor as savings from the  
7 efficiency initiatives authorized by Section 405-292 of the  
8 Department of Central Management Services Law of the Civil  
9 Administrative Code of Illinois shall be paid into the  
10 Efficiency Initiatives Revolving Fund. State agencies shall  
11 pay these amounts into the Efficiency Initiatives Revolving  
12 Fund from the line item appropriations where the cost savings  
13 are anticipated to occur. The money in this fund shall be  
14 used by the Department for expenses incurred in connection  
15 with the efficiency initiatives authorized by Section 405-292  
16 of the Department of Central Management Services Law of the  
17 Civil Administrative Code of Illinois. On or before August  
18 31, 2004, and each August 31 thereafter, the Department of  
19 Central Management Services shall transfer excess balances in  
20 the Efficiency Initiatives Revolving Fund to the General  
21 Revenue Fund. As used in this Section, "excess balances"  
22 means amounts in excess of the amount necessary to fund  
23 current and anticipated efficiency initiatives.

24 (30 ILCS 105/8.3) (from Ch. 127, par. 144.3)

25 Sec. 8.3. Money in the Road Fund shall, if and when the  
26 State of Illinois incurs any bonded indebtedness for the  
27 construction of permanent highways, be set aside and used for  
28 the purpose of paying and discharging annually the principal  
29 and interest on that bonded indebtedness then due and  
30 payable, and for no other purpose. The surplus, if any, in  
31 the Road Fund after the payment of principal and interest on  
32 that bonded indebtedness then annually due shall be used as

1 follows:

2 first -- to pay the cost of administration of  
3 Chapters 2 through 10 of the Illinois Vehicle Code,  
4 except the cost of administration of Articles I and II of  
5 Chapter 3 of that Code; and

6 secondly -- for expenses of the Department of  
7 Transportation for construction, reconstruction,  
8 improvement, repair, maintenance, operation, and  
9 administration of highways in accordance with the  
10 provisions of laws relating thereto, or for any purpose  
11 related or incident to and connected therewith, including  
12 the separation of grades of those highways with railroads  
13 and with highways and including the payment of awards  
14 made by the Industrial Commission under the terms of the  
15 Workers' Compensation Act or Workers' Occupational  
16 Diseases Act for injury or death of an employee of the  
17 Division of Highways in the Department of Transportation;  
18 or for the acquisition of land and the erection of  
19 buildings for highway purposes, including the acquisition  
20 of highway right-of-way or for investigations to  
21 determine the reasonably anticipated future highway  
22 needs; or for making of surveys, plans, specifications  
23 and estimates for and in the construction and maintenance  
24 of flight strips and of highways necessary to provide  
25 access to military and naval reservations, to defense  
26 industries and defense-industry sites, and to the sources  
27 of raw materials and for replacing existing highways and  
28 highway connections shut off from general public use at  
29 military and naval reservations and defense-industry  
30 sites, or for the purchase of right-of-way, except that  
31 the State shall be reimbursed in full for any expense  
32 incurred in building the flight strips; or for the  
33 operating and maintaining of highway garages; or for  
34 patrolling and policing the public highways and

1 conserving the peace; or for any of those purposes or any  
2 other purpose that may be provided by law.

3 Appropriations for any of those purposes are payable from  
4 the Road Fund. Appropriations may also be made from the Road  
5 Fund for the administrative expenses of any State agency that  
6 are related to motor vehicles or arise from the use of motor  
7 vehicles.

8 Beginning with fiscal year 1980 and thereafter, no Road  
9 Fund monies shall be appropriated to the following  
10 Departments or agencies of State government for  
11 administration, grants, or operations; but this limitation is  
12 not a restriction upon appropriating for those purposes any  
13 Road Fund monies that are eligible for federal reimbursement;

- 14 1. Department of Public Health;
- 15 2. Department of Transportation, only with respect  
16 to subsidies for one-half fare Student Transportation and  
17 Reduced Fare for Elderly;
- 18 3. Department of Central Management Services,  
19 except for expenditures incurred for group insurance  
20 premiums of appropriate personnel;
- 21 4. Judicial Systems and Agencies.

22 Beginning with fiscal year 1981 and thereafter, no Road  
23 Fund monies shall be appropriated to the following  
24 Departments or agencies of State government for  
25 administration, grants, or operations; but this limitation is  
26 not a restriction upon appropriating for those purposes any  
27 Road Fund monies that are eligible for federal reimbursement:

- 28 1. Department of State Police, except for  
29 expenditures with respect to the Division of Operations;
- 30 2. Department of Transportation, only with respect  
31 to Intercity Rail Subsidies and Rail Freight Services.

32 Beginning with fiscal year 1982 and thereafter, no Road  
33 Fund monies shall be appropriated to the following  
34 Departments or agencies of State government for

1 administration, grants, or operations; but this limitation is  
2 not a restriction upon appropriating for those purposes any  
3 Road Fund monies that are eligible for federal reimbursement:  
4 Department of Central Management Services, except for awards  
5 made by the Industrial Commission under the terms of the  
6 Workers' Compensation Act or Workers' Occupational Diseases  
7 Act for injury or death of an employee of the Division of  
8 Highways in the Department of Transportation.

9 Beginning with fiscal year 1984 and thereafter, no Road  
10 Fund monies shall be appropriated to the following  
11 Departments or agencies of State government for  
12 administration, grants, or operations; but this limitation is  
13 not a restriction upon appropriating for those purposes any  
14 Road Fund monies that are eligible for federal reimbursement:

15 1. Department of State Police, except not more than  
16 40% of the funds appropriated for the Division of  
17 Operations;

18 2. State Officers.

19 Beginning with fiscal year 1984 and thereafter, no Road  
20 Fund monies shall be appropriated to any Department or agency  
21 of State government for administration, grants, or operations  
22 except as provided hereafter; but this limitation is not a  
23 restriction upon appropriating for those purposes any Road  
24 Fund monies that are eligible for federal reimbursement. It  
25 shall not be lawful to circumvent the above appropriation  
26 limitations by governmental reorganization or other methods.  
27 Appropriations shall be made from the Road Fund only in  
28 accordance with the provisions of this Section.

29 Money in the Road Fund shall, if and when the State of  
30 Illinois incurs any bonded indebtedness for the construction  
31 of permanent highways, be set aside and used for the purpose  
32 of paying and discharging during each fiscal year the  
33 principal and interest on that bonded indebtedness as it  
34 becomes due and payable as provided in the Transportation

1 Bond Act, and for no other purpose. The surplus, if any, in  
2 the Road Fund after the payment of principal and interest on  
3 that bonded indebtedness then annually due shall be used as  
4 follows:

5 first -- to pay the cost of administration of  
6 Chapters 2 through 10 of the Illinois Vehicle Code; and

7 secondly -- no Road Fund monies derived from fees,  
8 excises, or license taxes relating to registration,  
9 operation and use of vehicles on public highways or to  
10 fuels used for the propulsion of those vehicles, shall be  
11 appropriated or expended other than for costs of  
12 administering the laws imposing those fees, excises, and  
13 license taxes, statutory refunds and adjustments allowed  
14 thereunder, administrative costs of the Department of  
15 Transportation, payment of debts and liabilities incurred  
16 in construction and reconstruction of public highways and  
17 bridges, acquisition of rights-of-way for and the cost of  
18 construction, reconstruction, maintenance, repair, and  
19 operation of public highways and bridges under the  
20 direction and supervision of the State, political  
21 subdivision, or municipality collecting those monies, and  
22 the costs for patrolling and policing the public highways  
23 (by State, political subdivision, or municipality  
24 collecting that money) for enforcement of traffic laws.  
25 The separation of grades of such highways with railroads  
26 and costs associated with protection of at-grade highway  
27 and railroad crossing shall also be permissible.

28 Appropriations for any of such purposes are payable from  
29 the Road Fund or the Grade Crossing Protection Fund as  
30 provided in Section 8 of the Motor Fuel Tax Law.

31 Except as provided in this paragraph, beginning with  
32 fiscal year 1991 and thereafter, no Road Fund monies shall be  
33 appropriated to the Department of State Police for the  
34 purposes of this Section in excess of its total fiscal year

1 1990 Road Fund appropriations for those purposes unless  
 2 otherwise provided in Section 5g of this Act. For fiscal  
 3 years year 2003 and 2004 only, no Road Fund monies shall be  
 4 appropriated to the Department of State Police for the  
 5 purposes of this Section in excess of \$97,310,000. It shall  
 6 not be lawful to circumvent this limitation on appropriations  
 7 by governmental reorganization or other methods unless  
 8 otherwise provided in Section 5g of this Act.

9 In fiscal year 1994, no Road Fund monies shall be  
 10 appropriated to the Secretary of State for the purposes of  
 11 this Section in excess of the total fiscal year 1991 Road  
 12 Fund appropriations to the Secretary of State for those  
 13 purposes, plus \$9,800,000. It shall not be lawful to  
 14 circumvent this limitation on appropriations by governmental  
 15 reorganization or other method.

16 Beginning with fiscal year 1995 and thereafter, no Road  
 17 Fund monies shall be appropriated to the Secretary of State  
 18 for the purposes of this Section in excess of the total  
 19 fiscal year 1994 Road Fund appropriations to the Secretary of  
 20 State for those purposes. It shall not be lawful to  
 21 circumvent this limitation on appropriations by governmental  
 22 reorganization or other methods.

23 Beginning with fiscal year 2000, total Road Fund  
 24 appropriations to the Secretary of State for the purposes of  
 25 this Section shall not exceed the amounts specified for the  
 26 following fiscal years:

27	Fiscal Year 2000	\$80,500,000;
28	Fiscal Year 2001	\$80,500,000;
29	Fiscal Year 2002	\$80,500,000;
30	Fiscal Year 2003	\$130,500,000;
31	<u>Fiscal Year 2004</u>	<u>\$130,500,000;</u>
32	Fiscal Year <u>2005</u> <del>2004</del> and	
33	each year thereafter	\$30,500,000.

34 It shall not be lawful to circumvent this limitation on

1 appropriations by governmental reorganization or other  
2 methods.

3 No new program may be initiated in fiscal year 1991 and  
4 thereafter that is not consistent with the limitations  
5 imposed by this Section for fiscal year 1984 and thereafter,  
6 insofar as appropriation of Road Fund monies is concerned.

7 Nothing in this Section prohibits transfers from the Road  
8 Fund to the State Construction Account Fund under Section 5e  
9 of this Act; nor to the General Revenue Fund, as authorized  
10 by this amendatory Act of the 93rd General Assembly.

11 The additional amounts authorized for expenditure in this  
12 Section by this amendatory Act of the 92nd General Assembly  
13 shall be repaid to the Road Fund from the General Revenue  
14 Fund in the next succeeding fiscal year that the General  
15 Revenue Fund has a positive budgetary balance, as determined  
16 by generally accepted accounting principles applicable to  
17 government.

18 The additional amounts authorized for expenditure by the  
19 Secretary of State and the Department of State Police in this  
20 Section by this amendatory Act of the 93rd General Assembly  
21 shall be repaid to the Road Fund from the General Revenue  
22 Fund in the next succeeding fiscal year that the General  
23 Revenue Fund has a positive budgetary balance, as determined  
24 by generally accepted account principles applicable to  
25 government.

26 (Source: P.A. 91-37, eff. 7-1-99; 91-760, eff. 1-1-01;  
27 92-600, eff. 6-28-02.)

28 (30 ILCS 105/8.16c new)

29 Sec. 8.16c. Appropriations related to efficiency  
30 initiatives. Appropriations for processing contracted  
31 assistance, the purchase of commodities and equipment, the  
32 retention of staff, and all other expenses incident to  
33 efficiency initiatives authorized by Section 405-292 of the

1 Department of Central Management Services Law of the Civil  
2 Administrative Code of Illinois are payable from the  
3 Efficiency Initiatives Revolving Fund. Until there are  
4 sufficient funds in the Efficiency Initiatives Revolving Fund  
5 to carry out the purposes of this amendatory Act of the 93rd  
6 General Assembly, the State agencies subject to Section  
7 405-292 of the Department of Central Management Services Law  
8 of the Civil Administrative Code of Illinois shall, on  
9 written approval of the Director of Central Management  
10 Services, pay the costs associated with the efficiency  
11 initiative from current appropriations as if those expenses  
12 were duly incurred by the respective agencies.

13 (30 ILCS 105/8j new)

14 Sec. 8j. Allocation and transfer of fee receipts to  
15 General Revenue Fund. If and only if any one or more of  
16 Senate Bills 774, 841, 842, and 1903 of the 93rd General  
17 Assembly become law, notwithstanding any other law to the  
18 contrary, additional amounts generated by the new and  
19 increased fees created or authorized by these amendatory Acts  
20 of the 93rd General Assembly shall be allocated between the  
21 fund otherwise entitled to receive the fee and the General  
22 Revenue Fund by the Bureau of the Budget. In determining the  
23 amount of the allocation to the General Revenue Fund, the  
24 Director of the Bureau of the Budget shall calculate whether  
25 the available resources in the fund are sufficient to satisfy  
26 the unexpended and unreserved appropriations from the fund  
27 for the fiscal year.

28 In calculating the available resources in a fund, the  
29 Director of the Bureau of the Budget may include receipts,  
30 transfers into the fund, and other resources anticipated to  
31 be available in the fund in that fiscal year.

32 Upon determining the amount of an allocation to the  
33 General Revenue Fund under this Section, the Director of the

1 Bureau of the Budget may direct the State Treasurer and  
2 Comptroller to transfer the amount of that allocation from  
3 the fund in which the fee amounts have been deposited to the  
4 General Revenue Fund; provided, however, that the Director  
5 shall not direct the transfer of any amount that would have  
6 the effect of reducing the available resources in the fund to  
7 an amount less than the amount remaining unexpended and  
8 unreserved from the total appropriation from that fund for  
9 that fiscal year.

10 The State Treasurer and Comptroller shall transfer the  
11 amounts designated under this Section as soon as may be  
12 practicable after receiving the direction to transfer from  
13 the Director of the Bureau of the Budget.

14 Section 50-20. The Pretrial Services Act is amended by  
15 changing Section 33 as follows:

16 (725 ILCS 185/33) (from Ch. 38, par. 333)

17 Sec. 33. The Supreme Court shall pay from funds  
18 appropriated to it for this purpose 100% of all approved  
19 costs for pretrial services, including pretrial services  
20 officers, necessary support personnel, travel costs  
21 reasonably related to the delivery of pretrial services,  
22 space costs, equipment, telecommunications, postage,  
23 commodities, printing and contractual services. Costs shall  
24 be reimbursed monthly, based on a plan and budget approved by  
25 the Supreme Court. No department may be reimbursed for costs  
26 which exceed or are not provided for in the approved plan and  
27 budget. For State fiscal year 2004 only, the Mandatory  
28 Arbitration Fund may be used to reimburse approved costs for  
29 pretrial services.

30 (Source: P.A. 84-1449.)

31 Section 50-25. The Probation and Probation Officers Act

1 is amended by changing Section 15 as follows:

2 (730 ILCS 110/15) (from Ch. 38, par. 204-7)

3 Sec. 15. (1) The Supreme Court of Illinois may establish  
4 a Division of Probation Services whose purpose shall be the  
5 development, establishment, promulgation, and enforcement of  
6 uniform standards for probation services in this State, and  
7 to otherwise carry out the intent of this Act. The Division  
8 may:

9 (a) establish qualifications for chief probation  
10 officers and other probation and court services personnel  
11 as to hiring, promotion, and training.

12 (b) make available, on a timely basis, lists of  
13 those applicants whose qualifications meet the  
14 regulations referred to herein, including on said lists  
15 all candidates found qualified.

16 (c) establish a means of verifying the conditions  
17 for reimbursement under this Act and develop criteria for  
18 approved costs for reimbursement.

19 (d) develop standards and approve employee  
20 compensation schedules for probation and court services  
21 departments.

22 (e) employ sufficient personnel in the Division to  
23 carry out the functions of the Division.

24 (f) establish a system of training and establish  
25 standards for personnel orientation and training.

26 (g) develop standards for a system of record  
27 keeping for cases and programs, gather statistics,  
28 establish a system of uniform forms, and develop research  
29 for planning of Probation Services.

30 (h) develop standards to assure adequate support  
31 personnel, office space, equipment and supplies, travel  
32 expenses, and other essential items necessary for  
33 Probation and Court Services Departments to carry out

1 their duties.

2 (i) review and approve annual plans submitted by  
3 Probation and Court Services Departments.

4 (j) monitor and evaluate all programs operated by  
5 Probation and Court Services Departments, and may include  
6 in the program evaluation criteria such factors as the  
7 percentage of Probation sentences for felons convicted of  
8 Probationable offenses.

9 (k) seek the cooperation of local and State  
10 government and private agencies to improve the quality of  
11 probation and court services.

12 (l) where appropriate, establish programs and  
13 corresponding standards designed to generally improve the  
14 quality of probation and court services and reduce the  
15 rate of adult or juvenile offenders committed to the  
16 Department of Corrections.

17 (m) establish such other standards and regulations  
18 and do all acts necessary to carry out the intent and  
19 purposes of this Act.

20 The Division shall establish a model list of structured  
21 intermediate sanctions that may be imposed by a probation  
22 agency for violations of terms and conditions of a sentence  
23 of probation, conditional discharge, or supervision.

24 The State of Illinois shall provide for the costs of  
25 personnel, travel, equipment, telecommunications, postage,  
26 commodities, printing, space, contractual services and other  
27 related costs necessary to carry out the intent of this Act.

28 (2) (a) The chief judge of each circuit shall provide  
29 full-time probation services for all counties within the  
30 circuit, in a manner consistent with the annual probation  
31 plan, the standards, policies, and regulations established by  
32 the Supreme Court. A probation district of two or more  
33 counties within a circuit may be created for the purposes of  
34 providing full-time probation services. Every county or group

1 of counties within a circuit shall maintain a probation  
2 department which shall be under the authority of the Chief  
3 Judge of the circuit or some other judge designated by the  
4 Chief Judge. The Chief Judge, through the Probation and Court  
5 Services Department shall submit annual plans to the Division  
6 for probation and related services.

7 (b) The Chief Judge of each circuit shall appoint the  
8 Chief Probation Officer and all other probation officers for  
9 his or her circuit from lists of qualified applicants  
10 supplied by the Supreme Court. Candidates for chief managing  
11 officer and other probation officer positions must apply with  
12 both the Chief Judge of the circuit and the Supreme Court.

13 (3) A Probation and Court Service Department shall apply  
14 to the Supreme Court for funds for basic services, and may  
15 apply for funds for new and expanded programs or  
16 Individualized Services and Programs. Costs shall be  
17 reimbursed monthly based on a plan and budget approved by the  
18 Supreme Court. No Department may be reimbursed for costs  
19 which exceed or are not provided for in the approved annual  
20 plan and budget. After the effective date of this amendatory  
21 Act of 1985, each county must provide basic services in  
22 accordance with the annual plan and standards created by the  
23 division. No department may receive funds for new or expanded  
24 programs or individualized services and programs unless they  
25 are in compliance with standards as enumerated in paragraph  
26 (h) of subsection (1) of this Section, the annual plan, and  
27 standards for basic services.

28 (4) The Division shall reimburse the county or counties  
29 for probation services as follows:

30 (a) 100% of the salary of all chief managing  
31 officers designated as such by the Chief Judge and the  
32 division.

33 (b) 100% of the salary for all probation officer  
34 and supervisor positions approved for reimbursement by

1 the division after April 1, 1984, to meet workload  
2 standards and to implement intensive sanction and  
3 probation supervision programs and other basic services  
4 as defined in this Act.

5 (c) 100% of the salary for all secure detention  
6 personnel and non-secure group home personnel approved  
7 for reimbursement after December 1, 1990. For all such  
8 positions approved for reimbursement before December 1,  
9 1990, the counties shall be reimbursed \$1,250 per month  
10 beginning July 1, 1995, and an additional \$250 per month  
11 beginning each July 1st thereafter until the positions  
12 receive 100% salary reimbursement. Allocation of such  
13 positions will be based on comparative need considering  
14 capacity, staff/resident ratio, physical plant and  
15 program.

16 (d) \$1,000 per month for salaries for the remaining  
17 probation officer positions engaged in basic services and  
18 new or expanded services. All such positions shall be  
19 approved by the division in accordance with this Act and  
20 division standards.

21 (e) 100% of the travel expenses in accordance with  
22 Division standards for all Probation positions approved  
23 under paragraph (b) of subsection 4 of this Section.

24 (f) If the amount of funds reimbursed to the county  
25 under paragraphs (a) through (e) of subsection 4 of this  
26 Section on an annual basis is less than the amount the  
27 county had received during the 12 month period  
28 immediately prior to the effective date of this  
29 amendatory Act of 1985, then the Division shall reimburse  
30 the amount of the difference to the county. The effect of  
31 paragraph (b) of subsection 7 of this Section shall be  
32 considered in implementing this supplemental  
33 reimbursement provision.

34 (5) The Division shall provide funds beginning on April

1 1, 1987 for the counties to provide Individualized Services  
2 and Programs as provided in Section 16 of this Act.

3 (6) A Probation and Court Services Department in order  
4 to be eligible for the reimbursement must submit to the  
5 Supreme Court an application containing such information and  
6 in such a form and by such dates as the Supreme Court may  
7 require. Departments to be eligible for funding must satisfy  
8 the following conditions:

9 (a) The Department shall have on file with the  
10 Supreme Court an annual Probation plan for continuing,  
11 improved, and new Probation and Court Services Programs  
12 approved by the Supreme Court or its designee. This plan  
13 shall indicate the manner in which Probation and Court  
14 Services will be delivered and improved, consistent with  
15 the minimum standards and regulations for Probation and  
16 Court Services, as established by the Supreme Court. In  
17 counties with more than one Probation and Court Services  
18 Department eligible to receive funds, all Departments  
19 within that county must submit plans which are approved  
20 by the Supreme Court.

21 (b) The annual probation plan shall seek to  
22 generally improve the quality of probation services and  
23 to reduce the commitment of adult and juvenile offenders  
24 to the Department of Corrections and shall require, when  
25 appropriate, coordination with the Department of  
26 Corrections and the Department of Children and Family  
27 Services in the development and use of community  
28 resources, information systems, case review and  
29 permanency planning systems to avoid the duplication of  
30 services.

31 (c) The Department shall be in compliance with  
32 standards developed by the Supreme Court for basic, new  
33 and expanded services, training, personnel hiring and  
34 promotion.

1           (d) The Department shall in its annual plan  
2 indicate the manner in which it will support the rights  
3 of crime victims and in which manner it will implement  
4 Article I, Section 8.1 of the Illinois Constitution and  
5 in what manner it will coordinate crime victims' support  
6 services with other criminal justice agencies within its  
7 jurisdiction, including but not limited to, the State's  
8 Attorney, the Sheriff and any municipal police  
9 department.

10           (7) No statement shall be verified by the Supreme Court  
11 or its designee or vouchered by the Comptroller unless each  
12 of the following conditions have been met:

13           (a) The probation officer is a full-time employee  
14 appointed by the Chief Judge to provide probation  
15 services.

16           (b) The probation officer, in order to be eligible  
17 for State reimbursement, is receiving a salary of at  
18 least \$17,000 per year.

19           (c) The probation officer is appointed or was  
20 reappointed in accordance with minimum qualifications or  
21 criteria established by the Supreme Court; however, all  
22 probation officers appointed prior to January 1, 1978,  
23 shall be exempted from the minimum requirements  
24 established by the Supreme Court. Payments shall be made  
25 to counties employing these exempted probation officers  
26 as long as they are employed in the position held on the  
27 effective date of this amendatory Act of 1985.  
28 Promotions shall be governed by minimum qualifications  
29 established by the Supreme Court.

30           (d) The Department has an established compensation  
31 schedule approved by the Supreme Court. The compensation  
32 schedule shall include salary ranges with necessary  
33 increments to compensate each employee. The increments  
34 shall, within the salary ranges, be based on such factors

1 as bona fide occupational qualifications, performance,  
2 and length of service. Each position in the Department  
3 shall be placed on the compensation schedule according to  
4 job duties and responsibilities of such position. The  
5 policy and procedures of the compensation schedule shall  
6 be made available to each employee.

7 (8) In order to obtain full reimbursement of all  
8 approved costs, each Department must continue to employ at  
9 least the same number of probation officers and probation  
10 managers as were authorized for employment for the fiscal  
11 year which includes January 1, 1985. This number shall be  
12 designated as the base amount of the Department. No positions  
13 approved by the Division under paragraph (b) of subsection 4  
14 will be included in the base amount. In the event that the  
15 Department employs fewer Probation officers and Probation  
16 managers than the base amount for a period of 90 days,  
17 funding received by the Department under subsection 4 of this  
18 Section may be reduced on a monthly basis by the amount of  
19 the current salaries of any positions below the base amount.

20 (9) Before the 15th day of each month, the treasurer of  
21 any county which has a Probation and Court Services  
22 Department, or the treasurer of the most populous county, in  
23 the case of a Probation or Court Services Department funded  
24 by more than one county, shall submit an itemized statement  
25 of all approved costs incurred in the delivery of Basic  
26 Probation and Court Services under this Act to the Supreme  
27 Court. The treasurer may also submit an itemized statement of  
28 all approved costs incurred in the delivery of new and  
29 expanded Probation and Court Services as well as  
30 Individualized Services and Programs. The Supreme Court or  
31 its designee shall verify compliance with this Section and  
32 shall examine and audit the monthly statement and, upon  
33 finding them to be correct, shall forward them to the  
34 Comptroller for payment to the county treasurer. In the case

1 of payment to a treasurer of a county which is the most  
2 populous of counties sharing the salary and expenses of a  
3 Probation and Court Services Department, the treasurer shall  
4 divide the money between the counties in a manner that  
5 reflects each county's share of the cost incurred by the  
6 Department.

7 (10) The county treasurer must certify that funds  
8 received under this Section shall be used solely to maintain  
9 and improve Probation and Court Services. The county or  
10 circuit shall remain in compliance with all standards,  
11 policies and regulations established by the Supreme Court. If  
12 at any time the Supreme Court determines that a county or  
13 circuit is not in compliance, the Supreme Court shall  
14 immediately notify the Chief Judge, county board chairman and  
15 the Director of Court Services Chief Probation Officer. If  
16 after 90 days of written notice the noncompliance still  
17 exists, the Supreme Court shall be required to reduce the  
18 amount of monthly reimbursement by 10%. An additional 10%  
19 reduction of monthly reimbursement shall occur for each  
20 consecutive month of noncompliance. Except as provided in  
21 subsection 5 of Section 15, funding to counties shall  
22 commence on April 1, 1986. Funds received under this Act  
23 shall be used to provide for Probation Department expenses  
24 including those required under Section 13 of this Act. For  
25 State fiscal year 2004 only, the Mandatory Arbitration Fund  
26 may be used to provide for Probation Department expenses,  
27 including those required under Section 13 of this Act.

28 (11) The respective counties shall be responsible for  
29 capital and space costs, fringe benefits, clerical costs,  
30 equipment, telecommunications, postage, commodities and  
31 printing.

32 (12) Probation officers shall be considered peace  
33 officers in the exercise of their official duties. Probation  
34 officers, sheriffs and police officers may, anywhere within

1 the State, arrest any probationer who is in violation of any  
2 of the conditions of his probation, and it shall be the duty  
3 of the officer making such arrest to take said probationer  
4 before the Court having jurisdiction over him for further  
5 order.

6 (Source: P.A. 89-198, eff. 7-21-95; 89-390, eff. 8-20-95;  
7 89-626, eff. 8-9-96.)

8 Section 50-35. The Code of Civil Procedure is amended by  
9 changing Section 2-1009A as follows:

10 (735 ILCS 5/2-1009A) (from Ch. 110, par. 2-1009A)

11 Sec. 2-1009A. Filing Fees. In each county authorized by  
12 the Supreme Court to utilize mandatory arbitration, the clerk  
13 of the circuit court shall charge and collect, in addition to  
14 any other fees, an arbitration fee of \$8, except in counties  
15 with 3,000,000 or more inhabitants the fee shall be \$10, at  
16 the time of filing the first pleading, paper or other  
17 appearance filed by each party in all civil cases, but no  
18 additional fee shall be required if more than one party is  
19 represented in a single pleading, paper or other appearance.  
20 Arbitration fees received by the clerk of the circuit court  
21 pursuant to this Section shall be remitted within one month  
22 after receipt to the State Treasurer for deposit into the  
23 Mandatory Arbitration Fund, a special fund in the State  
24 treasury for the purpose of funding mandatory arbitration  
25 programs and such other alternative dispute resolution  
26 programs as may be authorized by circuit court rule for  
27 operation in counties that have implemented mandatory  
28 arbitration, with a separate account being maintained for  
29 each county. Notwithstanding any other provision of this  
30 Section to the contrary, and for State fiscal year 2004 only,  
31 up to \$5,500,000 of the Mandatory Arbitration Fund may be  
32 used for any other purpose authorized by the Supreme Court.

1 (Source: P.A. 88-108; 89-532, eff. 7-19-96.)

2 ARTICLE 999

3 Section 999-99. Effective date. This Act takes effect  
4 upon becoming law.".