



Rep. Jaime M. Andrade, Jr.

Filed: 3/30/2018

10000HB5611ham002

LRB100 20507 RJF 37875 a

1 AMENDMENT TO HOUSE BILL 5611

2 AMENDMENT NO. _____. Amend House Bill 5611 by replacing
3 everything after the enacting clause with the following:

4 "Article 1. Department of Innovation and Technology

5 Section 1-1. Short title. This Article may be cited as the
6 Department of Innovation and Technology Act. References in this
7 Article to "this Act" mean this Article.

8 Section 1-5. Definitions. In this Act:

9 "Bureau of Communications and Computer Services" means the
10 Bureau of Communications and Computer Services, also known as
11 the Bureau of Information and Communication Services, created
12 by rule (2 Illinois Administrative Code 750.40) within the
13 Department of Central Management Services.

14 "Client agency" means each transferring agency, or its
15 successor. "Client agency" also includes each other public

1 agency to which the Department provides service.

2 "Dedicated unit" means the dedicated bureau, division,
3 office, or other unit within a transferring agency that is
4 responsible for the information technology functions of the
5 transferring agency. For the Office of the Governor, "dedicated
6 unit" means the Information Technology Office, also known as
7 the Office of the Chief Information Officer. For the Department
8 of Central Management Services, "dedicated unit" means the
9 Bureau of Communications and Computer Services, also known as
10 the Bureau of Information and Communication Services.

11 "Department" means the Department of Innovation and
12 Technology.

13 "Information technology" means technology, infrastructure,
14 equipment, systems, software, networks, and processes used to
15 create, send, receive, and store electronic or digital
16 information, including, without limitation, computer systems
17 and telecommunication services and systems. "Information
18 technology" shall be construed broadly to incorporate future
19 technologies (such as sensors and balanced private hybrid or
20 public cloud posture tailored to the mission of the agency)
21 that change or supplant those in effect as of the effective
22 date of this Act.

23 "Information technology functions" means the development,
24 procurement, installation, retention, maintenance, operation,
25 possession, storage, and related functions of all information
26 technology.

1 "Information Technology Office" means the Information
2 Technology Office, also known as the Office of the Chief
3 Information Officer, within the Office of the Governor, created
4 by Executive Order 1999-05, or its successor.

5 "Legacy information technology division" means any
6 division, bureau, or other unit of a transferring agency which
7 has responsibility for information technology functions for
8 the agency prior to the transfer of those functions to the
9 Department, including, without limitation, the Bureau of
10 Communications and Computer Services.

11 "Secretary" means the Secretary of Innovation and
12 Technology.

13 "State agency" means each State agency, department, board,
14 and commission directly responsible to the Governor.

15 "Transferring agency" means the Department on Aging; the
16 Departments of Agriculture, Central Management Services,
17 Children and Family Services, Commerce and Economic
18 Opportunity, Corrections, Employment Security, Financial and
19 Professional Regulation, Healthcare and Family Services, Human
20 Rights, Human Services, Insurance, Juvenile Justice, Labor,
21 Lottery, Military Affairs, Natural Resources, Public Health,
22 Revenue, State Police, Transportation, and Veterans' Affairs;
23 the Capital Development Board; the Deaf and Hard of Hearing
24 Commission; the Environmental Protection Agency; the
25 Governor's Office of Management and Budget; the Guardianship
26 and Advocacy Commission; the Historic Preservation Agency; the

1 Illinois Arts Council; the Illinois Council on Developmental
2 Disabilities; the Illinois Emergency Management Agency; the
3 Illinois Gaming Board; the Illinois Health Information
4 Exchange Authority; the Illinois Liquor Control Commission;
5 the Illinois Student Assistance Commission; the Illinois
6 Technology Office; the Office of the State Fire Marshal; and
7 the Prisoner Review Board.

8 Section 1-10. Transfer of functions. On and after March 25,
9 2016 (the effective date of Executive Order 2016-001):

10 (a) For each transferring agency, the dedicated unit or
11 units within that agency responsible for information
12 technology functions together with those information
13 technology functions outside of the dedicated unit or units
14 within a transferring agency to which this Act applies shall be
15 designated by the Governor.

16 (b) All powers, duties, rights, and responsibilities of
17 those dedicated units and information technology functions
18 designated by the Governor are transferred to the Department of
19 Innovation and Technology.

20 (c) The personnel of each transferring agency designated by
21 the Governor are transferred to the Department of Innovation
22 and Technology. The status and rights of the employees and the
23 State of Illinois or its transferring agencies under the
24 Personnel Code, the Illinois Public Labor Relations Act, and
25 applicable collective bargaining agreements or under any

1 pension, retirement, or annuity plan shall not be affected by
2 this Act. Under the direction of the Governor, the Secretary,
3 in consultation with the transferring agencies and labor
4 organizations representing the affected employees, shall
5 identify each position and employee who is engaged in the
6 performance of functions transferred to the Department, or
7 engaged in the administration of a law the administration of
8 which is transferred to the Department, to be transferred to
9 the Department. An employee engaged primarily in providing
10 administrative support to a legacy information technology
11 division or information technology personnel may be considered
12 engaged in the performance of functions transferred to the
13 Department.

14 (d) All books, records, papers, documents, property (real
15 and personal), contracts, causes of action, and pending
16 business pertaining to the powers, duties, rights, and
17 responsibilities relating to dedicated units and information
18 technology functions transferred under this Act to the
19 Department of Innovation and Technology, including, but not
20 limited to, material in electronic or magnetic format and
21 necessary computer hardware and software, shall be transferred
22 to the Department of Innovation and Technology.

23 (e) All unexpended appropriations and balances and other
24 funds available for use relating to dedicated units and
25 information technology functions transferred under this Act
26 shall be transferred for use by the Department of Innovation

1 and Technology at the direction of the Governor. Unexpended
2 balances so transferred shall be expended only for the purpose
3 for which the appropriations were originally made.

4 (f) The powers, duties, rights, and responsibilities
5 relating to dedicated units and information technology
6 functions transferred by this Act shall be vested in and shall
7 be exercised by the Department of Innovation and Technology.

8 (g) Whenever reports or notices are now required to be made
9 or given or papers or documents furnished or served by any
10 person to or upon each dedicated unit in connection with any of
11 the powers, duties, rights, and responsibilities relating to
12 information technology functions transferred by this Act, the
13 same shall be made, given, furnished, or served in the same
14 manner to or upon the Department of Innovation and Technology.

15 (h) This Act does not affect any act done, ratified, or
16 canceled or any right occurring or established or any action or
17 proceeding had or commenced in an administrative, civil, or
18 criminal cause by each dedicated unit relating to information
19 technology functions before the transfer of responsibilities
20 under this Act; such actions or proceedings may be prosecuted
21 and continued by the Department of Innovation and Technology.

22 (i) Any rules of a dedicated unit or a transferring agency
23 that relate to the powers, duties, rights, and responsibilities
24 relating to the dedicated unit or to information technology
25 functions and are in full force on the effective date of this
26 Act shall become the rules of the Department of Innovation and

1 Technology. This Act does not affect the legality of any such
2 rules in the Illinois Administrative Code.

3 (j) Any proposed rules filed with the Secretary of State by
4 the dedicated unit or the transferring agency that are pending
5 in the rulemaking process on March 25, 2016 (the effective date
6 of Executive Order 2016-001) and that pertain to the powers,
7 duties, rights, and responsibilities of the dedicated unit or
8 the information technology functions transferred, shall be
9 deemed to have been filed by the Department of Innovation and
10 Technology. As soon as practicable, the Department of
11 Innovation and Technology shall revise and clarify the rules
12 transferred to it under this Act to reflect the reorganization
13 of powers, duties, rights, and responsibilities relating to
14 information technology functions affected by this Act, using
15 the procedures for recodification of rules available under the
16 Illinois Administrative Procedure Act, except that existing
17 title, part, and section numbering for the affected rules may
18 be retained. The Department of Innovation and Technology may
19 propose and adopt under the Illinois Administrative Procedure
20 Act such other rules of each dedicated unit or transferring
21 agency that will now be administered by the Department of
22 Innovation and Technology.

23 Section 1-15. Powers and duties. The Department shall
24 promote best-in-class innovation and technology to client
25 agencies to foster collaboration among client agencies,

1 empower client agencies to provide better service to residents
2 of Illinois, and maximize the value of taxpayer resources. The
3 Department shall be responsible for information technology
4 functions on behalf of client agencies.

5 The Department shall provide for and coordinate
6 information technology for State agencies and, when requested
7 and when in the best interests of the State, for State
8 constitutional offices, units of federal or local governments,
9 and public and not-for-profit institutions of primary,
10 secondary, and higher education, or other parties not
11 associated with State government. The Department shall
12 establish charges for information technology for State
13 agencies and, when requested, for State constitutional
14 offices, units of federal or local government, and public and
15 not-for-profit institutions of primary, secondary, or higher
16 education and for use by other parties not associated with
17 State government. Entities charged for these services shall
18 make payment to the Department. The Department may instruct all
19 State agencies to report their usage of information technology
20 regularly to the Department in the manner the Secretary may
21 prescribe.

22 The Department and each public agency shall continue to
23 have all authority provided to them under the Intergovernmental
24 Cooperation Act and other applicable law to enter into
25 interagency contracts. The Department may enter into contracts
26 to use personnel and other resources that are retained by

1 client agencies or other public agencies, to provide services
2 to public agencies within the State, and for other appropriate
3 purposes to accomplish the Department's mission.

4 Section 1-20. Security and interoperability. The
5 Department shall develop and implement standards, policies,
6 and procedures to protect the security and interoperability of
7 State data with respect to those agencies under the
8 jurisdiction of the Governor, including in particular data that
9 are confidential, sensitive, or protected from disclosure by
10 privacy or other laws, while recognizing and balancing the need
11 for collaboration and public transparency. The Department
12 shall comply with applicable federal and State laws pertaining
13 to information technology, data, and records of the Department
14 and the client agencies, including, without limitation, the
15 Freedom of Information Act, the State Records Act, the Personal
16 Information Protection Act, the federal Health Insurance
17 Portability and Accountability Act, the federal Health
18 Information Technology for Economic and Clinical Health Act,
19 and the federal Gramm-Leach-Bliley Act.

20 Section 1-25. Charges for services; non-State funding. The
21 Department may establish charges for services rendered by the
22 Department to client agencies from funds provided directly to
23 the client agency by appropriation or otherwise. In
24 establishing charges, the Department shall consult with client

1 agencies to make charges transparent and clear and seek to
2 minimize or avoid charges for costs for which the Department
3 has other funding sources available.

4 Client agencies shall continue to apply for and otherwise
5 seek federal funds and other capital and operational resources
6 for technology for which the agencies are eligible and, subject
7 to compliance with applicable laws, regulations, and grant
8 terms, make those funds available for use by the Department.
9 The Department shall assist client agencies in identifying
10 funding opportunities and, if funds are used by the Department,
11 ensuring compliance with all applicable laws, regulations, and
12 grant terms.

13 Section 1-30. Information technology.

14 (a) The Secretary shall be the Chief Information Officer
15 for the State and the steward of State data with respect to
16 those agencies under the jurisdiction of the Governor. It shall
17 be the duty of the Department and the policy of the State of
18 Illinois to manage or delegate the management of the
19 procurement, retention, installation, maintenance, and
20 operation of all information technology used by client
21 agencies, so as to achieve maximum economy consistent with
22 development of appropriate and timely information in a form
23 suitable for management analysis, in a manner that provides for
24 adequate security protection and back-up facilities for that
25 equipment, the establishment of bonding requirements, and a

1 code of conduct for all information technology personnel to
2 ensure the privacy of information technology information as
3 provided by law.

4 (b) The Department shall be responsible for providing the
5 Governor with timely, comprehensive, and meaningful
6 information pertinent to the formulation and execution of
7 fiscal policy. In performing this responsibility the
8 Department shall have the power to do the following:

9 (1) Control the procurement, retention, installation,
10 maintenance, and operation, as specified by the
11 Department, of information technology equipment used by
12 client agencies in such a manner as to achieve maximum
13 economy and provide appropriate assistance in the
14 development of information suitable for management
15 analysis.

16 (2) Establish principles and standards of information
17 technology-related reporting by client agencies and
18 priorities for completion of research by those agencies in
19 accordance with the requirements for management analysis
20 specified by the Department.

21 (3) Establish charges for information technology and
22 related services requested by client agencies and rendered
23 by the Department. The Department is likewise empowered to
24 establish prices or charges for all information technology
25 reports purchased by agencies and individuals not
26 connected with State government.

1 (4) Instruct all client agencies to report regularly to
2 the Department, in the manner the Department may prescribe,
3 their usage of information technology, the cost incurred,
4 the information produced, and the procedures followed in
5 obtaining the information. All client agencies shall
6 request from the Department assistance and consultation in
7 securing any necessary information technology to support
8 their requirements.

9 (5) Examine the accounts and information
10 technology-related data of any organization, body, or
11 agency receiving appropriations from the General Assembly,
12 except for a State constitutional office. For a State
13 constitutional office, the Department shall have the power
14 to examine the accounts and information technology-related
15 data of the State constitutional office when requested by
16 that office.

17 (6) Install and operate a modern information
18 technology system utilizing equipment adequate to satisfy
19 the requirements for analysis and review as specified by
20 the Department. Expenditures for information technology
21 and related services rendered shall be reimbursed by the
22 recipients. The reimbursement shall be determined by the
23 Department as amounts sufficient to reimburse the
24 Technology Management Revolving Fund for expenditures
25 incurred in rendering the services.

26 (c) In addition to the other powers and duties listed in

1 subsection (b), the Department shall analyze the present and
2 future aims, needs, and requirements of information
3 technology, research, and planning in order to provide for the
4 formulation of overall policy relative to the use of
5 information technology and related equipment by the State of
6 Illinois. In making this analysis, the Department shall
7 formulate a master plan for information technology, utilizing
8 information technology most advantageously, and advising
9 whether information technology should be leased or purchased by
10 the State. The Department shall prepare and submit interim
11 reports of meaningful developments and proposals for
12 legislation to the Governor on or before January 30 each year.
13 The Department shall engage in a continuing analysis and
14 evaluation of the master plan so developed, and it shall be the
15 responsibility of the Department to recommend from time to time
16 any needed amendments and modifications of any master plan
17 enacted by the General Assembly.

18 (d) The Department may make information technology and the
19 use of information technology available to units of local
20 government, elected State officials, State educational
21 institutions, the judicial branch, the legislative branch, and
22 all other governmental units of the State requesting them. The
23 Department shall establish prices and charges for the
24 information technology so furnished and for the use of the
25 information technology. The prices and charges shall be
26 sufficient to reimburse the cost of furnishing the services and

1 use of information technology.

2 (e) The Department may establish standards to provide
3 consistency in the operation and use of information technology.

4 Section 1-35. Communications.

5 (a) The Department shall develop and implement a
6 comprehensive plan to coordinate or centralize communications
7 among State agencies with offices at different locations. The
8 plan shall be updated based on a continuing study of
9 communications problems of State government and shall include
10 any information technology related equipment or service used
11 for communication purposes including digital, analog, or
12 future transmission medium, whether for voice, data, or any
13 combination thereof. The plan shall take into consideration
14 systems that might effect economies, including, but not limited
15 to, quantity discount services and may include provision of
16 telecommunications service to local and federal government
17 entities located within this State if State interests can be
18 served by so doing.

19 (b) The Department shall provide for and coordinate
20 communications services for State agencies and, when requested
21 and when in the best interests of the State, for units of
22 federal or local governments and public and not-for-profit
23 institutions of primary, secondary, and higher education. The
24 Department may make use of, or support or provide any
25 information technology related communications equipment or

1 services necessary and available to support the needs of
2 interested parties not associated with State government
3 provided that State government usage shall have first priority.
4 For this purpose the Department shall have the power to do all
5 of the following:

6 (1) Provide for and control the procurement,
7 retention, installation, and maintenance of communications
8 equipment or services used by State agencies in the
9 interest of efficiency and economy.

10 (2) Review existing standards and, where appropriate,
11 propose to establish new or modified standards for State
12 agencies which shall include a minimum of one
13 telecommunication device for the deaf installed and
14 operational within each State agency, to provide public
15 access to agency information for those persons who are
16 hearing or speech impaired. The Department shall consult
17 the Department of Human Services to develop standards and
18 implementation for this equipment.

19 (3) Establish charges for information technology for
20 State agencies and, when requested, for units of federal or
21 local government and public and not-for-profit
22 institutions of primary, secondary, or higher education.
23 Entities charged for these services shall pay the
24 Department.

25 (4) Instruct all State agencies to report their usage
26 of communication services regularly to the Department in

1 the manner the Department may prescribe.

2 (5) Analyze the present and future aims and needs of
3 all State agencies in the area of communications services
4 and plan to serve those aims and needs in the most
5 effective and efficient manner.

6 (6) Provide telecommunications and other
7 communications services.

8 (7) Establish the administrative organization within
9 the Department that is required to accomplish the purpose
10 of this Section.

11 As used in this subsection (b) only, "State agencies" means
12 all departments, officers, commissions, boards, institutions,
13 and bodies politic and corporate of the State except (i) the
14 judicial branch, including, without limitation, the several
15 courts of the State, the offices of the clerk of the supreme
16 court and the clerks of the appellate court, and the
17 Administrative Office of the Illinois Courts, (ii) State
18 constitutional offices, and (iii) the General Assembly,
19 legislative service agencies, and all officers of the General
20 Assembly.

21 This subsection (b) does not apply to the procurement of
22 Next Generation 9-1-1 service as governed by Section 15.6b of
23 the Emergency Telephone System Act.

24 Section 1-40. Bulk long distance telephone services for
25 military personnel in military service.

1 (a) As used in this Section only:

2 "Immediate family" means a service member's spouse
3 residing in the service member's household, brothers and
4 sisters of the whole or of the half blood, children, including
5 adopted children and stepchildren, parents, and grandparents.

6 "Military service" means any full-time training or duty, no
7 matter how described under federal or State law, for which a
8 service member is ordered to report by the President, Governor
9 of a state, commonwealth, or territory of the United States, or
10 other appropriate military authority.

11 "Service member" means a resident of Illinois who is a
12 member of any component of the United States Armed Forces or
13 the National Guard of any state, the District of Columbia, a
14 commonwealth, or a territory of the United States.

15 (b) The Department may enter into a contract to purchase
16 bulk long distance telephone services and make them available
17 at cost, or may make bulk long distance telephone services
18 available at cost under any existing contract the Department
19 has entered into, to persons in the immediate family of service
20 members that have entered military service so that those
21 persons in the service members' families can communicate with
22 the service members. If the Department enters into a contract
23 under this Section, it shall do so in accordance with the
24 Illinois Procurement Code and in a nondiscriminatory manner
25 that does not place any potential vendor at a competitive
26 disadvantage.

1 (c) In order to be eligible to use bulk long distance
2 telephone services purchased by the Department under this
3 Section, a service member or person in the service member's
4 immediate family must provide the Department with a copy of the
5 orders calling the service member to military service in excess
6 of 29 consecutive days and of any orders further extending the
7 service member's period of military service.

8 (d) If the Department enters into a contract under this
9 Section, the Department shall adopt rules as necessary to
10 implement this Section.

11 Section 1-45. Grants for distance learning services. The
12 Department may award grants to public community colleges and
13 education service centers for development and implementation
14 of telecommunications systems that provide distance learning
15 services.

16 Section 1-50. Rulemaking. The Department may adopt rules
17 under the Illinois Administrative Procedure Act necessary to
18 carry out its responsibilities under this Act.

19 Section 1-55. Executive Orders.

20 (a) Executive Order 2016-001. The Department of Innovation
21 and Technology was created by Executive Order 2016-001. This
22 Act is the implementation of that Executive Order, together
23 with additional provisions to ensure that the Department of

1 Innovation and Technology is able to function as intended under
2 that Executive Order. The intent of this Act is to ensure that
3 the Department is able to fulfill its duties and purpose under
4 that Executive Order. In the event of a conflict between the
5 provisions of the Executive Order and this Act, this Act shall
6 be controlling.

7 (b) Executive Order 1999-05. The Information Technology
8 Office, also known as the Office of the Chief Information
9 Officer, was created by Executive Order 1999-05. That Executive
10 Order is superseded by this Act.

11 Section 1-60. Construction.

12 (a) Notwithstanding any provision of law to the contrary,
13 on and after the effective date of this Act, references to
14 "Bureau of Communications and Computer Services", "Bureau of
15 Information and Communication Services", "Information
16 Technology Office", or "Office of the Chief Information
17 Officer" shall be construed as references to the Department of
18 Innovation and Technology.

19 (b) Notwithstanding any provision of law to the contrary,
20 on and after the effective date of this Act, references to
21 "Chief Information Officer of the State" shall be construed as
22 references to the Secretary of Innovation and Technology.

23 Section 1-905. The Civil Administrative Code of Illinois is
24 amended by changing Sections 5-10, 5-15, 5-20, and 5-605 and by

1 adding Sections 5-195 and 5-357 as follows:

2 (20 ILCS 5/5-10) (was 20 ILCS 5/2.1)

3 Sec. 5-10. "Director". As used in the Civil Administrative
4 Code of Illinois, unless the context clearly indicates
5 otherwise, the word "director" means the several directors of
6 the departments of State government as designated in Section
7 5-20 of this Law and includes the Secretary of Financial and
8 Professional Regulation, the Secretary of Innovation and
9 Technology, the Secretary of Human Services, and the Secretary
10 of Transportation.

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

12 (20 ILCS 5/5-15) (was 20 ILCS 5/3)

13 Sec. 5-15. Departments of State government. The
14 Departments of State government are created as follows:

15 The Department on Aging.

16 The Department of Agriculture.

17 The Department of Central Management Services.

18 The Department of Children and Family Services.

19 The Department of Commerce and Economic Opportunity.

20 The Department of Corrections.

21 The Department of Employment Security.

22 The Illinois Emergency Management Agency.

23 The Department of Financial and Professional Regulation.

24 The Department of Healthcare and Family Services.

1 The Department of Human Rights.
2 The Department of Human Services.
3 The Department of Innovation and Technology.
4 The Department of Juvenile Justice.
5 The Department of Labor.
6 The Department of the Lottery.
7 The Department of Natural Resources.
8 The Department of Public Health.
9 The Department of Revenue.
10 The Department of State Police.
11 The Department of Transportation.
12 The Department of Veterans' Affairs.

13 (Source: P.A. 96-328, eff. 8-11-09; 97-618, eff. 10-26-11.)

14 (20 ILCS 5/5-20) (was 20 ILCS 5/4)

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

21 The following officers are hereby created:

22 Director of Aging, for the Department on Aging.

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

25 Director of Central Management Services, for the

1 Department of Central Management Services.

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

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

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

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

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

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

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

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

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

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

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

24 Director of Labor, for the Department of Labor.

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

26 Director of Natural Resources, for the Department of

1 Natural Resources.

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

4 Director of Revenue, for the Department of Revenue.

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

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

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

11 (Source: P.A. 97-464, eff. 10-15-11; 97-618, eff. 10-26-11;
12 97-813, eff. 7-13-12; 98-499, eff. 8-16-13.)

13 (20 ILCS 5/5-195 new)

14 Sec. 5-195. In the Department of Innovation and Technology.
15 Assistant Secretary of Innovation and Technology.

16 (20 ILCS 5/5-357 new)

17 Sec. 5-357. In the Department of Innovation and Technology.
18 The Secretary of Innovation and Technology and the Assistant
19 Secretary of Innovation and Technology shall each receive an
20 annual salary as set by law.

21 (20 ILCS 5/5-605) (was 20 ILCS 5/12)

22 Sec. 5-605. Appointment of officers. Each officer whose
23 office is created by the Civil Administrative Code of Illinois

1 or by any amendment to the Code shall be appointed by the
2 Governor, by and with the advice and consent of the Senate. In
3 case of vacancies in those offices during the recess of the
4 Senate, the Governor shall make a temporary appointment until
5 the next meeting of the Senate, when the Governor shall
6 nominate some person to fill the office, and any person so
7 nominated who is confirmed by the Senate shall hold office
8 during the remainder of the term and until his or her successor
9 is appointed and qualified. If the Senate is not in session at
10 the time the Code or any amendments to the Code take effect,
11 the Governor shall make a temporary appointment as in the case
12 of a vacancy.

13 During the absence or inability to act of the director or
14 secretary of any department, ~~or of the Secretary of Human~~
15 ~~Services or the Secretary of Transportation,~~ or in case of a
16 vacancy in any such office until a successor is appointed and
17 qualified, the Governor may designate some person as acting
18 director or acting secretary to execute the powers and
19 discharge the duties vested by law in that director or
20 secretary.

21 During the term of a General Assembly, the Governor may not
22 designate a person to serve as an acting director or secretary
23 under this Section if that person's nomination to serve as the
24 director or secretary of that same Department was rejected by
25 the Senate of the same General Assembly. This Section is
26 subject to the provisions of subsection (c) of Section 3A-40 of

1 the Illinois Governmental Ethics Act.

2 (Source: P.A. 97-582, eff. 8-26-11.)

3 Section 1-910. The Department of Central Management
4 Services Law of the Civil Administrative Code of Illinois is
5 amended by changing Sections 405-10, 405-270, and 405-410 as
6 follows:

7 (20 ILCS 405/405-10) (was 20 ILCS 405/35.3)

8 Sec. 405-10. Director's duties; State policy. It shall be
9 the duty of the Director and the policy of the State of
10 Illinois to do the following:

11 (1) Place financial responsibility on State agencies
12 (as defined in subsection (b) of Section 405-5) and hold
13 them accountable for the proper discharge of this
14 responsibility.

15 (2) Require professional, accurate, and current
16 accounting with the State agencies (as defined in
17 subsection (b) of Section 405-5).

18 (3) Decentralize fiscal, procedural, and
19 administrative operations to expedite the business of the
20 State and to avoid expense, unwieldiness, inefficiency,
21 and unnecessary duplication where decentralization is
22 consistent with proper fiscal management.

23 (4) (Blank). ~~Manage or delegate the management of the~~
24 ~~procurement, retention, installation, maintenance, and~~

1 ~~operation of all electronic data processing equipment used~~
2 ~~by State agencies as defined in Section 405-20, so as to~~
3 ~~achieve maximum economy consistent with development of~~
4 ~~adequate and timely information in a form suitable for~~
5 ~~management analysis, in a manner that provides for adequate~~
6 ~~security protection and back up facilities for that~~
7 ~~equipment, the establishment of bonding requirements, and~~
8 ~~a code of conduct for all electronic data processing~~
9 ~~personnel to ensure the privacy of electronic data~~
10 ~~processing information as provided by law.~~

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

12 (20 ILCS 405/405-270) (was 20 ILCS 405/67.18)

13 Sec. 405-270. Broadcast communications ~~Communications~~
14 services. To provide for and coordinate broadcast ~~co ordinate~~
15 communications services for State agencies and, when requested
16 and when in the best interests of the State, for units of
17 federal or local governments and public and not-for-profit
18 institutions of primary, secondary, and higher education. The
19 Department may make use of its satellite uplink available to
20 interested parties not associated with State government
21 provided that State government usage shall have first priority.
22 For this purpose the Department shall have the power and duty
23 to do all of the following:

24 (1) Provide for and control the procurement,
25 retention, installation, and maintenance of video

1 recording, satellite uplink, public information, and
2 broadcast communications equipment or services used by
3 State agencies in the interest of efficiency and economy.

4 (2) (Blank). ~~Establish standards by January 1, 1989 for~~
5 ~~communications services for State agencies which shall~~
6 ~~include a minimum of one telecommunication device for the~~
7 ~~deaf installed and operational within each State agency, to~~
8 ~~provide public access to agency information for those~~
9 ~~persons who are hearing or speech impaired. The Department~~
10 ~~shall consult the Department of Human Services to develop~~
11 ~~standards and implementation for this equipment.~~

12 (3) Establish charges (i) for video recording,
13 satellite uplink, public information, and broadcast
14 communication services for State agencies and, when
15 requested, for units of federal or local government and
16 public and not-for-profit institutions of primary,
17 secondary, or higher education and (ii) for use of the
18 Department's satellite uplink by parties not associated
19 with State government. Entities charged for these services
20 shall reimburse the Department.

21 (4) Instruct all State agencies to report their usage
22 of video recording, satellite uplink, public information,
23 and broadcast communication services regularly to the
24 Department in the manner the Director may prescribe.

25 (5) Analyze the present and future aims and needs of
26 all State agencies in the area of video recording,

1 satellite uplink, public information, and broadcast
2 communications services and plan to serve those aims and
3 needs in the most effective and efficient manner.

4 (6) Provide ~~services, including, but not limited to,~~
5 ~~telecommunications,~~ video recording, satellite uplink,
6 public information, and broadcast ~~other~~ communications
7 services.

8 (7) Establish the administrative organization within
9 the Department that is required to accomplish the purpose
10 of this Section.

11 The Department is authorized, in consultation with the
12 Department of Innovation and Technology, to conduct a study for
13 the purpose of determining technical, engineering, and
14 management specifications for the networking, compatible
15 connection, or shared use of existing and future public and
16 private owned television broadcast and reception facilities,
17 including but not limited to terrestrial microwave, fiber
18 optic, and satellite, for broadcast and reception of
19 educational, governmental, and business programs, and to
20 implement those specifications.

21 However, the Department may not control or interfere with
22 the input of content into the broadcast communications
23 ~~telecommunications~~ systems by the several State agencies or
24 units of federal or local government, or public or
25 not-for-profit institutions of primary, secondary, and higher
26 education, or users of the Department's satellite uplink.

1 As used in this Section, the term "State agencies" means
2 all departments, officers, commissions, boards, institutions,
3 and bodies politic and corporate of the State except (i) the
4 judicial branch, including, without limitation, the several
5 courts of the State, the offices of the clerk of the supreme
6 court and the clerks of the appellate court, and the
7 Administrative Office of the Illinois Courts and (ii) the
8 General Assembly, legislative service agencies, and all
9 officers of the General Assembly.

10 This Section does not apply to the procurement of Next
11 Generation 9-1-1 service as governed by Section 15.6b of the
12 Emergency Telephone System Act.

13 In the event of a conflict between the provisions of this
14 Section and any provision of the Department of Innovation and
15 Technology Act, the Department of Innovation and Technology Act
16 shall be controlling.

17 (Source: P.A. 99-6, eff. 1-1-16.)

18 (20 ILCS 405/405-410)

19 Sec. 405-410. Transfer of Information Technology
20 functions.

21 (a) Notwithstanding any other law to the contrary, the
22 Secretary of Innovation and Technology ~~Director of Central~~
23 ~~Management Services~~, working in cooperation with the Director
24 of any other agency, department, board, or commission directly
25 responsible to the Governor, may direct the transfer, to the

1 Department of Innovation and Technology ~~Central Management~~
2 ~~Services~~, of those information technology functions at that
3 agency, department, board, or commission that are suitable for
4 centralization.

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

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

1 support of information technology functions or any other
2 related costs or expenses of the Department of Innovation and
3 Technology Central Management Services.

4 (c) The rights of employees and the State and its agencies
5 under the Personnel Code and applicable collective bargaining
6 agreements or under any pension, retirement, or annuity plan
7 shall not be affected by any transfer under this Section.

8 (d) The functions transferred to the Department of
9 Innovation and Technology Central Management Services by this
10 Section shall be vested in and shall be exercised by the
11 Department of Innovation and Technology Central Management
12 Services. Each act done in the exercise of those functions
13 shall have the same legal effect as if done by the agencies,
14 offices, divisions, departments, bureaus, boards and
15 commissions from which they were transferred.

16 Every person or other entity shall be subject to the same
17 obligations and duties and any penalties, civil or criminal,
18 arising therefrom, and shall have the same rights arising from
19 the exercise of such rights, powers, and duties as had been
20 exercised by the agencies, offices, divisions, departments,
21 bureaus, boards, and commissions from which they were
22 transferred.

23 Whenever reports or notices are now required to be made or
24 given or papers or documents furnished or served by any person
25 in regards to the functions transferred to or upon the
26 agencies, offices, divisions, departments, bureaus, boards,

1 and commissions from which the functions were transferred, the
2 same shall be made, given, furnished or served in the same
3 manner to or upon the Department of Innovation and Technology
4 ~~Central Management Services~~.

5 This Section does not affect any act done, ratified, or
6 cancelled or any right occurring or established or any action
7 or proceeding had or commenced in an administrative, civil, or
8 criminal cause regarding the functions transferred, but those
9 proceedings may be continued by the Department of Innovation
10 and Technology ~~Central Management Services~~.

11 This Section does not affect the legality of any rules in
12 the Illinois Administrative Code regarding the functions
13 transferred in this Section that are in force on the effective
14 date of this Section. If necessary, however, the affected
15 agencies shall propose, adopt, or repeal rules, rule
16 amendments, and rule recodifications as appropriate to
17 effectuate this Section.

18 (Source: P.A. 100-23, eff. 7-6-17.)

19 (20 ILCS 405/405-20 rep.)

20 (20 ILCS 405/405-250 rep.)

21 (20 ILCS 405/405-255 rep.)

22 (20 ILCS 405/405-260 rep.)

23 (20 ILCS 405/405-265 rep.)

24 Section 1-915. The Department of Central Management
25 Services Law of the Civil Administrative Code of Illinois is

1 amended by repealing Sections 405-20, 405-250, 405-255,
2 405-260, and 405-265.

3 Section 1-920. The Department of Commerce and Economic
4 Opportunity Law of the Civil Administrative Code of Illinois is
5 amended by changing Sections 605-680 and 605-1007 as follows:

6 (20 ILCS 605/605-680)

7 Sec. 605-680. Illinois goods and services website.

8 (a) The Department, in consultation with the Department of
9 Innovation and Technology, must establish and maintain an
10 Internet website devoted to the marketing of Illinois goods and
11 services by linking potential purchasers with producers of
12 goods and services who are located in the State.

13 (b) The Department must advertise the website to encourage
14 inclusion of producers on the website and to encourage the use
15 of the website by potential purchasers.

16 (Source: P.A. 93-868, eff. 1-1-05.)

17 Section 1-925. The Department of Commerce and Economic
18 Opportunity Law of the Civil Administrative Code of Illinois is
19 amended by changing Section 605-1007 as follows:

20 (20 ILCS 605/605-1007)

21 Sec. 605-1007. New business permitting portal.

22 (a) By July 1, 2017, the Department shall create and

1 maintain, in consultation with the Department of Innovation and
2 Technology, a website to help persons wishing to create new
3 businesses or relocate businesses to Illinois. The Department
4 shall consult with at least one organization representing small
5 businesses in this State while creating the website.

6 (b) The website shall include:

7 (1) an estimate of license and permitting fees for
8 different businesses;

9 (2) State government application forms for business
10 licensing or registration;

11 (3) hyperlinks to websites of the responsible agency or
12 organization responsible for accepting the application;
13 and

14 (4) contact information for any local government
15 permitting agencies that may be relevant.

16 (c) The Department shall contact all agencies to obtain
17 business forms and other information for this website. Those
18 agencies shall respond to the Department before July 1, 2016.

19 (d) The website shall also include some mechanism for the
20 potential business owner to request more information from the
21 Department that may be helpful in starting the business,
22 including, but not limited to, State-based incentives that the
23 business owner may qualify for when starting or relocating a
24 business.

25 (e) The Department shall update the website at least once a
26 year before July 1. The Department shall request that other

1 State agencies report any changes in applicable application
2 forms to the Department by June 1 of every year after 2016.

3 (Source: P.A. 99-134, eff. 1-1-16.)

4 Section 1-930. The State Fire Marshal Act is amended by
5 changing Section 2.5 as follows:

6 (20 ILCS 2905/2.5)

7 Sec. 2.5. Equipment exchange program.

8 (a) The Office shall create and maintain an equipment
9 exchange program under which fire departments, fire protection
10 districts, and township fire departments can donate or sell
11 equipment to, trade equipment with, or buy equipment from each
12 other.

13 (b) Under this program, the Office, in consultation with
14 the Department of Innovation and Technology shall maintain a
15 website that allows fire departments, fire protection
16 districts, and township fire departments to post information
17 and photographs about needed equipment and equipment that is
18 available for trade, donation, or sale. This website must be
19 separate from, and not a part of, the Office's main website;
20 however, the Office must post a hyperlink on its main website
21 that points to the website established under this subsection
22 (b).

23 (c) The Office or a fire department, fire protection
24 district, or township fire department that donates, trades, or

1 sells fire protection equipment to another fire department,
2 fire protection district, or township fire department under
3 this Section is not liable for any damage or injury caused by
4 the donated, traded, or sold fire protection equipment, except
5 for damage or injury caused by its willful and wanton
6 misconduct, if it discloses in writing to the recipient at the
7 time of the donation, trade, or sale any known damage to or
8 deficiencies in the equipment.

9 This Section does not relieve any fire department, fire
10 protection district, or township fire department from
11 liability, unless otherwise provided by law, for any damage or
12 injury caused by donated, traded, or sold fire protection
13 equipment that was received through the equipment exchange
14 program.

15 (d) The Office must promote the program to encourage the
16 efficient exchange of equipment among local government
17 entities.

18 (e) The Office must implement the changes to the equipment
19 exchange program required under this amendatory Act of the 94th
20 General Assembly no later than July 1, 2006.

21 (Source: P.A. 93-305, eff. 7-23-03; 94-175, eff. 7-12-05.)

22 Section 1-935. The Illinois Century Network Act is amended
23 by changing Sections 5, 10, and 15 and by adding Section 7 as
24 follows:

1 (20 ILCS 3921/5)

2 Sec. 5. Legislative findings and declarations. The General
3 Assembly finds and declares:

4 (1) That computing and communications technologies are
5 essential for sustaining economic competitiveness and
6 fostering the educational vitality of this State.

7 (2) That there is an established need for a
8 telecommunications infrastructure that will provide
9 high-speed, reliable, and cost-effective digital
10 connections throughout the State.

11 (3) That a network is required that will deliver
12 educational programs, advanced training, and access to the
13 growing global wealth of information services to citizens
14 in all parts of this State.

15 (4) That the State and communication providers shall
16 continue to collaborate to deliver communications links to
17 anchor institutions in Illinois.

18 (Source: P.A. 91-21, eff. 7-1-99.)

19 (20 ILCS 3921/7 new)

20 Sec. 7. Definitions. Beginning on July 1, 2018, as used in
21 this Act, "anchor institutions" means Illinois schools,
22 institutions of higher education, libraries, museums, research
23 institutions, State agencies, and units of local government.

24 (20 ILCS 3921/10)

1 Sec. 10. Illinois Century Network. The Illinois Century
2 Network shall be a service creating and maintaining high speed
3 telecommunications networks that provide reliable
4 communication links for wholesale connections with other
5 registered or certified providers and the direct communication
6 needs of various anchor institutions throughout Illinois ~~to and~~
7 ~~among Illinois schools, institutions of higher education,~~
8 ~~libraries, museums, research institutions, State agencies,~~
9 ~~units of local government, and other local entities that~~
10 ~~provide services to Illinois citizens.~~ The Illinois Century
11 Network ~~may shall~~ build on existing investments in networking
12 schools, colleges, and universities, and shall avoid
13 duplication of existing communication networks if those
14 networks are capable of maintaining ~~future efforts, maintain~~
15 sufficient capacity to meet the requirements of anchor
16 institutions ~~the participating institutions, and stay current~~
17 ~~with rapid developments in technology.~~ The Illinois Century
18 Network ~~shall be capable of delivering state of the art access~~
19 ~~to education, training, and electronic information and shall~~
20 ~~provide access to networking technologies for institutions~~
21 ~~located in even the most remote areas of this State.~~

22 By July 1, 2019, the Department of Innovation and
23 Technology shall perform a comprehensive review of the Illinois
24 Century Network including, but not limited to, assets,
25 connections, hardware, and capacity of the current network.
26 Nothing in this amendatory Act of the 100th General Assembly

1 shall change contractual obligations of the Illinois Century
2 Network that are effective on or before the effective date of
3 this amendatory Act of the 100th General Assembly.

4 (Source: P.A. 91-21, eff. 7-1-99; 92-691, eff. 7-18-02.)

5 (20 ILCS 3921/15)

6 Sec. 15. Management of the Illinois Century Network.

7 (a) The Department of Innovation and Technology shall
8 govern the staffing and contractual services necessary to
9 support the activities of the Illinois Century Network.

10 ~~Staffing and contractual services necessary to support the~~
11 ~~network's activities shall be governed by the Illinois Century~~
12 ~~Network Policy Committee. The committee shall include:~~

13 ~~(1) 6 standing members as follows:~~

14 ~~(i) the Illinois State Library Director or~~
15 ~~designee;~~

16 ~~(ii) the Illinois State Museum Director or~~
17 ~~designee;~~

18 ~~(iii) the Executive Director of the Board of Higher~~
19 ~~Education or designee;~~

20 ~~(iv) the Executive Director of the Illinois~~
21 ~~Community College Board or designee;~~

22 ~~(v) the State Board of Education State~~
23 ~~Superintendent or designee; and~~

24 ~~(vi) the Director of Central Management Services~~
25 ~~or designee;~~

1 ~~(2) up to 7 members who are appointed by the Governor~~
2 ~~and who:~~

3 ~~(i) have experience and background in private K-12~~
4 ~~education, private higher education, or who are from~~
5 ~~other participant constituents that are not already~~
6 ~~represented;~~

7 ~~(ii) shall serve staggered terms up to 3 years as~~
8 ~~designated by the Governor; and~~

9 ~~(iii) shall serve until a successor is appointed~~
10 ~~and qualified; and~~

11 ~~(3) a Chairperson who is appointed by the Governor and~~
12 ~~who shall serve a term of 2 years and until a successor is~~
13 ~~appointed and qualified.~~

14 (b) (Blank). ~~Illinois Century Network Policy Committee~~
15 ~~members shall serve without compensation but shall be entitled~~
16 ~~to reimbursement for reasonable expenses of travel for members~~
17 ~~who are required to travel for a distance greater than 20 miles~~
18 ~~to participate in business of the Illinois Century Network~~
19 ~~Policy Committee.~~

20 (Source: P.A. 98-719, eff. 1-1-15.)

21 (20 ILCS 3921/20 rep.)

22 Section 1-937. The Illinois Century Network Act is amended
23 by repealing Section 20.

24 Section 1-940. The State Finance Act is amended by changing

1 Sections 6p-1, 6p-2, 8.16a, and 8.16b as follows:

2 (30 ILCS 105/6p-1) (from Ch. 127, par. 142p1)

3 Sec. 6p-1. The Technology Management Revolving Fund
4 (formerly known as the Statistical Services Revolving Fund)
5 shall be initially financed by a transfer of funds from the
6 General Revenue Fund. Thereafter, all fees and other monies
7 received by the Department of Innovation and Technology ~~Central~~
8 ~~Management Services~~ in payment for information technology and
9 related ~~statistical~~ services rendered pursuant to subsection
10 (b) of Section 30 of the Department of Innovation and
11 Technology Act ~~Section 405-20 of the Department of Central~~
12 ~~Management Services Law (20 ILCS 405/405-20)~~ shall be paid into
13 the Technology Management Revolving Fund. On and after July 1,
14 2017, or after sufficient moneys have been received in the
15 Communications Revolving Fund to pay all Fiscal Year 2017
16 obligations payable from the Fund, whichever is later, all fees
17 and other moneys received by the Department of Central
18 Management Services in payment for communications services
19 rendered pursuant to the Department of Central Management
20 Services Law of the Civil Administrative Code of Illinois or
21 sale of surplus State communications equipment shall be paid
22 into the Technology Management Revolving Fund. The money in
23 this fund shall be used by the Department of Innovation and
24 Technology ~~Central Management Services~~ as reimbursement for
25 expenditures incurred in rendering information technology and

1 related ~~statistical~~ services and, beginning July 1, 2017, as
2 reimbursement for expenditures incurred in relation to
3 communications services.

4 (Source: P.A. 100-23, eff. 7-6-17.)

5 (30 ILCS 105/6p-2) (from Ch. 127, par. 142p2)

6 Sec. 6p-2. The Communications Revolving Fund shall be
7 initially financed by a transfer of funds from the General
8 Revenue Fund. Thereafter, through June 30, 2017, all fees and
9 other monies received by the Department of Innovation and
10 Technology ~~Central Management Services~~ in payment for
11 communications services rendered pursuant to the Department of
12 Innovation and Technology Act ~~Central Management Services Law~~
13 or sale of surplus State communications equipment shall be paid
14 into the Communications Revolving Fund. Except as otherwise
15 provided in this Section, the money in this fund shall be used
16 by the Department of Innovation and Technology ~~Central~~
17 ~~Management Services~~ as reimbursement for expenditures incurred
18 in relation to communications services.

19 On the effective date of this amendatory Act of the 93rd
20 General Assembly, or as soon as practicable thereafter, the
21 State Comptroller shall order transferred and the State
22 Treasurer shall transfer \$3,000,000 from the Communications
23 Revolving Fund to the Emergency Public Health Fund to be used
24 for the purposes specified in Section 55.6a of the
25 Environmental Protection Act.

1 In addition to any other transfers that may be provided for
2 by law, on July 1, 2011, or as soon thereafter as practical,
3 the State Comptroller shall direct and the State Treasurer
4 shall transfer the sum of \$5,000,000 from the General Revenue
5 Fund to the Communications Revolving Fund.

6 Notwithstanding any other provision of law, in addition to
7 any other transfers that may be provided by law, on July 1,
8 2017, or after sufficient moneys have been received in the
9 Communications Revolving Fund to pay all Fiscal Year 2017
10 obligations payable from the Fund, whichever is later, the
11 State Comptroller shall direct and the State Treasurer shall
12 transfer the remaining balance from the Communications
13 Revolving Fund into the Technology Management Revolving Fund.
14 Upon completion of the transfer, any future deposits due to
15 that Fund and any outstanding obligations or liabilities of
16 that Fund pass to the Technology Management Revolving Fund.

17 (Source: P.A. 100-23, eff. 7-6-17.)

18 (30 ILCS 105/8.16a) (from Ch. 127, par. 144.16a)

19 Sec. 8.16a. Appropriations for the procurement,
20 installation, retention, maintenance and operation of
21 electronic data processing and information technology devices
22 and software used by State ~~state~~ agencies subject to subsection
23 (b) of Section 30 of the Department of Innovation and
24 Technology Act ~~Section 405-20 of the Department of Central~~
25 ~~Management Services Law (20 ILCS 405/405-20)~~, the purchase of

1 necessary supplies and equipment and accessories thereto, and
2 all other expenses incident to the operation and maintenance of
3 those electronic data processing and information technology
4 devices and software are payable from the Technology Management
5 Revolving Fund. However, no contract shall be entered into or
6 obligation incurred for any expenditure from the Technology
7 Management Revolving Fund until after the purpose and amount
8 has been approved in writing by the Secretary of Innovation and
9 Technology Director of Central Management Services. Until
10 there are sufficient funds in the Technology Management
11 Revolving Fund (formerly known as the Statistical Services
12 Revolving Fund) to carry out the purposes of this amendatory
13 Act of 1965, however, the State agencies subject to subsection
14 (b) of Section 30 of the Department of Innovation and
15 Technology Act ~~that Section 405-20~~ shall, on written approval
16 of the Secretary of Innovation and Technology Director of
17 ~~Central Management Services~~, pay the cost of operating and
18 maintaining electronic data processing systems from current
19 appropriations as classified and standardized in the State
20 Finance Act.

21 (Source: P.A. 100-23, eff. 7-6-17.)

22 (30 ILCS 105/8.16b) (from Ch. 127, par. 144.16b)

23 Sec. 8.16b. Appropriations for expenses related to
24 communications services pursuant to the Civil Administrative
25 Code of Illinois are payable from the Communications Revolving

1 Fund. However, no contract shall be entered into or obligation
2 incurred for any expenditure from the Communications Revolving
3 Fund until after the purpose and amount has been approved in
4 writing by the Secretary of Innovation and Technology ~~Director~~
5 ~~of Central Management Services~~.

6 (Source: P.A. 87-817.)

7 Section 1-943. The Illinois Procurement Code is amended by
8 changing Section 20-60 as follows:

9 (30 ILCS 500/20-60)

10 Sec. 20-60. Duration of contracts.

11 (a) Maximum duration. A contract may be entered into for
12 any period of time deemed to be in the best interests of the
13 State but not exceeding 10 years inclusive, beginning January
14 1, 2010, of proposed contract renewals. Third parties may lease
15 State-owned dark fiber networks for any period of time deemed
16 to be in the best interest of the State, but not exceeding 20
17 years. The length of a lease for real property or capital
18 improvements shall be in accordance with the provisions of
19 Section 40-25. The length of energy conservation program
20 contracts or energy savings contracts or leases shall be in
21 accordance with the provisions of Section 25-45. A contract for
22 bond or mortgage insurance awarded by the Illinois Housing
23 Development Authority, however, may be entered into for any
24 period of time less than or equal to the maximum period of time

1 that the subject bond or mortgage may remain outstanding.

2 (b) Subject to appropriation. All contracts made or entered
3 into shall recite that they are subject to termination and
4 cancellation in any year for which the General Assembly fails
5 to make an appropriation to make payments under the terms of
6 the contract.

7 (c) The chief procurement officer shall file a proposed
8 extension or renewal of a contract with the Procurement Policy
9 Board prior to entering into any extension or renewal if the
10 cost associated with the extension or renewal exceeds \$249,999.
11 The Procurement Policy Board may object to the proposed
12 extension or renewal within 30 calendar days and require a
13 hearing before the Board prior to entering into the extension
14 or renewal. If the Procurement Policy Board does not object
15 within 30 calendar days or takes affirmative action to
16 recommend the extension or renewal, the chief procurement
17 officer may enter into the extension or renewal of a contract.
18 This subsection does not apply to any emergency procurement,
19 any procurement under Article 40, or any procurement exempted
20 by Section 1-10(b) of this Code. If any State agency contract
21 is paid for in whole or in part with federal-aid funds, grants,
22 or loans and the provisions of this subsection would result in
23 the loss of those federal-aid funds, grants, or loans, then the
24 contract is exempt from the provisions of this subsection in
25 order to remain eligible for those federal-aid funds, grants,
26 or loans, and the State agency shall file notice of this

1 exemption with the Procurement Policy Board prior to entering
2 into the proposed extension or renewal. Nothing in this
3 subsection permits a chief procurement officer to enter into an
4 extension or renewal in violation of subsection (a). By August
5 1 each year, the Procurement Policy Board shall file a report
6 with the General Assembly identifying for the previous fiscal
7 year (i) the proposed extensions or renewals that were filed
8 with the Board and whether the Board objected and (ii) the
9 contracts exempt from this subsection.

10 (d) Notwithstanding the provisions of subsection (a) of
11 this Section, the Department of Innovation and Technology may
12 enter into leases for dark fiber networks for any period of
13 time deemed to be in the best interests of the State but not
14 exceeding 20 years inclusive. The Department of Innovation and
15 Technology may lease dark fiber networks from third parties
16 only for the primary purpose of providing services to (i) the
17 offices of Governor, Lieutenant Governor, Attorney General,
18 Secretary of State, Comptroller, or Treasurer and State
19 agencies, as defined under Section 5-15 of the Civil
20 Administrative Code of Illinois or (ii) for anchor
21 institutions, as defined in Section 7 of the Illinois Century
22 Network Act. Dark fiber network lease contracts shall be
23 subject to all other provisions of this Code and any applicable
24 rules or requirements, including, but not limited to,
25 publication of lease solicitations, use of standard State
26 contracting terms and conditions, and approval of vendor

1 certifications and financial disclosures.

2 (e) As used in this Section, "dark fiber network" means a
3 network of fiber optic cables laid but currently unused by a
4 third party that the third party is leasing for use as network
5 infrastructure.

6 (Source: P.A. 100-23, eff. 7-6-17.)

7 Section 1-945. The Grant Information Collection Act is
8 amended by changing Section 10 as follows:

9 (30 ILCS 707/10)

10 Sec. 10. Grant information collection. The Secretary of
11 Innovation and Technology ~~Chief Information Officer of the~~
12 ~~State, as designated by the Governor,~~ shall coordinate with
13 each State agency to develop, with any existing or newly
14 available resources and technology, appropriate systems to
15 accurately report data containing financial information. These
16 systems shall include a module that is specific to the
17 management and administration of grant funds.

18 Each grantor agency that is authorized to award grant funds
19 to an entity other than the State of Illinois shall coordinate
20 with the Secretary of Innovation and Technology ~~Chief~~
21 ~~Information Officer of the State~~ to provide for the
22 publication, at data.illinois.gov or any other publicly
23 accessible website designated by the Chief Information
24 Officer, of data sets containing information regarding awards

1 of grant funds that the grantor agency has made during the
2 previous fiscal year. Data sets shall be published on at least
3 a quarterly basis and shall include, at a minimum, the
4 following:

5 (1) the name of the grantor agency;

6 (2) the name and postal zip code of the grantee;

7 (3) a short description of the purpose of the award of
8 grant funds;

9 (4) the amount of each award of grant funds;

10 (5) the date of each award of grant funds; and

11 (6) the duration of each award of grant funds.

12 In addition, each grantor agency shall make best efforts,
13 with available resources and technology, to make available in
14 the data sets any other data that is relevant to its award of
15 grant funds.

16 Data not subject to the requirements of this Section
17 include data to which a State agency may deny access pursuant
18 to any provision of a federal, State, or local law, rule, or
19 regulation.

20 (Source: P.A. 98-589, eff. 1-1-14.)

21 Section 1-950. The Illinois Pension Code is amended by
22 changing Sections 1-160, 14-110, and 15-106 as follows:

23 (40 ILCS 5/1-160)

24 Sec. 1-160. Provisions applicable to new hires.

1 (a) The provisions of this Section apply to a person who,
2 on or after January 1, 2011, first becomes a member or a
3 participant under any reciprocal retirement system or pension
4 fund established under this Code, other than a retirement
5 system or pension fund established under Article 2, 3, 4, 5, 6,
6 15 or 18 of this Code, notwithstanding any other provision of
7 this Code to the contrary, but do not apply to any self-managed
8 plan established under this Code, to any person with respect to
9 service as a sheriff's law enforcement employee under Article
10 7, or to any participant of the retirement plan established
11 under Section 22-101. Notwithstanding anything to the contrary
12 in this Section, for purposes of this Section, a person who
13 participated in a retirement system under Article 15 prior to
14 January 1, 2011 shall be deemed a person who first became a
15 member or participant prior to January 1, 2011 under any
16 retirement system or pension fund subject to this Section. The
17 changes made to this Section by Public Act 98-596 are a
18 clarification of existing law and are intended to be
19 retroactive to January 1, 2011 (the effective date of Public
20 Act 96-889), notwithstanding the provisions of Section 1-103.1
21 of this Code.

22 This Section does not apply to a person who first becomes a
23 noncovered employee under Article 14 on or after the
24 implementation date of the plan created under Section 1-161 for
25 that Article, unless that person elects under subsection (b) of
26 Section 1-161 to instead receive the benefits provided under

1 this Section and the applicable provisions of that Article.

2 This Section does not apply to a person who first becomes a
3 member or participant under Article 16 on or after the
4 implementation date of the plan created under Section 1-161 for
5 that Article, unless that person elects under subsection (b) of
6 Section 1-161 to instead receive the benefits provided under
7 this Section and the applicable provisions of that Article.

8 This Section does not apply to a person who elects under
9 subsection (c-5) of Section 1-161 to receive the benefits under
10 Section 1-161.

11 This Section does not apply to a person who first becomes a
12 member or participant of an affected pension fund on or after 6
13 months after the resolution or ordinance date, as defined in
14 Section 1-162, unless that person elects under subsection (c)
15 of Section 1-162 to receive the benefits provided under this
16 Section and the applicable provisions of the Article under
17 which he or she is a member or participant.

18 (b) "Final average salary" means the average monthly (or
19 annual) salary obtained by dividing the total salary or
20 earnings calculated under the Article applicable to the member
21 or participant during the 96 consecutive months (or 8
22 consecutive years) of service within the last 120 months (or 10
23 years) of service in which the total salary or earnings
24 calculated under the applicable Article was the highest by the
25 number of months (or years) of service in that period. For the
26 purposes of a person who first becomes a member or participant

1 of any retirement system or pension fund to which this Section
2 applies on or after January 1, 2011, in this Code, "final
3 average salary" shall be substituted for the following:

4 (1) In Article 7 (except for service as sheriff's law
5 enforcement employees), "final rate of earnings".

6 (2) In Articles 8, 9, 10, 11, and 12, "highest average
7 annual salary for any 4 consecutive years within the last
8 10 years of service immediately preceding the date of
9 withdrawal".

10 (3) In Article 13, "average final salary".

11 (4) In Article 14, "final average compensation".

12 (5) In Article 17, "average salary".

13 (6) In Section 22-207, "wages or salary received by him
14 at the date of retirement or discharge".

15 (b-5) Beginning on January 1, 2011, for all purposes under
16 this Code (including without limitation the calculation of
17 benefits and employee contributions), the annual earnings,
18 salary, or wages (based on the plan year) of a member or
19 participant to whom this Section applies shall not exceed
20 \$106,800; however, that amount shall annually thereafter be
21 increased by the lesser of (i) 3% of that amount, including all
22 previous adjustments, or (ii) one-half the annual unadjusted
23 percentage increase (but not less than zero) in the consumer
24 price index-u for the 12 months ending with the September
25 preceding each November 1, including all previous adjustments.

26 For the purposes of this Section, "consumer price index-u"

1 means the index published by the Bureau of Labor Statistics of
2 the United States Department of Labor that measures the average
3 change in prices of goods and services purchased by all urban
4 consumers, United States city average, all items, 1982-84 =
5 100. The new amount resulting from each annual adjustment shall
6 be determined by the Public Pension Division of the Department
7 of Insurance and made available to the boards of the retirement
8 systems and pension funds by November 1 of each year.

9 (c) A member or participant is entitled to a retirement
10 annuity upon written application if he or she has attained age
11 67 (beginning January 1, 2015, age 65 with respect to service
12 under Article 12 of this Code that is subject to this Section)
13 and has at least 10 years of service credit and is otherwise
14 eligible under the requirements of the applicable Article.

15 A member or participant who has attained age 62 (beginning
16 January 1, 2015, age 60 with respect to service under Article
17 12 of this Code that is subject to this Section) and has at
18 least 10 years of service credit and is otherwise eligible
19 under the requirements of the applicable Article may elect to
20 receive the lower retirement annuity provided in subsection (d)
21 of this Section.

22 (c-5) A person who first becomes a member or a participant
23 under Article 8 or Article 11 of this Code on or after the
24 effective date of this amendatory Act of the 100th General
25 Assembly, notwithstanding any other provision of this Code to
26 the contrary, is entitled to a retirement annuity upon written

1 application if he or she has attained age 65 and has at least
2 10 years of service credit under Article 8 or Article 11 of
3 this Code and is otherwise eligible under the requirements of
4 Article 8 or Article 11 of this Code, whichever is applicable.

5 (d) The retirement annuity of a member or participant who
6 is retiring after attaining age 62 (beginning January 1, 2015,
7 age 60 with respect to service under Article 12 of this Code
8 that is subject to this Section) with at least 10 years of
9 service credit shall be reduced by one-half of 1% for each full
10 month that the member's age is under age 67 (beginning January
11 1, 2015, age 65 with respect to service under Article 12 of
12 this Code that is subject to this Section).

13 (d-5) The retirement annuity of a person who first becomes
14 a member or a participant under Article 8 or Article 11 of this
15 Code on or after the effective date of this amendatory Act of
16 the 100th General Assembly who is retiring at age 60 with at
17 least 10 years of service credit under Article 8 or Article 11
18 shall be reduced by one-half of 1% for each full month that the
19 member's age is under age 65.

20 (d-10) Each person who first became a member or participant
21 under Article 8 or Article 11 of this Code on or after January
22 1, 2011 and prior to the effective date of this amendatory Act
23 of the 100th General Assembly shall make an irrevocable
24 election either:

25 (i) to be eligible for the reduced retirement age
26 provided in subsections (c-5) and (d-5) of this Section,

1 the eligibility for which is conditioned upon the member or
2 participant agreeing to the increases in employee
3 contributions for age and service annuities provided in
4 subsection (a-5) of Section 8-174 of this Code (for service
5 under Article 8) or subsection (a-5) of Section 11-170 of
6 this Code (for service under Article 11); or

7 (ii) to not agree to item (i) of this subsection
8 (d-10), in which case the member or participant shall
9 continue to be subject to the retirement age provisions in
10 subsections (c) and (d) of this Section and the employee
11 contributions for age and service annuity as provided in
12 subsection (a) of Section 8-174 of this Code (for service
13 under Article 8) or subsection (a) of Section 11-170 of
14 this Code (for service under Article 11).

15 The election provided for in this subsection shall be made
16 between October 1, 2017 and November 15, 2017. A person subject
17 to this subsection who makes the required election shall remain
18 bound by that election. A person subject to this subsection who
19 fails for any reason to make the required election within the
20 time specified in this subsection shall be deemed to have made
21 the election under item (ii).

22 (e) Any retirement annuity or supplemental annuity shall be
23 subject to annual increases on the January 1 occurring either
24 on or after the attainment of age 67 (beginning January 1,
25 2015, age 65 with respect to service under Article 12 of this
26 Code that is subject to this Section and beginning on the

1 effective date of this amendatory Act of the 100th General
2 Assembly, age 65 with respect to persons who: (i) first became
3 members or participants under Article 8 or Article 11 of this
4 Code on or after the effective date of this amendatory Act of
5 the 100th General Assembly; or (ii) first became members or
6 participants under Article 8 or Article 11 of this Code on or
7 after January 1, 2011 and before the effective date of this
8 amendatory Act of the 100th General Assembly and made the
9 election under item (i) of subsection (d-10) of this Section)
10 or the first anniversary of the annuity start date, whichever
11 is later. Each annual increase shall be calculated at 3% or
12 one-half the annual unadjusted percentage increase (but not
13 less than zero) in the consumer price index-u for the 12 months
14 ending with the September preceding each November 1, whichever
15 is less, of the originally granted retirement annuity. If the
16 annual unadjusted percentage change in the consumer price
17 index-u for the 12 months ending with the September preceding
18 each November 1 is zero or there is a decrease, then the
19 annuity shall not be increased.

20 For the purposes of Section 1-103.1 of this Code, the
21 changes made to this Section by this amendatory Act of the
22 100th General Assembly are applicable without regard to whether
23 the employee was in active service on or after the effective
24 date of this amendatory Act of the 100th General Assembly.

25 (f) The initial survivor's or widow's annuity of an
26 otherwise eligible survivor or widow of a retired member or

1 participant who first became a member or participant on or
2 after January 1, 2011 shall be in the amount of 66 2/3% of the
3 retired member's or participant's retirement annuity at the
4 date of death. In the case of the death of a member or
5 participant who has not retired and who first became a member
6 or participant on or after January 1, 2011, eligibility for a
7 survivor's or widow's annuity shall be determined by the
8 applicable Article of this Code. The initial benefit shall be
9 66 2/3% of the earned annuity without a reduction due to age. A
10 child's annuity of an otherwise eligible child shall be in the
11 amount prescribed under each Article if applicable. Any
12 survivor's or widow's annuity shall be increased (1) on each
13 January 1 occurring on or after the commencement of the annuity
14 if the deceased member died while receiving a retirement
15 annuity or (2) in other cases, on each January 1 occurring
16 after the first anniversary of the commencement of the annuity.
17 Each annual increase shall be calculated at 3% or one-half the
18 annual unadjusted percentage increase (but not less than zero)
19 in the consumer price index-u for the 12 months ending with the
20 September preceding each November 1, whichever is less, of the
21 originally granted survivor's annuity. If the annual
22 unadjusted percentage change in the consumer price index-u for
23 the 12 months ending with the September preceding each November
24 1 is zero or there is a decrease, then the annuity shall not be
25 increased.

26 (g) The benefits in Section 14-110 apply only if the person

1 is a State policeman, a fire fighter in the fire protection
2 service of a department, ~~or~~ a security employee of the
3 Department of Corrections or the Department of Juvenile
4 Justice, or a security employee of the Department of Innovation
5 and Technology, as those terms are defined in subsection (b)
6 and subsection (c) of Section 14-110. A person who meets the
7 requirements of this Section is entitled to an annuity
8 calculated under the provisions of Section 14-110, in lieu of
9 the regular or minimum retirement annuity, only if the person
10 has withdrawn from service with not less than 20 years of
11 eligible creditable service and has attained age 60, regardless
12 of whether the attainment of age 60 occurs while the person is
13 still in service.

14 (h) If a person who first becomes a member or a participant
15 of a retirement system or pension fund subject to this Section
16 on or after January 1, 2011 is receiving a retirement annuity
17 or retirement pension under that system or fund and becomes a
18 member or participant under any other system or fund created by
19 this Code and is employed on a full-time basis, except for
20 those members or participants exempted from the provisions of
21 this Section under subsection (a) of this Section, then the
22 person's retirement annuity or retirement pension under that
23 system or fund shall be suspended during that employment. Upon
24 termination of that employment, the person's retirement
25 annuity or retirement pension payments shall resume and be
26 recalculated if recalculation is provided for under the

1 applicable Article of this Code.

2 If a person who first becomes a member of a retirement
3 system or pension fund subject to this Section on or after
4 January 1, 2012 and is receiving a retirement annuity or
5 retirement pension under that system or fund and accepts on a
6 contractual basis a position to provide services to a
7 governmental entity from which he or she has retired, then that
8 person's annuity or retirement pension earned as an active
9 employee of the employer shall be suspended during that
10 contractual service. A person receiving an annuity or
11 retirement pension under this Code shall notify the pension
12 fund or retirement system from which he or she is receiving an
13 annuity or retirement pension, as well as his or her
14 contractual employer, of his or her retirement status before
15 accepting contractual employment. A person who fails to submit
16 such notification shall be guilty of a Class A misdemeanor and
17 required to pay a fine of \$1,000. Upon termination of that
18 contractual employment, the person's retirement annuity or
19 retirement pension payments shall resume and, if appropriate,
20 be recalculated under the applicable provisions of this Code.

21 (i) (Blank).

22 (j) In the case of a conflict between the provisions of
23 this Section and any other provision of this Code, the
24 provisions of this Section shall control.

25 (Source: P.A. 100-23, eff. 7-6-17; 100-201, eff. 8-18-17;
26 100-563, eff. 12-8-17.)

1 (40 ILCS 5/14-110) (from Ch. 108 1/2, par. 14-110)

2 Sec. 14-110. Alternative retirement annuity.

3 (a) Any member who has withdrawn from service with not less
4 than 20 years of eligible creditable service and has attained
5 age 55, and any member who has withdrawn from service with not
6 less than 25 years of eligible creditable service and has
7 attained age 50, regardless of whether the attainment of either
8 of the specified ages occurs while the member is still in
9 service, shall be entitled to receive at the option of the
10 member, in lieu of the regular or minimum retirement annuity, a
11 retirement annuity computed as follows:

12 (i) for periods of service as a noncovered employee: if
13 retirement occurs on or after January 1, 2001, 3% of final
14 average compensation for each year of creditable service;
15 if retirement occurs before January 1, 2001, 2 1/4% of
16 final average compensation for each of the first 10 years
17 of creditable service, 2 1/2% for each year above 10 years
18 to and including 20 years of creditable service, and 2 3/4%
19 for each year of creditable service above 20 years; and

20 (ii) for periods of eligible creditable service as a
21 covered employee: if retirement occurs on or after January
22 1, 2001, 2.5% of final average compensation for each year
23 of creditable service; if retirement occurs before January
24 1, 2001, 1.67% of final average compensation for each of
25 the first 10 years of such service, 1.90% for each of the

1 next 10 years of such service, 2.10% for each year of such
2 service in excess of 20 but not exceeding 30, and 2.30% for
3 each year in excess of 30.

4 Such annuity shall be subject to a maximum of 75% of final
5 average compensation if retirement occurs before January 1,
6 2001 or to a maximum of 80% of final average compensation if
7 retirement occurs on or after January 1, 2001.

8 These rates shall not be applicable to any service
9 performed by a member as a covered employee which is not
10 eligible creditable service. Service as a covered employee
11 which is not eligible creditable service shall be subject to
12 the rates and provisions of Section 14-108.

13 (b) For the purpose of this Section, "eligible creditable
14 service" means creditable service resulting from service in one
15 or more of the following positions:

16 (1) State policeman;

17 (2) fire fighter in the fire protection service of a
18 department;

19 (3) air pilot;

20 (4) special agent;

21 (5) investigator for the Secretary of State;

22 (6) conservation police officer;

23 (7) investigator for the Department of Revenue or the
24 Illinois Gaming Board;

25 (8) security employee of the Department of Human
26 Services;

1 (9) Central Management Services security police
2 officer;

3 (10) security employee of the Department of
4 Corrections or the Department of Juvenile Justice;

5 (11) dangerous drugs investigator;

6 (12) investigator for the Department of State Police;

7 (13) investigator for the Office of the Attorney
8 General;

9 (14) controlled substance inspector;

10 (15) investigator for the Office of the State's
11 Attorneys Appellate Prosecutor;

12 (16) Commerce Commission police officer;

13 (17) arson investigator;

14 (18) State highway maintenance worker;

15 (19) security employee of the Department of Innovation
16 and Technology.

17 A person employed in one of the positions specified in this
18 subsection is entitled to eligible creditable service for
19 service credit earned under this Article while undergoing the
20 basic police training course approved by the Illinois Law
21 Enforcement Training Standards Board, if completion of that
22 training is required of persons serving in that position. For
23 the purposes of this Code, service during the required basic
24 police training course shall be deemed performance of the
25 duties of the specified position, even though the person is not
26 a sworn peace officer at the time of the training.

1 (c) For the purposes of this Section:

2 (1) The term "State policeman" includes any title or
3 position in the Department of State Police that is held by
4 an individual employed under the State Police Act.

5 (2) The term "fire fighter in the fire protection
6 service of a department" includes all officers in such fire
7 protection service including fire chiefs and assistant
8 fire chiefs.

9 (3) The term "air pilot" includes any employee whose
10 official job description on file in the Department of
11 Central Management Services, or in the department by which
12 he is employed if that department is not covered by the
13 Personnel Code, states that his principal duty is the
14 operation of aircraft, and who possesses a pilot's license;
15 however, the change in this definition made by this
16 amendatory Act of 1983 shall not operate to exclude any
17 noncovered employee who was an "air pilot" for the purposes
18 of this Section on January 1, 1984.

19 (4) The term "special agent" means any person who by
20 reason of employment by the Division of Narcotic Control,
21 the Bureau of Investigation or, after July 1, 1977, the
22 Division of Criminal Investigation, the Division of
23 Internal Investigation, the Division of Operations, or any
24 other Division or organizational entity in the Department
25 of State Police is vested by law with duties to maintain
26 public order, investigate violations of the criminal law of

1 this State, enforce the laws of this State, make arrests
2 and recover property. The term "special agent" includes any
3 title or position in the Department of State Police that is
4 held by an individual employed under the State Police Act.

5 (5) The term "investigator for the Secretary of State"
6 means any person employed by the Office of the Secretary of
7 State and vested with such investigative duties as render
8 him ineligible for coverage under the Social Security Act
9 by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and
10 218(1)(1) of that Act.

11 A person who became employed as an investigator for the
12 Secretary of State between January 1, 1967 and December 31,
13 1975, and who has served as such until attainment of age
14 60, either continuously or with a single break in service
15 of not more than 3 years duration, which break terminated
16 before January 1, 1976, shall be entitled to have his
17 retirement annuity calculated in accordance with
18 subsection (a), notwithstanding that he has less than 20
19 years of credit for such service.

20 (6) The term "Conservation Police Officer" means any
21 person employed by the Division of Law Enforcement of the
22 Department of Natural Resources and vested with such law
23 enforcement duties as render him ineligible for coverage
24 under the Social Security Act by reason of Sections
25 218(d)(5)(A), 218(d)(8)(D), and 218(1)(1) of that Act. The
26 term "Conservation Police Officer" includes the positions

1 of Chief Conservation Police Administrator and Assistant
2 Conservation Police Administrator.

3 (7) The term "investigator for the Department of
4 Revenue" means any person employed by the Department of
5 Revenue and vested with such investigative duties as render
6 him ineligible for coverage under the Social Security Act
7 by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and
8 218(1)(1) of that Act.

9 The term "investigator for the Illinois Gaming Board"
10 means any person employed as such by the Illinois Gaming
11 Board and vested with such peace officer duties as render
12 the person ineligible for coverage under the Social
13 Security Act by reason of Sections 218(d)(5)(A),
14 218(d)(8)(D), and 218(1)(1) of that Act.

15 (8) The term "security employee of the Department of
16 Human Services" means any person employed by the Department
17 of Human Services who (i) is employed at the Chester Mental
18 Health Center and has daily contact with the residents
19 thereof, (ii) is employed within a security unit at a
20 facility operated by the Department and has daily contact
21 with the residents of the security unit, (iii) is employed
22 at a facility operated by the Department that includes a
23 security unit and is regularly scheduled to work at least
24 50% of his or her working hours within that security unit,
25 or (iv) is a mental health police officer. "Mental health
26 police officer" means any person employed by the Department

1 of Human Services in a position pertaining to the
2 Department's mental health and developmental disabilities
3 functions who is vested with such law enforcement duties as
4 render the person ineligible for coverage under the Social
5 Security Act by reason of Sections 218(d)(5)(A),
6 218(d)(8)(D) and 218(1)(1) of that Act. "Security unit"
7 means that portion of a facility that is devoted to the
8 care, containment, and treatment of persons committed to
9 the Department of Human Services as sexually violent
10 persons, persons unfit to stand trial, or persons not
11 guilty by reason of insanity. With respect to past
12 employment, references to the Department of Human Services
13 include its predecessor, the Department of Mental Health
14 and Developmental Disabilities.

15 The changes made to this subdivision (c)(8) by Public
16 Act 92-14 apply to persons who retire on or after January
17 1, 2001, notwithstanding Section 1-103.1.

18 (9) "Central Management Services security police
19 officer" means any person employed by the Department of
20 Central Management Services who is vested with such law
21 enforcement duties as render him ineligible for coverage
22 under the Social Security Act by reason of Sections
23 218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act.

24 (10) For a member who first became an employee under
25 this Article before July 1, 2005, the term "security
26 employee of the Department of Corrections or the Department

1 of Juvenile Justice" means any employee of the Department
2 of Corrections or the Department of Juvenile Justice or the
3 former Department of Personnel, and any member or employee
4 of the Prisoner Review Board, who has daily contact with
5 inmates or youth by working within a correctional facility
6 or Juvenile facility operated by the Department of Juvenile
7 Justice or who is a parole officer or an employee who has
8 direct contact with committed persons in the performance of
9 his or her job duties. For a member who first becomes an
10 employee under this Article on or after July 1, 2005, the
11 term means an employee of the Department of Corrections or
12 the Department of Juvenile Justice who is any of the
13 following: (i) officially headquartered at a correctional
14 facility or Juvenile facility operated by the Department of
15 Juvenile Justice, (ii) a parole officer, (iii) a member of
16 the apprehension unit, (iv) a member of the intelligence
17 unit, (v) a member of the sort team, or (vi) an
18 investigator.

19 (11) The term "dangerous drugs investigator" means any
20 person who is employed as such by the Department of Human
21 Services.

22 (12) The term "investigator for the Department of State
23 Police" means a person employed by the Department of State
24 Police who is vested under Section 4 of the Narcotic
25 Control Division Abolition Act with such law enforcement
26 powers as render him ineligible for coverage under the

1 Social Security Act by reason of Sections 218(d)(5)(A),
2 218(d)(8)(D) and 218(1)(1) of that Act.

3 (13) "Investigator for the Office of the Attorney
4 General" means any person who is employed as such by the
5 Office of the Attorney General and is vested with such
6 investigative duties as render him ineligible for coverage
7 under the Social Security Act by reason of Sections
8 218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act. For
9 the period before January 1, 1989, the term includes all
10 persons who were employed as investigators by the Office of
11 the Attorney General, without regard to social security
12 status.

13 (14) "Controlled substance inspector" means any person
14 who is employed as such by the Department of Professional
15 Regulation and is vested with such law enforcement duties
16 as render him ineligible for coverage under the Social
17 Security Act by reason of Sections 218(d)(5)(A),
18 218(d)(8)(D) and 218(1)(1) of that Act. The term
19 "controlled substance inspector" includes the Program
20 Executive of Enforcement and the Assistant Program
21 Executive of Enforcement.

22 (15) The term "investigator for the Office of the
23 State's Attorneys Appellate Prosecutor" means a person
24 employed in that capacity on a full time basis under the
25 authority of Section 7.06 of the State's Attorneys
26 Appellate Prosecutor's Act.

1 (16) "Commerce Commission police officer" means any
2 person employed by the Illinois Commerce Commission who is
3 vested with such law enforcement duties as render him
4 ineligible for coverage under the Social Security Act by
5 reason of Sections 218(d)(5)(A), 218(d)(8)(D), and
6 218(1)(1) of that Act.

7 (17) "Arson investigator" means any person who is
8 employed as such by the Office of the State Fire Marshal
9 and is vested with such law enforcement duties as render
10 the person ineligible for coverage under the Social
11 Security Act by reason of Sections 218(d)(5)(A),
12 218(d)(8)(D), and 218(1)(1) of that Act. A person who was
13 employed as an arson investigator on January 1, 1995 and is
14 no longer in service but not yet receiving a retirement
15 annuity may convert his or her creditable service for
16 employment as an arson investigator into eligible
17 creditable service by paying to the System the difference
18 between the employee contributions actually paid for that
19 service and the amounts that would have been contributed if
20 the applicant were contributing at the rate applicable to
21 persons with the same social security status earning
22 eligible creditable service on the date of application.

23 (18) The term "State highway maintenance worker" means
24 a person who is either of the following:

25 (i) A person employed on a full-time basis by the
26 Illinois Department of Transportation in the position

1 of highway maintainer, highway maintenance lead
2 worker, highway maintenance lead/lead worker, heavy
3 construction equipment operator, power shovel
4 operator, or bridge mechanic; and whose principal
5 responsibility is to perform, on the roadway, the
6 actual maintenance necessary to keep the highways that
7 form a part of the State highway system in serviceable
8 condition for vehicular traffic.

9 (ii) A person employed on a full-time basis by the
10 Illinois State Toll Highway Authority in the position
11 of equipment operator/laborer H-4, equipment
12 operator/laborer H-6, welder H-4, welder H-6,
13 mechanical/electrical H-4, mechanical/electrical H-6,
14 water/sewer H-4, water/sewer H-6, sign maker/hanger
15 H-4, sign maker/hanger H-6, roadway lighting H-4,
16 roadway lighting H-6, structural H-4, structural H-6,
17 painter H-4, or painter H-6; and whose principal
18 responsibility is to perform, on the roadway, the
19 actual maintenance necessary to keep the Authority's
20 tollways in serviceable condition for vehicular
21 traffic.

22 (19) The term "security employee of the Department of
23 Innovation and Technology" means a person who was a
24 security employee of the Department of Corrections or the
25 Department of Juvenile Justice, was transferred to the
26 Department of Innovation and Technology pursuant to

1 Executive Order 2016-01, and continues to perform similar
2 job functions under that Department.

3 (d) A security employee of the Department of Corrections or
4 the Department of Juvenile Justice, ~~and~~ a security employee of
5 the Department of Human Services who is not a mental health
6 police officer, and a security employee of the Department of
7 Innovation and Technology shall not be eligible for the
8 alternative retirement annuity provided by this Section unless
9 he or she meets the following minimum age and service
10 requirements at the time of retirement:

11 (i) 25 years of eligible creditable service and age 55;

12 or

13 (ii) beginning January 1, 1987, 25 years of eligible
14 creditable service and age 54, or 24 years of eligible
15 creditable service and age 55; or

16 (iii) beginning January 1, 1988, 25 years of eligible
17 creditable service and age 53, or 23 years of eligible
18 creditable service and age 55; or

19 (iv) beginning January 1, 1989, 25 years of eligible
20 creditable service and age 52, or 22 years of eligible
21 creditable service and age 55; or

22 (v) beginning January 1, 1990, 25 years of eligible
23 creditable service and age 51, or 21 years of eligible
24 creditable service and age 55; or

25 (vi) beginning January 1, 1991, 25 years of eligible
26 creditable service and age 50, or 20 years of eligible

1 creditable service and age 55.

2 Persons who have service credit under Article 16 of this
3 Code for service as a security employee of the Department of
4 Corrections or the Department of Juvenile Justice, or the
5 Department of Human Services in a position requiring
6 certification as a teacher may count such service toward
7 establishing their eligibility under the service requirements
8 of this Section; but such service may be used only for
9 establishing such eligibility, and not for the purpose of
10 increasing or calculating any benefit.

11 (e) If a member enters military service while working in a
12 position in which eligible creditable service may be earned,
13 and returns to State service in the same or another such
14 position, and fulfills in all other respects the conditions
15 prescribed in this Article for credit for military service,
16 such military service shall be credited as eligible creditable
17 service for the purposes of the retirement annuity prescribed
18 in this Section.

19 (f) For purposes of calculating retirement annuities under
20 this Section, periods of service rendered after December 31,
21 1968 and before October 1, 1975 as a covered employee in the
22 position of special agent, conservation police officer, mental
23 health police officer, or investigator for the Secretary of
24 State, shall be deemed to have been service as a noncovered
25 employee, provided that the employee pays to the System prior
26 to retirement an amount equal to (1) the difference between the

1 employee contributions that would have been required for such
2 service as a noncovered employee, and the amount of employee
3 contributions actually paid, plus (2) if payment is made after
4 July 31, 1987, regular interest on the amount specified in item
5 (1) from the date of service to the date of payment.

6 For purposes of calculating retirement annuities under
7 this Section, periods of service rendered after December 31,
8 1968 and before January 1, 1982 as a covered employee in the
9 position of investigator for the Department of Revenue shall be
10 deemed to have been service as a noncovered employee, provided
11 that the employee pays to the System prior to retirement an
12 amount equal to (1) the difference between the employee
13 contributions that would have been required for such service as
14 a noncovered employee, and the amount of employee contributions
15 actually paid, plus (2) if payment is made after January 1,
16 1990, regular interest on the amount specified in item (1) from
17 the date of service to the date of payment.

18 (g) A State policeman may elect, not later than January 1,
19 1990, to establish eligible creditable service for up to 10
20 years of his service as a policeman under Article 3, by filing
21 a written election with the Board, accompanied by payment of an
22 amount to be determined by the Board, equal to (i) the
23 difference between the amount of employee and employer
24 contributions transferred to the System under Section 3-110.5,
25 and the amounts that would have been contributed had such
26 contributions been made at the rates applicable to State

1 policemen, plus (ii) interest thereon at the effective rate for
2 each year, compounded annually, from the date of service to the
3 date of payment.

4 Subject to the limitation in subsection (i), a State
5 policeman may elect, not later than July 1, 1993, to establish
6 eligible creditable service for up to 10 years of his service
7 as a member of the County Police Department under Article 9, by
8 filing a written election with the Board, accompanied by
9 payment of an amount to be determined by the Board, equal to
10 (i) the difference between the amount of employee and employer
11 contributions transferred to the System under Section 9-121.10
12 and the amounts that would have been contributed had those
13 contributions been made at the rates applicable to State
14 policemen, plus (ii) interest thereon at the effective rate for
15 each year, compounded annually, from the date of service to the
16 date of payment.

17 (h) Subject to the limitation in subsection (i), a State
18 policeman or investigator for the Secretary of State may elect
19 to establish eligible creditable service for up to 12 years of
20 his service as a policeman under Article 5, by filing a written
21 election with the Board on or before January 31, 1992, and
22 paying to the System by January 31, 1994 an amount to be
23 determined by the Board, equal to (i) the difference between
24 the amount of employee and employer contributions transferred
25 to the System under Section 5-236, and the amounts that would
26 have been contributed had such contributions been made at the

1 rates applicable to State policemen, plus (ii) interest thereon
2 at the effective rate for each year, compounded annually, from
3 the date of service to the date of payment.

4 Subject to the limitation in subsection (i), a State
5 policeman, conservation police officer, or investigator for
6 the Secretary of State may elect to establish eligible
7 creditable service for up to 10 years of service as a sheriff's
8 law enforcement employee under Article 7, by filing a written
9 election with the Board on or before January 31, 1993, and
10 paying to the System by January 31, 1994 an amount to be
11 determined by the Board, equal to (i) the difference between
12 the amount of employee and employer contributions transferred
13 to the System under Section 7-139.7, and the amounts that would
14 have been contributed had such contributions been made at the
15 rates applicable to State policemen, plus (ii) interest thereon
16 at the effective rate for each year, compounded annually, from
17 the date of service to the date of payment.

18 Subject to the limitation in subsection (i), a State
19 policeman, conservation police officer, or investigator for
20 the Secretary of State may elect to establish eligible
21 creditable service for up to 5 years of service as a police
22 officer under Article 3, a policeman under Article 5, a
23 sheriff's law enforcement employee under Article 7, a member of
24 the county police department under Article 9, or a police
25 officer under Article 15 by filing a written election with the
26 Board and paying to the System an amount to be determined by

1 the Board, equal to (i) the difference between the amount of
2 employee and employer contributions transferred to the System
3 under Section 3-110.6, 5-236, 7-139.8, 9-121.10, or 15-134.4
4 and the amounts that would have been contributed had such
5 contributions been made at the rates applicable to State
6 policemen, plus (ii) interest thereon at the effective rate for
7 each year, compounded annually, from the date of service to the
8 date of payment.

9 Subject to the limitation in subsection (i), an
10 investigator for the Office of the Attorney General, or an
11 investigator for the Department of Revenue, may elect to
12 establish eligible creditable service for up to 5 years of
13 service as a police officer under Article 3, a policeman under
14 Article 5, a sheriff's law enforcement employee under Article
15 7, or a member of the county police department under Article 9
16 by filing a written election with the Board within 6 months
17 after August 25, 2009 (the effective date of Public Act 96-745)
18 and paying to the System an amount to be determined by the
19 Board, equal to (i) the difference between the amount of
20 employee and employer contributions transferred to the System
21 under Section 3-110.6, 5-236, 7-139.8, or 9-121.10 and the
22 amounts that would have been contributed had such contributions
23 been made at the rates applicable to State policemen, plus (ii)
24 interest thereon at the actuarially assumed rate for each year,
25 compounded annually, from the date of service to the date of
26 payment.

1 Subject to the limitation in subsection (i), a State
2 policeman, conservation police officer, investigator for the
3 Office of the Attorney General, an investigator for the
4 Department of Revenue, or investigator for the Secretary of
5 State may elect to establish eligible creditable service for up
6 to 5 years of service as a person employed by a participating
7 municipality to perform police duties, or law enforcement
8 officer employed on a full-time basis by a forest preserve
9 district under Article 7, a county corrections officer, or a
10 court services officer under Article 9, by filing a written
11 election with the Board within 6 months after August 25, 2009
12 (the effective date of Public Act 96-745) and paying to the
13 System an amount to be determined by the Board, equal to (i)
14 the difference between the amount of employee and employer
15 contributions transferred to the System under Sections 7-139.8
16 and 9-121.10 and the amounts that would have been contributed
17 had such contributions been made at the rates applicable to
18 State policemen, plus (ii) interest thereon at the actuarially
19 assumed rate for each year, compounded annually, from the date
20 of service to the date of payment.

21 (i) The total amount of eligible creditable service
22 established by any person under subsections (g), (h), (j), (k),
23 and (l) of this Section shall not exceed 12 years.

24 (j) Subject to the limitation in subsection (i), an
25 investigator for the Office of the State's Attorneys Appellate
26 Prosecutor or a controlled substance inspector may elect to

1 establish eligible creditable service for up to 10 years of his
2 service as a policeman under Article 3 or a sheriff's law
3 enforcement employee under Article 7, by filing a written
4 election with the Board, accompanied by payment of an amount to
5 be determined by the Board, equal to (1) the difference between
6 the amount of employee and employer contributions transferred
7 to the System under Section 3-110.6 or 7-139.8, and the amounts
8 that would have been contributed had such contributions been
9 made at the rates applicable to State policemen, plus (2)
10 interest thereon at the effective rate for each year,
11 compounded annually, from the date of service to the date of
12 payment.

13 (k) Subject to the limitation in subsection (i) of this
14 Section, an alternative formula employee may elect to establish
15 eligible creditable service for periods spent as a full-time
16 law enforcement officer or full-time corrections officer
17 employed by the federal government or by a state or local
18 government located outside of Illinois, for which credit is not
19 held in any other public employee pension fund or retirement
20 system. To obtain this credit, the applicant must file a
21 written application with the Board by March 31, 1998,
22 accompanied by evidence of eligibility acceptable to the Board
23 and payment of an amount to be determined by the Board, equal
24 to (1) employee contributions for the credit being established,
25 based upon the applicant's salary on the first day as an
26 alternative formula employee after the employment for which

1 credit is being established and the rates then applicable to
2 alternative formula employees, plus (2) an amount determined by
3 the Board to be the employer's normal cost of the benefits
4 accrued for the credit being established, plus (3) regular
5 interest on the amounts in items (1) and (2) from the first day
6 as an alternative formula employee after the employment for
7 which credit is being established to the date of payment.

8 (l) Subject to the limitation in subsection (i), a security
9 employee of the Department of Corrections may elect, not later
10 than July 1, 1998, to establish eligible creditable service for
11 up to 10 years of his or her service as a policeman under
12 Article 3, by filing a written election with the Board,
13 accompanied by payment of an amount to be determined by the
14 Board, equal to (i) the difference between the amount of
15 employee and employer contributions transferred to the System
16 under Section 3-110.5, and the amounts that would have been
17 contributed had such contributions been made at the rates
18 applicable to security employees of the Department of
19 Corrections, plus (ii) interest thereon at the effective rate
20 for each year, compounded annually, from the date of service to
21 the date of payment.

22 (m) The amendatory changes to this Section made by this
23 amendatory Act of the 94th General Assembly apply only to: (1)
24 security employees of the Department of Juvenile Justice
25 employed by the Department of Corrections before the effective
26 date of this amendatory Act of the 94th General Assembly and

1 transferred to the Department of Juvenile Justice by this
2 amendatory Act of the 94th General Assembly; and (2) persons
3 employed by the Department of Juvenile Justice on or after the
4 effective date of this amendatory Act of the 94th General
5 Assembly who are required by subsection (b) of Section 3-2.5-15
6 of the Unified Code of Corrections to have any bachelor's or
7 advanced degree from an accredited college or university or, in
8 the case of persons who provide vocational training, who are
9 required to have adequate knowledge in the skill for which they
10 are providing the vocational training.

11 (n) A person employed in a position under subsection (b) of
12 this Section who has purchased service credit under subsection
13 (j) of Section 14-104 or subsection (b) of Section 14-105 in
14 any other capacity under this Article may convert up to 5 years
15 of that service credit into service credit covered under this
16 Section by paying to the Fund an amount equal to (1) the
17 additional employee contribution required under Section
18 14-133, plus (2) the additional employer contribution required
19 under Section 14-131, plus (3) interest on items (1) and (2) at
20 the actuarially assumed rate from the date of the service to
21 the date of payment.

22 (Source: P.A. 100-19, eff. 1-1-18.)

23 (40 ILCS 5/15-106) (from Ch. 108 1/2, par. 15-106)

24 Sec. 15-106. Employer. "Employer": The University of
25 Illinois, Southern Illinois University, Chicago State

1 University, Eastern Illinois University, Governors State
2 University, Illinois State University, Northeastern Illinois
3 University, Northern Illinois University, Western Illinois
4 University, the State Board of Higher Education, the Illinois
5 Mathematics and Science Academy, the University Civil Service
6 Merit Board, the Board of Trustees of the State Universities
7 Retirement System, the Illinois Community College Board,
8 community college boards, any association of community college
9 boards organized under Section 3-55 of the Public Community
10 College Act, the Board of Examiners established under the
11 Illinois Public Accounting Act, and, only during the period for
12 which employer contributions required under Section 15-155 are
13 paid, the following organizations: the alumni associations,
14 the foundations and the athletic associations which are
15 affiliated with the universities and colleges included in this
16 Section as employers. An individual who begins employment on or
17 after the effective date of this amendatory Act of the 99th
18 General Assembly with any association of community college
19 boards organized under Section 3-55 of the Public Community
20 College Act, the Association of Illinois Middle-Grade Schools,
21 the Illinois Association of School Administrators, the
22 Illinois Association for Supervision and Curriculum
23 Development, the Illinois Principals Association, the Illinois
24 Association of School Business Officials, the Illinois Special
25 Olympics, or an entity not defined as an employer in this
26 Section shall not be deemed an employee for the purposes of

1 this Article with respect to that employment and shall not be
2 eligible to participate in the System with respect to that
3 employment; provided, however, that those individuals who are
4 both employed by such an entity and are participating in the
5 System with respect to that employment on the effective date of
6 this amendatory Act of the 99th General Assembly shall be
7 allowed to continue as participants in the System for the
8 duration of that employment.

9 A department as defined in Section 14-103.04 is an employer
10 for any person appointed by the Governor under the Civil
11 Administrative Code of Illinois who is a participating employee
12 as defined in Section 15-109. The Department of Central
13 Management Services is an employer with respect to persons
14 employed by the State Board of Higher Education in positions
15 with the Illinois Century Network as of June 30, 2004 who
16 remain continuously employed after that date by the Department
17 of Central Management Services in positions with the Illinois
18 Century Network, the Bureau of Communication and Computer
19 Services, or, if applicable, any successor bureau or the
20 Department of Innovation and Technology.

21 The cities of Champaign and Urbana shall be considered
22 employers, but only during the period for which contributions
23 are required to be made under subsection (b-1) of Section
24 15-155 and only with respect to individuals described in
25 subsection (h) of Section 15-107.

26 (Source: P.A. 99-830, eff. 1-1-17; 99-897, eff. 1-1-17.)

1 Section 1-955. The Hydraulic Fracturing Regulatory Act is
2 amended by changing Section 1-110 as follows:

3 (225 ILCS 732/1-110)

4 Sec. 1-110. Public information; website.

5 (a) All information submitted to the Department under this
6 Act is deemed public information, except information deemed to
7 constitute a trade secret under Section 1-77 of this Act and
8 private information and personal information as defined in the
9 Freedom of Information Act.

10 (b) To provide the public and concerned citizens with a
11 centralized repository of information, the Department, in
12 consultation with the Department of Innovation and Technology,
13 shall create and maintain a comprehensive website dedicated to
14 providing information concerning high volume horizontal
15 hydraulic fracturing operations. The website shall contain,
16 assemble, and link the documents and information required by
17 this Act to be posted on the Department's or other agencies'
18 websites. The Department of Innovation and Technology, on
19 behalf of the Department, shall also create and maintain an
20 online searchable database that provides information related
21 to high volume horizontal hydraulic fracturing operations on
22 wells that, at a minimum, includes, for each well it permits,
23 the identity of its operators, its waste disposal, its chemical
24 disclosure information, and any complaints or violations under

1 this Act. The website created under this Section shall allow
2 users to search for completion reports by well name and
3 location, dates of fracturing and drilling operations,
4 operator, and by chemical additives.

5 (Source: P.A. 98-22, eff. 6-17-13; 99-78, eff. 7-20-15.)

6 Section 1-960. The Illinois Public Aid Code is amended by
7 changing Section 12-10.10 as follows:

8 (305 ILCS 5/12-10.10)

9 Sec. 12-10.10. DHS Technology Initiative Fund.

10 (a) The DHS Technology Initiative Fund is hereby created as
11 a trust fund within the State treasury with the State Treasurer
12 as the ex-officio custodian of the Fund.

13 (b) The Department of Human Services may accept and receive
14 grants, awards, gifts, and bequests from any source, public or
15 private, in support of information technology initiatives.
16 Moneys received in support of information technology
17 initiatives, and any interest earned thereon, shall be
18 deposited into the DHS Technology Initiative Fund.

19 (c) Moneys in the Fund may be used by the Department of
20 Human Services for the purpose of making grants associated with
21 the development and implementation of information technology
22 projects or paying for operational expenses of the Department
23 of Human Services related to such projects.

24 (d) The Department of Human Services, in consultation with

1 the Department of Innovation and Technology, shall use the
2 funds deposited in the DHS Technology Fund to pay for
3 information technology solutions either provided by Department
4 of Innovation and Technology or arranged or coordinated by the
5 Department of Innovation and Technology.

6 (Source: P.A. 98-24, eff. 6-19-13.)

7 Section 1-965. The Methamphetamine Precursor Tracking Act
8 is amended by changing Section 20 as follows:

9 (720 ILCS 649/20)

10 Sec. 20. Secure website.

11 (a) The Illinois State Police, in consultation with the
12 Department of Innovation and Technology, shall establish a
13 secure website for the transmission of electronic transaction
14 records and make it available free of charge to covered
15 pharmacies.

16 (b) The secure website shall enable covered pharmacies to
17 transmit to the Central Repository an electronic transaction
18 record each time the pharmacy distributes a targeted
19 methamphetamine precursor to a recipient.

20 (c) If the secure website becomes unavailable to a covered
21 pharmacy, the covered pharmacy may, during the period in which
22 the secure website is not available, continue to distribute
23 targeted methamphetamine precursor without using the secure
24 website if, during this period, the covered pharmacy maintains

1 and transmits handwritten logs as described in Sections 20 and
2 25 of the Methamphetamine Precursor Control Act.

3 (Source: P.A. 97-670, eff. 1-19-12.)

4 Article 5. Illinois Information Security Improvement

5 Section 5-1. Short title. This Article may be cited as the
6 Illinois Information Security Improvement Act. References in
7 this Article to "this Act" mean this Article.

8 Section 5-5. Definitions. As used in this Act:

9 "Critical information system" means any information system
10 (including any telecommunications system) used or operated by a
11 State agency or by a contractor of a State agency or other
12 organization or entity on behalf of a State agency: that
13 contains health insurance information, medical information, or
14 personal information as defined in the Personal Information
15 Protection Act; where the unauthorized disclosure,
16 modification, destruction of information in the information
17 system could be expected to have a serious, severe, or
18 catastrophic adverse effect on State agency operations,
19 assets, or individuals; or where the disruption of access to or
20 use of the information or information system could be expected
21 to have a serious, severe, or catastrophic adverse effect on
22 State operations, assets, or individuals.

23 "Department" means the Department of Innovation and

1 Technology.

2 "Information security" means protecting information and
3 information systems from unauthorized access, use, disclosure,
4 disruption, modification, or destruction in order to provide:
5 integrity, which means guarding against improper information
6 modification or destruction, and includes ensuring information
7 non-repudiation and authenticity; confidentiality, which means
8 preserving authorized restrictions on access and disclosure,
9 including means for protecting personal privacy and
10 proprietary information; and availability, which means
11 ensuring timely and reliable access to and use of information.

12 "Incident" means an occurrence that: actually or
13 imminently jeopardizes, without lawful authority, the
14 confidentiality, integrity, or availability of information or
15 an information system; or constitutes a violation or imminent
16 threat of violation of law, security policies, security
17 procedures, or acceptable use policies or standard security
18 practices.

19 "Information system" means a discrete set of information
20 resources organized for the collection, processing,
21 maintenance, use, sharing, dissemination, or disposition of
22 information created or maintained by or for the State of
23 Illinois.

24 "Office" means the Office of the Statewide Chief
25 Information Security Officer.

26 "Secretary" means the Secretary of Innovation and

1 Technology.

2 "Security controls" means the management, operational, and
3 technical controls (including safeguards and countermeasures)
4 for an information system that protect the confidentiality,
5 integrity, and availability of the system and its information.

6 "State agency" means any agency under the jurisdiction of
7 the Governor.

8 Section 5-10. Purpose. The purposes of this Act are to:

9 (1) provide a comprehensive framework for ensuring the
10 effectiveness of information security controls over
11 information resources that support State agency operations
12 and assets;

13 (2) recognize the critical role of information and
14 information systems in the provision of life, health,
15 safety, and other crucial services to the citizens of the
16 State of Illinois and the risk posed to these services due
17 to the ever-evolving cybersecurity threat;

18 (3) recognize the highly networked nature of the
19 current State of Illinois working environment and provide
20 effective statewide management and oversight of the
21 related information security risks, including coordination
22 of information security efforts across State agencies;

23 (4) provide for the development and maintenance of
24 minimum security controls required to protect State of
25 Illinois information and information systems;

1 (5) provide a mechanism for improved oversight of State
2 agency information security programs, including through
3 automated security tools to continuously diagnose and
4 improve security;

5 (6) recognize that information security risk is both a
6 business and public safety issue, and the acceptance of
7 risk is a decision to be made at the executive levels of
8 State government; and

9 (7) ensure a continued and deliberate effort to reduce
10 the risk posed to the State by cyberattacks and other
11 information security incidents that could impact the
12 information security of the State.

13 Section 5-15. Office of the Statewide Chief Information
14 Security Officer.

15 (a) The Office of the Statewide Chief Information Security
16 Officer is established within the Department of Innovation and
17 Technology. The Office is directly subordinate to the Secretary
18 of Innovation and Technology.

19 (b) The Office shall:

20 (1) serve as the strategic planning, facilitation, and
21 coordination office for information technology security in
22 this State and as the lead and central coordinating entity
23 to guide and oversee the information security functions of
24 State agencies;

25 (2) provide information security services to support

1 the secure delivery of State agency services that utilize
2 information systems and to assist State agencies with
3 fulfilling their responsibilities under this Act;

4 (3) conduct information and cybersecurity strategic,
5 operational, and resource planning and facilitating an
6 effective enterprise information security architecture
7 capable of protecting the State;

8 (4) identify information security risks to each State
9 agency, to third-party providers, and to key supply chain
10 partners, including an assessment of the extent to which
11 information resources or processes are vulnerable to
12 unauthorized access or harm, including the extent to which
13 the agency's or contractor's electronically stored
14 information is vulnerable to unauthorized access, use,
15 disclosure, disruption, modification, or destruction, and
16 recommend risk mitigation strategies, methods, and
17 procedures to reduce those risks. These assessments shall
18 also include, but not be limited to, assessments of
19 information systems, computers, printers, software,
20 computer networks, interfaces to computer systems, mobile
21 and peripheral device sensors, and other devices or systems
22 which access the State's network, computer software, and
23 information processing or operational procedures of the
24 agency or of a contractor of the agency.

25 (5) manage the response to information security and
26 information security incidents involving State of Illinois

1 information systems and ensure the completeness of
2 information system security plans for critical information
3 systems;

4 (6) conduct pre-deployment information security
5 assessments for critical information systems and submit
6 findings and recommendations to the Secretary and State
7 agency heads;

8 (7) develop and conduct targeted operational
9 evaluations, including threat and vulnerability
10 assessments on information systems;

11 (8) monitor and report compliance of each State agency
12 with State information security policies, standards, and
13 procedures;

14 (9) coordinate statewide information security
15 awareness and training programs; and

16 (10) develop and execute other strategies as necessary
17 to protect this State's information technology
18 infrastructure and the data stored on or transmitted by
19 such infrastructure.

20 (c) The Office may temporarily suspend operation of an
21 information system or information technology infrastructure
22 that is owned, leased, outsourced, or shared by one or more
23 State agencies in order to isolate the source of, or stop the
24 spread of, an information security breach or other similar
25 information security incident. State agencies shall comply
26 with directives to temporarily discontinue or suspend

1 operations of information systems or information technology
2 infrastructure.

3 Section 5-20. Statewide Chief Information Security
4 Officer. The position of Statewide Chief Information Security
5 Officer is established within the Office. The Secretary shall
6 appoint a Statewide Chief Information Security Officer who
7 shall serve at the pleasure of the Secretary. The Statewide
8 Chief Information Security Officer shall report to and be under
9 the supervision of the Secretary. The Statewide Chief
10 Information Security Officer shall exhibit a background and
11 experience in information security, information technology, or
12 risk management, or exhibit other appropriate expertise
13 required to fulfill the duties of the Statewide Chief
14 Information Security Officer. If the Statewide Chief
15 Information Security Officer is unable or unavailable to
16 perform the duties and responsibilities under Section 25, all
17 powers and authority granted to the Statewide Chief Information
18 Security Officer may be exercised by the Secretary or his or
19 her designee.

20 Section 5-25. Responsibilities.

21 (a) The Secretary shall:

22 (1) appoint a Statewide Chief Information Security
23 Officer pursuant to Section 20;

24 (2) provide the Office with the staffing and resources

1 deemed necessary by the Secretary to fulfill the
2 responsibilities of the Office;

3 (3) oversee statewide information security policies
4 and practices, including:

5 (A) directing and overseeing the development,
6 implementation, and communication of statewide
7 information security policies, standards, and
8 guidelines;

9 (B) overseeing the education of State agency
10 personnel regarding the requirement to identify and
11 provide information security protections commensurate
12 with the risk and magnitude of the harm resulting from
13 the unauthorized access, use, disclosure, disruption,
14 modification, or destruction of information in a
15 critical information system;

16 (C) overseeing the development and implementation
17 of a statewide information security risk management
18 program;

19 (D) overseeing State agency compliance with the
20 requirements of this Section;

21 (E) coordinating Information Security policies and
22 practices with related information and personnel
23 resources management policies and procedures; and

24 (F) providing an effective and efficient process
25 to assist State agencies with complying with the
26 requirements of this Act.

1 (b) The Statewide Chief Information Security Officer
2 shall:

3 (1) serve as the head of the Office and ensure the
4 execution of the responsibilities of the Office as set
5 forth in subsection (c) of Section 15, the Statewide Chief
6 Information Security Officer shall also oversee State
7 agency personnel with significant responsibilities for
8 information security and ensure a competent workforce that
9 keeps pace with the changing information security
10 environment;

11 (2) develop and recommend information security
12 policies, standards, procedures, and guidelines to the
13 Secretary for statewide adoption and monitor compliance
14 with these policies, standards, guidelines, and procedures
15 through periodic testing;

16 (3) develop and maintain risk-based, cost-effective
17 information security programs and control techniques to
18 address all applicable security and compliance
19 requirements throughout the life cycle of State agency
20 information systems;

21 (4) establish the procedures, processes, and
22 technologies to rapidly and effectively identify threats,
23 risks, and vulnerabilities to State information systems,
24 and ensure the prioritization of the remediation of
25 vulnerabilities that pose risk to the State;

26 (5) develop and implement capabilities and procedures

1 for detecting, reporting, and responding to information
2 security incidents;

3 (6) establish and direct a statewide information
4 security risk management program to identify information
5 security risks in State agencies and deploy risk mitigation
6 strategies, processes, and procedures;

7 (7) establish the State's capability to sufficiently
8 protect the security of data through effective information
9 system security planning, secure system development,
10 acquisition, and deployment, the application of protective
11 technologies and information system certification,
12 accreditation, and assessments;

13 (8) ensure that State agency personnel, including
14 contractors, are appropriately screened and receive
15 information security awareness training;

16 (9) convene meetings with agency heads and other State
17 officials to help ensure:

18 (A) the ongoing communication of risk and risk
19 reduction strategies,

20 (B) effective implementation of information
21 security policies and practices, and

22 (C) the incorporation of and compliance with
23 information security policies, standards, and
24 guidelines into the policies and procedures of the
25 agencies;

26 (10) provide operational and technical assistance to

1 State agencies in implementing policies, principles,
2 standards, and guidelines on information security,
3 including implementation of standards promulgated under
4 subparagraph (A) of paragraph (3) of subsection (a) of this
5 Section, and provide assistance and effective and
6 efficient means for State agencies to comply with the State
7 agency requirements under this Act;

8 (11) in coordination and consultation with the
9 Secretary and the Governor's Office of Management and
10 Budget, review State agency budget requests related to
11 Information Security systems and provide recommendations
12 to the Governor's Office of Management and Budget;

13 (12) ensure the preparation and maintenance of plans
14 and procedures to provide cyber resilience and continuity
15 of operations for critical information systems that
16 support the operations of the State; and

17 (13) take such other actions as the Secretary may
18 direct.

19 Article 99.

20 Section 99-95. No acceleration or delay. Where this Act
21 makes changes in a statute that is represented in this Act by
22 text that is not yet or no longer in effect (for example, a
23 Section represented by multiple versions), the use of that text
24 does not accelerate or delay the taking effect of (i) the

1 changes made by this Act or (ii) provisions derived from any
2 other Public Act.

3 Section 99-97. Severability. The provisions of this Act are
4 severable under Section 1.31 of the Statute on Statutes.

5 Section 99-99. Effective date. This Act takes effect upon
6 becoming law."