



Rep. Jaime M. Andrade, Jr.

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LRB100 20507 RJF 38347 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, 14-152.1, and 15-106 as  
23 follows:

24 (40 ILCS 5/1-160)

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

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

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

1 Section 1-161 to instead receive the benefits provided under  
2 this Section and the applicable provisions of that Article.

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

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

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

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

1 purposes of a person who first becomes a member or participant  
2 of any retirement system or pension fund to which this Section  
3 applies on or after January 1, 2011, in this Code, "final  
4 average salary" shall be substituted for the following:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

26 (i) to be eligible for the reduced retirement age

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

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

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

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

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

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

26 (f) The initial survivor's or widow's annuity of an



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

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

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

1 recalculated if recalculation is provided for under the  
2 applicable Article of this Code.

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

22 (i) (Blank).

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

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

1 100-563, eff. 12-8-17.)

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

3 Sec. 14-110. Alternative retirement annuity.

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

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

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

1 the first 10 years of such service, 1.90% for each of the  
2 next 10 years of such service, 2.10% for each year of such  
3 service in excess of 20 but not exceeding 30, and 2.30% for  
4 each year in excess of 30.

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

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

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

17 (1) State policeman;

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

20 (3) air pilot;

21 (4) special agent;

22 (5) investigator for the Secretary of State;

23 (6) conservation police officer;

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

26 (8) security employee of the Department of Human

1 Services;

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

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

6 (11) dangerous drugs investigator;

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

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

10 (14) controlled substance inspector;

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

13 (16) Commerce Commission police officer;

14 (17) arson investigator;

15 (18) State highway maintenance worker;

16 (19) security employee of the Department of Innovation  
17 and Technology; or

18 (20) transferred employee.

19 A person employed in one of the positions specified in this  
20 subsection is entitled to eligible creditable service for  
21 service credit earned under this Article while undergoing the  
22 basic police training course approved by the Illinois Law  
23 Enforcement Training Standards Board, if completion of that  
24 training is required of persons serving in that position. For  
25 the purposes of this Code, service during the required basic  
26 police training course shall be deemed performance of the

1 duties of the specified position, even though the person is not  
2 a sworn peace officer at the time of the training.

3 A person under paragraph (20) is entitled to eligible  
4 creditable service for service credit earned under this Article  
5 on and after his or her transfer by Executive Order No.  
6 2003-10, Executive Order No. 2004-2, or Executive Order No.  
7 2016-1.

8 (c) For the purposes of this Section:

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

12 (2) The term "fire fighter in the fire protection  
13 service of a department" includes all officers in such fire  
14 protection service including fire chiefs and assistant  
15 fire chiefs.

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

26 (4) The term "special agent" means any person who by

1 reason of employment by the Division of Narcotic Control,  
2 the Bureau of Investigation or, after July 1, 1977, the  
3 Division of Criminal Investigation, the Division of  
4 Internal Investigation, the Division of Operations, or any  
5 other Division or organizational entity in the Department  
6 of State Police is vested by law with duties to maintain  
7 public order, investigate violations of the criminal law of  
8 this State, enforce the laws of this State, make arrests  
9 and recover property. The term "special agent" includes any  
10 title or position in the Department of State Police that is  
11 held by an individual employed under the State Police Act.

12 (5) The term "investigator for the Secretary of State"  
13 means any person employed by the Office of the Secretary of  
14 State and vested with such investigative duties as render  
15 him ineligible for coverage under the Social Security Act  
16 by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and  
17 218(1)(1) of that Act.

18 A person who became employed as an investigator for the  
19 Secretary of State between January 1, 1967 and December 31,  
20 1975, and who has served as such until attainment of age  
21 60, either continuously or with a single break in service  
22 of not more than 3 years duration, which break terminated  
23 before January 1, 1976, shall be entitled to have his  
24 retirement annuity calculated in accordance with  
25 subsection (a), notwithstanding that he has less than 20  
26 years of credit for such service.



1           (6) The term "Conservation Police Officer" means any  
2 person employed by the Division of Law Enforcement of the  
3 Department of Natural Resources and vested with such law  
4 enforcement duties as render him ineligible for coverage  
5 under the Social Security Act by reason of Sections  
6 218(d)(5)(A), 218(d)(8)(D), and 218(1)(1) of that Act. The  
7 term "Conservation Police Officer" includes the positions  
8 of Chief Conservation Police Administrator and Assistant  
9 Conservation Police Administrator.

10           (7) The term "investigator for the Department of  
11 Revenue" means any person employed by the Department of  
12 Revenue and vested with such investigative duties as render  
13 him ineligible for coverage under the Social Security Act  
14 by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and  
15 218(1)(1) of that Act.

16           The term "investigator for the Illinois Gaming Board"  
17 means any person employed as such by the Illinois Gaming  
18 Board and vested with such peace officer duties as render  
19 the person ineligible for coverage under the Social  
20 Security Act by reason of Sections 218(d)(5)(A),  
21 218(d)(8)(D), and 218(1)(1) of that Act.

22           (8) The term "security employee of the Department of  
23 Human Services" means any person employed by the Department  
24 of Human Services who (i) is employed at the Chester Mental  
25 Health Center and has daily contact with the residents  
26 thereof, (ii) is employed within a security unit at a

1 facility operated by the Department and has daily contact  
2 with the residents of the security unit, (iii) is employed  
3 at a facility operated by the Department that includes a  
4 security unit and is regularly scheduled to work at least  
5 50% of his or her working hours within that security unit,  
6 or (iv) is a mental health police officer. "Mental health  
7 police officer" means any person employed by the Department  
8 of Human Services in a position pertaining to the  
9 Department's mental health and developmental disabilities  
10 functions who is vested with such law enforcement duties as  
11 render the person ineligible for coverage under the Social  
12 Security Act by reason of Sections 218(d)(5)(A),  
13 218(d)(8)(D) and 218(1)(1) of that Act. "Security unit"  
14 means that portion of a facility that is devoted to the  
15 care, containment, and treatment of persons committed to  
16 the Department of Human Services as sexually violent  
17 persons, persons unfit to stand trial, or persons not  
18 guilty by reason of insanity. With respect to past  
19 employment, references to the Department of Human Services  
20 include its predecessor, the Department of Mental Health  
21 and Developmental Disabilities.

22 The changes made to this subdivision (c)(8) by Public  
23 Act 92-14 apply to persons who retire on or after January  
24 1, 2001, notwithstanding Section 1-103.1.

25 (9) "Central Management Services security police  
26 officer" means any person employed by the Department of

1 Central Management Services who is vested with such law  
2 enforcement duties as render him ineligible for coverage  
3 under the Social Security Act by reason of Sections  
4 218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act.

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

26 (11) The term "dangerous drugs investigator" means any

1 person who is employed as such by the Department of Human  
2 Services.

3 (12) The term "investigator for the Department of State  
4 Police" means a person employed by the Department of State  
5 Police who is vested under Section 4 of the Narcotic  
6 Control Division Abolition Act with such law enforcement  
7 powers as render him ineligible for coverage under the  
8 Social Security Act by reason of Sections 218(d)(5)(A),  
9 218(d)(8)(D) and 218(1)(1) of that Act.

10 (13) "Investigator for the Office of the Attorney  
11 General" means any person who is employed as such by the  
12 Office of the Attorney General and is vested with such  
13 investigative duties as render him ineligible for coverage  
14 under the Social Security Act by reason of Sections  
15 218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act. For  
16 the period before January 1, 1989, the term includes all  
17 persons who were employed as investigators by the Office of  
18 the Attorney General, without regard to social security  
19 status.

20 (14) "Controlled substance inspector" means any person  
21 who is employed as such by the Department of Professional  
22 Regulation and is vested with such law enforcement duties  
23 as render him ineligible for coverage under the Social  
24 Security Act by reason of Sections 218(d)(5)(A),  
25 218(d)(8)(D) and 218(1)(1) of that Act. The term  
26 "controlled substance inspector" includes the Program

1 Executive of Enforcement and the Assistant Program  
2 Executive of Enforcement.

3 (15) The term "investigator for the Office of the  
4 State's Attorneys Appellate Prosecutor" means a person  
5 employed in that capacity on a full time basis under the  
6 authority of Section 7.06 of the State's Attorneys  
7 Appellate Prosecutor's Act.

8 (16) "Commerce Commission police officer" means any  
9 person employed by the Illinois Commerce Commission who is  
10 vested with such law enforcement duties as render him  
11 ineligible for coverage under the Social Security Act by  
12 reason of Sections 218(d)(5)(A), 218(d)(8)(D), and  
13 218(1)(1) of that Act.

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

1 the applicant were contributing at the rate applicable to  
2 persons with the same social security status earning  
3 eligible creditable service on the date of application.

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

6 (i) A person employed on a full-time basis by the  
7 Illinois Department of Transportation in the position  
8 of highway maintainer, highway maintenance lead  
9 worker, highway maintenance lead/lead worker, heavy  
10 construction equipment operator, power shovel  
11 operator, or bridge mechanic; and whose principal  
12 responsibility is to perform, on the roadway, the  
13 actual maintenance necessary to keep the highways that  
14 form a part of the State highway system in serviceable  
15 condition for vehicular traffic.

16 (ii) A person employed on a full-time basis by the  
17 Illinois State Toll Highway Authority in the position  
18 of equipment operator/laborer H-4, equipment  
19 operator/laborer H-6, welder H-4, welder H-6,  
20 mechanical/electrical H-4, mechanical/electrical H-6,  
21 water/sewer H-4, water/sewer H-6, sign maker/hanger  
22 H-4, sign maker/hanger H-6, roadway lighting H-4,  
23 roadway lighting H-6, structural H-4, structural H-6,  
24 painter H-4, or painter H-6; and whose principal  
25 responsibility is to perform, on the roadway, the  
26 actual maintenance necessary to keep the Authority's

1 tollways in serviceable condition for vehicular  
2 traffic.

3 (19) The term "security employee of the Department of  
4 Innovation and Technology" means a person who was a  
5 security employee of the Department of Corrections or the  
6 Department of Juvenile Justice, was transferred to the  
7 Department of Innovation and Technology pursuant to  
8 Executive Order 2016-01, and continues to perform similar  
9 job functions under that Department.

10 (20) "Transferred employee" means an employee who was  
11 transferred to the Department of Central Management  
12 Services by Executive Order No. 2003-10 or Executive Order  
13 No. 2004-2 or transferred to the Department of Innovation  
14 and Technology by Executive Order No. 2016-1, or both, and  
15 was entitled to eligible creditable service for services  
16 immediately preceding the transfer.

17 (d) A security employee of the Department of Corrections or  
18 the Department of Juvenile Justice, ~~and~~ a security employee of  
19 the Department of Human Services who is not a mental health  
20 police officer, and a security employee of the Department of  
21 Innovation and Technology shall not be eligible for the  
22 alternative retirement annuity provided by this Section unless  
23 he or she meets the following minimum age and service  
24 requirements at the time of retirement:

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

26 or

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

4           (iii) beginning January 1, 1988, 25 years of eligible  
5           creditable service and age 53, or 23 years of eligible  
6           creditable service and age 55; or

7           (iv) beginning January 1, 1989, 25 years of eligible  
8           creditable service and age 52, or 22 years of eligible  
9           creditable service and age 55; or

10          (v) beginning January 1, 1990, 25 years of eligible  
11          creditable service and age 51, or 21 years of eligible  
12          creditable service and age 55; or

13          (vi) beginning January 1, 1991, 25 years of eligible  
14          creditable service and age 50, or 20 years of eligible  
15          creditable service and age 55.

16          Persons who have service credit under Article 16 of this  
17          Code for service as a security employee of the Department of  
18          Corrections or the Department of Juvenile Justice, or the  
19          Department of Human Services in a position requiring  
20          certification as a teacher may count such service toward  
21          establishing their eligibility under the service requirements  
22          of this Section; but such service may be used only for  
23          establishing such eligibility, and not for the purpose of  
24          increasing or calculating any benefit.

25          (e) If a member enters military service while working in a  
26          position in which eligible creditable service may be earned,



1 and returns to State service in the same or another such  
2 position, and fulfills in all other respects the conditions  
3 prescribed in this Article for credit for military service,  
4 such military service shall be credited as eligible creditable  
5 service for the purposes of the retirement annuity prescribed  
6 in this Section.

7 (f) For purposes of calculating retirement annuities under  
8 this Section, periods of service rendered after December 31,  
9 1968 and before October 1, 1975 as a covered employee in the  
10 position of special agent, conservation police officer, mental  
11 health police officer, or investigator for the Secretary of  
12 State, shall be deemed to have been service as a noncovered  
13 employee, provided that the employee pays to the System prior  
14 to retirement an amount equal to (1) the difference between the  
15 employee contributions that would have been required for such  
16 service as a noncovered employee, and the amount of employee  
17 contributions actually paid, plus (2) if payment is made after  
18 July 31, 1987, regular interest on the amount specified in item  
19 (1) from the date of service to the date of payment.

20 For purposes of calculating retirement annuities under  
21 this Section, periods of service rendered after December 31,  
22 1968 and before January 1, 1982 as a covered employee in the  
23 position of investigator for the Department of Revenue shall be  
24 deemed to have been service as a noncovered employee, provided  
25 that the employee pays to the System prior to retirement an  
26 amount equal to (1) the difference between the employee

1 contributions that would have been required for such service as  
2 a noncovered employee, and the amount of employee contributions  
3 actually paid, plus (2) if payment is made after January 1,  
4 1990, regular interest on the amount specified in item (1) from  
5 the date of service to the date of payment.

6 (g) A State policeman may elect, not later than January 1,  
7 1990, to establish eligible creditable service for up to 10  
8 years of his service as a policeman under Article 3, by filing  
9 a written election with the Board, accompanied by payment of an  
10 amount to be determined by the Board, equal to (i) the  
11 difference between the amount of employee and employer  
12 contributions transferred to the System under Section 3-110.5,  
13 and the amounts that would have been contributed had such  
14 contributions been made at the rates applicable to State  
15 policemen, plus (ii) interest thereon at the effective rate for  
16 each year, compounded annually, from the date of service to the  
17 date of payment.

18 Subject to the limitation in subsection (i), a State  
19 policeman may elect, not later than July 1, 1993, to establish  
20 eligible creditable service for up to 10 years of his service  
21 as a member of the County Police Department under Article 9, by  
22 filing a written election with the Board, accompanied by  
23 payment of an amount to be determined by the Board, equal to  
24 (i) the difference between the amount of employee and employer  
25 contributions transferred to the System under Section 9-121.10  
26 and the amounts that would have been contributed had those

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

5 (h) Subject to the limitation in subsection (i), a State  
6 policeman or investigator for the Secretary of State may elect  
7 to establish eligible creditable service for up to 12 years of  
8 his service as a policeman under Article 5, by filing a written  
9 election with the Board on or before January 31, 1992, 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 5-236, 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 10 years of service as a sheriff's  
22 law enforcement employee under Article 7, by filing a written  
23 election with the Board on or before January 31, 1993, and  
24 paying to the System by January 31, 1994 an amount to be  
25 determined by the Board, equal to (i) the difference between  
26 the amount of employee and employer contributions transferred

1 to the System under Section 7-139.7, and the amounts that would  
2 have been contributed had such contributions been made at the  
3 rates applicable to State policemen, plus (ii) interest thereon  
4 at the effective rate for each year, compounded annually, from  
5 the date of service to the date of payment.

6 Subject to the limitation in subsection (i), a State  
7 policeman, conservation police officer, or investigator for  
8 the Secretary of State may elect to establish eligible  
9 creditable service for up to 5 years of service as a police  
10 officer under Article 3, a policeman under Article 5, a  
11 sheriff's law enforcement employee under Article 7, a member of  
12 the county police department under Article 9, or a police  
13 officer under Article 15 by filing a written election with the  
14 Board and paying to the System an amount to be determined by  
15 the Board, equal to (i) the difference between the amount of  
16 employee and employer contributions transferred to the System  
17 under Section 3-110.6, 5-236, 7-139.8, 9-121.10, or 15-134.4  
18 and the amounts that would have been contributed had such  
19 contributions been made at the rates applicable to State  
20 policemen, plus (ii) interest thereon at the effective rate for  
21 each year, compounded annually, from the date of service to the  
22 date of payment.

23 Subject to the limitation in subsection (i), an  
24 investigator for the Office of the Attorney General, or an  
25 investigator for the Department of Revenue, may elect to  
26 establish eligible creditable service for up to 5 years of

1 service as a police officer under Article 3, a policeman under  
2 Article 5, a sheriff's law enforcement employee under Article  
3 7, or a member of the county police department under Article 9  
4 by filing a written election with the Board within 6 months  
5 after August 25, 2009 (the effective date of Public Act 96-745)  
6 and paying to the System an amount to be determined by the  
7 Board, equal to (i) the difference between the amount of  
8 employee and employer contributions transferred to the System  
9 under Section 3-110.6, 5-236, 7-139.8, or 9-121.10 and the  
10 amounts that would have been contributed had such contributions  
11 been made at the rates applicable to State policemen, plus (ii)  
12 interest thereon at the actuarially assumed rate for each year,  
13 compounded annually, from the date of service to the date of  
14 payment.

15 Subject to the limitation in subsection (i), a State  
16 policeman, conservation police officer, investigator for the  
17 Office of the Attorney General, an investigator for the  
18 Department of Revenue, or investigator for the Secretary of  
19 State may elect to establish eligible creditable service for up  
20 to 5 years of service as a person employed by a participating  
21 municipality to perform police duties, or law enforcement  
22 officer employed on a full-time basis by a forest preserve  
23 district under Article 7, a county corrections officer, or a  
24 court services officer under Article 9, by filing a written  
25 election with the Board within 6 months after August 25, 2009  
26 (the effective date of Public Act 96-745) and paying to the

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

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

12 (j) Subject to the limitation in subsection (i), an  
13 investigator for the Office of the State's Attorneys Appellate  
14 Prosecutor or a controlled substance inspector may elect to  
15 establish eligible creditable service for up to 10 years of his  
16 service as a policeman under Article 3 or a sheriff's law  
17 enforcement employee under Article 7, by filing a written  
18 election with the Board, accompanied by payment of an amount to  
19 be determined by the Board, equal to (1) the difference between  
20 the amount of employee and employer contributions transferred  
21 to the System under Section 3-110.6 or 7-139.8, and the amounts  
22 that would have been contributed had such contributions been  
23 made at the rates applicable to State policemen, plus (2)  
24 interest thereon at the effective rate for each year,  
25 compounded annually, from the date of service to the date of  
26 payment.

1           (k) Subject to the limitation in subsection (i) of this  
2 Section, an alternative formula employee may elect to establish  
3 eligible creditable service for periods spent as a full-time  
4 law enforcement officer or full-time corrections officer  
5 employed by the federal government or by a state or local  
6 government located outside of Illinois, for which credit is not  
7 held in any other public employee pension fund or retirement  
8 system. To obtain this credit, the applicant must file a  
9 written application with the Board by March 31, 1998,  
10 accompanied by evidence of eligibility acceptable to the Board  
11 and payment of an amount to be determined by the Board, equal  
12 to (1) employee contributions for the credit being established,  
13 based upon the applicant's salary on the first day as an  
14 alternative formula employee after the employment for which  
15 credit is being established and the rates then applicable to  
16 alternative formula employees, plus (2) an amount determined by  
17 the Board to be the employer's normal cost of the benefits  
18 accrued for the credit being established, plus (3) regular  
19 interest on the amounts in items (1) and (2) from the first day  
20 as an alternative formula employee after the employment for  
21 which credit is being established to the date of payment.

22           (1) Subject to the limitation in subsection (i), a security  
23 employee of the Department of Corrections may elect, not later  
24 than July 1, 1998, to establish eligible creditable service for  
25 up to 10 years of his or her service as a policeman under  
26 Article 3, by filing a written election with the Board,

1 accompanied by payment of an amount to be determined by the  
2 Board, equal to (i) the difference between the amount of  
3 employee and employer contributions transferred to the System  
4 under Section 3-110.5, and the amounts that would have been  
5 contributed had such contributions been made at the rates  
6 applicable to security employees of the Department of  
7 Corrections, plus (ii) interest thereon at the effective rate  
8 for each year, compounded annually, from the date of service to  
9 the date of payment.

10 (m) The amendatory changes to this Section made by this  
11 amendatory Act of the 94th General Assembly apply only to: (1)  
12 security employees of the Department of Juvenile Justice  
13 employed by the Department of Corrections before the effective  
14 date of this amendatory Act of the 94th General Assembly and  
15 transferred to the Department of Juvenile Justice by this  
16 amendatory Act of the 94th General Assembly; and (2) persons  
17 employed by the Department of Juvenile Justice on or after the  
18 effective date of this amendatory Act of the 94th General  
19 Assembly who are required by subsection (b) of Section 3-2.5-15  
20 of the Unified Code of Corrections to have any bachelor's or  
21 advanced degree from an accredited college or university or, in  
22 the case of persons who provide vocational training, who are  
23 required to have adequate knowledge in the skill for which they  
24 are providing the vocational training.

25 (n) A person employed in a position under subsection (b) of  
26 this Section who has purchased service credit under subsection



1 (j) of Section 14-104 or subsection (b) of Section 14-105 in  
2 any other capacity under this Article may convert up to 5 years  
3 of that service credit into service credit covered under this  
4 Section by paying to the Fund an amount equal to (1) the  
5 additional employee contribution required under Section  
6 14-133, plus (2) the additional employer contribution required  
7 under Section 14-131, plus (3) interest on items (1) and (2) at  
8 the actuarially assumed rate from the date of the service to  
9 the date of payment.

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

11 (40 ILCS 5/14-152.1)

12 Sec. 14-152.1. Application and expiration of new benefit  
13 increases.

14 (a) As used in this Section, "new benefit increase" means  
15 an increase in the amount of any benefit provided under this  
16 Article, or an expansion of the conditions of eligibility for  
17 any benefit under this Article, that results from an amendment  
18 to this Code that takes effect after June 1, 2005 (the  
19 effective date of Public Act 94-4). "New benefit increase",  
20 however, does not include any benefit increase resulting from  
21 the changes made to Article 1 or this Article by Public Act  
22 96-37, Public Act 100-23, or this amendatory Act of the 100th  
23 General Assembly ~~or by this amendatory Act of the 100th General~~  
24 ~~Assembly.~~

25 (b) Notwithstanding any other provision of this Code or any

1 subsequent amendment to this Code, every new benefit increase  
2 is subject to this Section and shall be deemed to be granted  
3 only in conformance with and contingent upon compliance with  
4 the provisions of this Section.

5 (c) The Public Act enacting a new benefit increase must  
6 identify and provide for payment to the System of additional  
7 funding at least sufficient to fund the resulting annual  
8 increase in cost to the System as it accrues.

9 Every new benefit increase is contingent upon the General  
10 Assembly providing the additional funding required under this  
11 subsection. The Commission on Government Forecasting and  
12 Accountability shall analyze whether adequate additional  
13 funding has been provided for the new benefit increase and  
14 shall report its analysis to the Public Pension Division of the  
15 Department of Insurance. A new benefit increase created by a  
16 Public Act that does not include the additional funding  
17 required under this subsection is null and void. If the Public  
18 Pension Division determines that the additional funding  
19 provided for a new benefit increase under this subsection is or  
20 has become inadequate, it may so certify to the Governor and  
21 the State Comptroller and, in the absence of corrective action  
22 by the General Assembly, the new benefit increase shall expire  
23 at the end of the fiscal year in which the certification is  
24 made.

25 (d) Every new benefit increase shall expire 5 years after  
26 its effective date or on such earlier date as may be specified

1 in the language enacting the new benefit increase or provided  
2 under subsection (c). This does not prevent the General  
3 Assembly from extending or re-creating a new benefit increase  
4 by law.

5 (e) Except as otherwise provided in the language creating  
6 the new benefit increase, a new benefit increase that expires  
7 under this Section continues to apply to persons who applied  
8 and qualified for the affected benefit while the new benefit  
9 increase was in effect and to the affected beneficiaries and  
10 alternate payees of such persons, but does not apply to any  
11 other person, including without limitation a person who  
12 continues in service after the expiration date and did not  
13 apply and qualify for the affected benefit while the new  
14 benefit increase was in effect.

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

16 (40 ILCS 5/15-106) (from Ch. 108 1/2, par. 15-106)

17 Sec. 15-106. Employer. "Employer": The University of  
18 Illinois, Southern Illinois University, Chicago State  
19 University, Eastern Illinois University, Governors State  
20 University, Illinois State University, Northeastern Illinois  
21 University, Northern Illinois University, Western Illinois  
22 University, the State Board of Higher Education, the Illinois  
23 Mathematics and Science Academy, the University Civil Service  
24 Merit Board, the Board of Trustees of the State Universities  
25 Retirement System, the Illinois Community College Board,

1 community college boards, any association of community college  
2 boards organized under Section 3-55 of the Public Community  
3 College Act, the Board of Examiners established under the  
4 Illinois Public Accounting Act, and, only during the period for  
5 which employer contributions required under Section 15-155 are  
6 paid, the following organizations: the alumni associations,  
7 the foundations and the athletic associations which are  
8 affiliated with the universities and colleges included in this  
9 Section as employers. An individual who begins employment on or  
10 after the effective date of this amendatory Act of the 99th  
11 General Assembly with any association of community college  
12 boards organized under Section 3-55 of the Public Community  
13 College Act, the Association of Illinois Middle-Grade Schools,  
14 the Illinois Association of School Administrators, the  
15 Illinois Association for Supervision and Curriculum  
16 Development, the Illinois Principals Association, the Illinois  
17 Association of School Business Officials, the Illinois Special  
18 Olympics, or an entity not defined as an employer in this  
19 Section shall not be deemed an employee for the purposes of  
20 this Article with respect to that employment and shall not be  
21 eligible to participate in the System with respect to that  
22 employment; provided, however, that those individuals who are  
23 both employed by such an entity and are participating in the  
24 System with respect to that employment on the effective date of  
25 this amendatory Act of the 99th General Assembly shall be  
26 allowed to continue as participants in the System for the

1 duration of that employment.

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

14 The cities of Champaign and Urbana shall be considered  
15 employers, but only during the period for which contributions  
16 are required to be made under subsection (b-1) of Section  
17 15-155 and only with respect to individuals described in  
18 subsection (h) of Section 15-107.

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

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

22 (225 ILCS 732/1-110)

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

24 (a) All information submitted to the Department under this

1 Act is deemed public information, except information deemed to  
2 constitute a trade secret under Section 1-77 of this Act and  
3 private information and personal information as defined in the  
4 Freedom of Information Act.

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

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

25 Section 1-960. The Illinois Public Aid Code is amended by

1 changing Section 12-10.10 as follows:

2 (305 ILCS 5/12-10.10)

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

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

7 (b) The Department of Human Services may accept and receive  
8 grants, awards, gifts, and bequests from any source, public or  
9 private, in support of information technology initiatives.  
10 Moneys received in support of information technology  
11 initiatives, and any interest earned thereon, shall be  
12 deposited into the DHS Technology Initiative Fund.

13 (c) Moneys in the Fund may be used by the Department of  
14 Human Services for the purpose of making grants associated with  
15 the development and implementation of information technology  
16 projects or paying for operational expenses of the Department  
17 of Human Services related to such projects.

18 (d) The Department of Human Services, in consultation with  
19 the Department of Innovation and Technology, shall use the  
20 funds deposited in the DHS Technology Fund to pay for  
21 information technology solutions either provided by Department  
22 of Innovation and Technology or arranged or coordinated by the  
23 Department of Innovation and Technology.

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

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

3           (720 ILCS 649/20)

4           Sec. 20. Secure website.

5           (a) The Illinois State Police, in consultation with the  
6 Department of Innovation and Technology, shall establish a  
7 secure website for the transmission of electronic transaction  
8 records and make it available free of charge to covered  
9 pharmacies.

10          (b) The secure website shall enable covered pharmacies to  
11 transmit to the Central Repository an electronic transaction  
12 record each time the pharmacy distributes a targeted  
13 methamphetamine precursor to a recipient.

14          (c) If the secure website becomes unavailable to a covered  
15 pharmacy, the covered pharmacy may, during the period in which  
16 the secure website is not available, continue to distribute  
17 targeted methamphetamine precursor without using the secure  
18 website if, during this period, the covered pharmacy maintains  
19 and transmits handwritten logs as described in Sections 20 and  
20 25 of the Methamphetamine Precursor Control Act.

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

22           Article 5. Illinois Information Security Improvement

23           Section 5-1. Short title. This Article may be cited as the



1 Illinois Information Security Improvement Act. References in  
2 this Article to "this Act" mean this Article.

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

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

18 "Department" means the Department of Innovation and  
19 Technology.

20 "Information security" means protecting information and  
21 information systems from unauthorized access, use, disclosure,  
22 disruption, modification, or destruction in order to provide:  
23 integrity, which means guarding against improper information  
24 modification or destruction, and includes ensuring information  
25 non-repudiation and authenticity; confidentiality, which means

1 preserving authorized restrictions on access and disclosure,  
2 including means for protecting personal privacy and  
3 proprietary information; and availability, which means  
4 ensuring timely and reliable access to and use of information.

5 "Incident" means an occurrence that: actually or  
6 imminently jeopardizes, without lawful authority, the  
7 confidentiality, integrity, or availability of information or  
8 an information system; or constitutes a violation or imminent  
9 threat of violation of law, security policies, security  
10 procedures, or acceptable use policies or standard security  
11 practices.

12 "Information system" means a discrete set of information  
13 resources organized for the collection, processing,  
14 maintenance, use, sharing, dissemination, or disposition of  
15 information created or maintained by or for the State of  
16 Illinois.

17 "Office" means the Office of the Statewide Chief  
18 Information Security Officer.

19 "Secretary" means the Secretary of Innovation and  
20 Technology.

21 "Security controls" means the management, operational, and  
22 technical controls (including safeguards and countermeasures)  
23 for an information system that protect the confidentiality,  
24 integrity, and availability of the system and its information.

25 "State agency" means any agency under the jurisdiction of  
26 the Governor.

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

2 (1) provide a comprehensive framework for ensuring the  
3 effectiveness of information security controls over  
4 information resources that support State agency operations  
5 and assets;

6 (2) recognize the critical role of information and  
7 information systems in the provision of life, health,  
8 safety, and other crucial services to the citizens of the  
9 State of Illinois and the risk posed to these services due  
10 to the ever-evolving cybersecurity threat;

11 (3) recognize the highly networked nature of the  
12 current State of Illinois working environment and provide  
13 effective statewide management and oversight of the  
14 related information security risks, including coordination  
15 of information security efforts across State agencies;

16 (4) provide for the development and maintenance of  
17 minimum security controls required to protect State of  
18 Illinois information and information systems;

19 (5) provide a mechanism for improved oversight of State  
20 agency information security programs, including through  
21 automated security tools to continuously diagnose and  
22 improve security;

23 (6) recognize that information security risk is both a  
24 business and public safety issue, and the acceptance of  
25 risk is a decision to be made at the executive levels of

1 State government; and

2 (7) ensure a continued and deliberate effort to reduce  
3 the risk posed to the State by cyberattacks and other  
4 information security incidents that could impact the  
5 information security of the State.

6 Section 5-15. Office of the Statewide Chief Information  
7 Security Officer.

8 (a) The Office of the Statewide Chief Information Security  
9 Officer is established within the Department of Innovation and  
10 Technology. The Office is directly subordinate to the Secretary  
11 of Innovation and Technology.

12 (b) The Office shall:

13 (1) serve as the strategic planning, facilitation, and  
14 coordination office for information technology security in  
15 this State and as the lead and central coordinating entity  
16 to guide and oversee the information security functions of  
17 State agencies;

18 (2) provide information security services to support  
19 the secure delivery of State agency services that utilize  
20 information systems and to assist State agencies with  
21 fulfilling their responsibilities under this Act;

22 (3) conduct information and cybersecurity strategic,  
23 operational, and resource planning and facilitating an  
24 effective enterprise information security architecture  
25 capable of protecting the State;

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

18           (5) manage the response to information security and  
19 information security incidents involving State of Illinois  
20 information systems and ensure the completeness of  
21 information system security plans for critical information  
22 systems;

23           (6) conduct pre-deployment information security  
24 assessments for critical information systems and submit  
25 findings and recommendations to the Secretary and State  
26 agency heads;

1           (7) develop and conduct targeted operational  
2 evaluations, including threat and vulnerability  
3 assessments on information systems;

4           (8) monitor and report compliance of each State agency  
5 with State information security policies, standards, and  
6 procedures;

7           (9) coordinate statewide information security  
8 awareness and training programs; and

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

13           (c) The Office may temporarily suspend operation of an  
14 information system or information technology infrastructure  
15 that is owned, leased, outsourced, or shared by one or more  
16 State agencies in order to isolate the source of, or stop the  
17 spread of, an information security breach or other similar  
18 information security incident. State agencies shall comply  
19 with directives to temporarily discontinue or suspend  
20 operations of information systems or information technology  
21 infrastructure.

22           Section 5-20. Statewide Chief Information Security  
23 Officer. The position of Statewide Chief Information Security  
24 Officer is established within the Office. The Secretary shall  
25 appoint a Statewide Chief Information Security Officer who

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

14 Section 5-25. Responsibilities.

15 (a) The Secretary shall:

16 (1) appoint a Statewide Chief Information Security  
17 Officer pursuant to Section 20;

18 (2) provide the Office with the staffing and resources  
19 deemed necessary by the Secretary to fulfill the  
20 responsibilities of the Office;

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

23 (A) directing and overseeing the development,  
24 implementation, and communication of statewide  
25 information security policies, standards, and

1 guidelines;

2 (B) overseeing the education of State agency  
3 personnel regarding the requirement to identify and  
4 provide information security protections commensurate  
5 with the risk and magnitude of the harm resulting from  
6 the unauthorized access, use, disclosure, disruption,  
7 modification, or destruction of information in a  
8 critical information system;

9 (C) overseeing the development and implementation  
10 of a statewide information security risk management  
11 program;

12 (D) overseeing State agency compliance with the  
13 requirements of this Section;

14 (E) coordinating Information Security policies and  
15 practices with related information and personnel  
16 resources management policies and procedures; and

17 (F) providing an effective and efficient process  
18 to assist State agencies with complying with the  
19 requirements of this Act.

20 (b) The Statewide Chief Information Security Officer  
21 shall:

22 (1) serve as the head of the Office and ensure the  
23 execution of the responsibilities of the Office as set  
24 forth in subsection (c) of Section 15, the Statewide Chief  
25 Information Security Officer shall also oversee State  
26 agency personnel with significant responsibilities for



1 information security and ensure a competent workforce that  
2 keeps pace with the changing information security  
3 environment;

4 (2) develop and recommend information security  
5 policies, standards, procedures, and guidelines to the  
6 Secretary for statewide adoption and monitor compliance  
7 with these policies, standards, guidelines, and procedures  
8 through periodic testing;

9 (3) develop and maintain risk-based, cost-effective  
10 information security programs and control techniques to  
11 address all applicable security and compliance  
12 requirements throughout the life cycle of State agency  
13 information systems;

14 (4) establish the procedures, processes, and  
15 technologies to rapidly and effectively identify threats,  
16 risks, and vulnerabilities to State information systems,  
17 and ensure the prioritization of the remediation of  
18 vulnerabilities that pose risk to the State;

19 (5) develop and implement capabilities and procedures  
20 for detecting, reporting, and responding to information  
21 security incidents;

22 (6) establish and direct a statewide information  
23 security risk management program to identify information  
24 security risks in State agencies and deploy risk mitigation  
25 strategies, processes, and procedures;

26 (7) establish the State's capability to sufficiently

1 protect the security of data through effective information  
2 system security planning, secure system development,  
3 acquisition, and deployment, the application of protective  
4 technologies and information system certification,  
5 accreditation, and assessments;

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

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

11 (A) the ongoing communication of risk and risk  
12 reduction strategies,

13 (B) effective implementation of information  
14 security policies and practices, and

15 (C) the incorporation of and compliance with  
16 information security policies, standards, and  
17 guidelines into the policies and procedures of the  
18 agencies;

19 (10) provide operational and technical assistance to  
20 State agencies in implementing policies, principles,  
21 standards, and guidelines on information security,  
22 including implementation of standards promulgated under  
23 subparagraph (A) of paragraph (3) of subsection (a) of this  
24 Section, and provide assistance and effective and  
25 efficient means for State agencies to comply with the State  
26 agency requirements under this Act;

1           (11) in coordination and consultation with the  
2 Secretary and the Governor's Office of Management and  
3 Budget, review State agency budget requests related to  
4 Information Security systems and provide recommendations  
5 to the Governor's Office of Management and Budget;

6           (12) ensure the preparation and maintenance of plans  
7 and procedures to provide cyber resilience and continuity  
8 of operations for critical information systems that  
9 support the operations of the State; and

10           (13) take such other actions as the Secretary may  
11 direct.

12   Article 99.

13           Section 99-95. No acceleration or delay. Where this Act  
14 makes changes in a statute that is represented in this Act by  
15 text that is not yet or no longer in effect (for example, a  
16 Section represented by multiple versions), the use of that text  
17 does not accelerate or delay the taking effect of (i) the  
18 changes made by this Act or (ii) provisions derived from any  
19 other Public Act.

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

22           Section 99-99. Effective date. This Act takes effect upon

1 becoming law.".