



Rep. Justin Slaughter

Filed: 3/22/2019

10100HB1617ham002

LRB101 04786 SLF 58363 a

1 AMENDMENT TO HOUSE BILL 1617

2 AMENDMENT NO. _____. Amend House Bill 1617 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Blind Vendors Act is amended by changing
5 Section 30 as follows:

6 (20 ILCS 2421/30)

7 Sec. 30. Vending machine income and compliance.

8 (a) Except as provided in subsections (b), (c), (d), (e),
9 and (i) of this Section, after July 1, 2010, all vending
10 machine income, as defined by this Act, from vending machines
11 on State property shall accrue to (1) the blind vendor
12 operating the vending facilities on the property or (2) in the
13 event there is no blind vendor operating a facility on the
14 property, the Blind Vendors Trust Fund for use exclusively as
15 set forth in subsection (a) of Section 25 of this Act.

16 (b) Notwithstanding the provisions of subsection (a) of

1 this Section, all State university cafeterias and vending
2 machines are exempt from this Act.

3 (c) Notwithstanding the provisions of subsection (a) of
4 this Section, all vending facilities at the Governor Samuel H.
5 Shapiro Developmental Center in Kankakee are exempt from this
6 Act.

7 (d) Notwithstanding the provisions of subsection (a) of
8 this Section, in the event there is no blind vendor operating a
9 vending facility on the State property, all vending machine
10 income, as defined in this Act, from vending machines on the
11 State property of the Department of Corrections and the
12 Department of Juvenile Justice shall accrue to the State agency
13 and be allocated in accordance with the commissary provisions
14 in the Unified Code of Corrections.

15 (e) Notwithstanding the provisions of subsection (a) of
16 this Section, in the event a blind vendor is operating a
17 vending facility on the State property of the Department of
18 Corrections or the Department of Juvenile Justice, a commission
19 shall be paid to the State agency equal to 10% of the net
20 proceeds from vending machines servicing State employees and
21 10% ~~25%~~ of the net proceeds from vending machines servicing
22 visitors on the State property.

23 (f) The Secretary, directly or by delegation of authority,
24 shall ensure compliance with this Section and Section 15 of
25 this Act with respect to buildings, installations, facilities,
26 roadside rest stops, and any other State property, and shall be

1 responsible for the collection of, and accounting for, all
2 vending machine income on this property. The Secretary shall
3 enforce these provisions through litigation, arbitration, or
4 any other legal means available to the State, and each State
5 agency in control of this property shall be subject to the
6 enforcement. State agencies or departments failing to comply
7 with an order of the Department may be held in contempt in any
8 court of general jurisdiction.

9 (g) Any limitation on the placement or operation of a
10 vending machine by a State agency based on a determination that
11 such placement or operation would adversely affect the
12 interests of the State must be explained in writing to the
13 Secretary. The Secretary shall promptly determine whether the
14 limitation is justified. If the Secretary determines that the
15 limitation is not justified, the State agency seeking the
16 limitation shall immediately remove the limitation.

17 (h) The amount of vending machine income accruing from
18 vending machines on State property that may be used for the
19 functions of the Committee shall be determined annually by a
20 two-thirds vote of the Committee, except that no more than 25%
21 of the annual vending machine income may be used by the
22 Committee for this purpose, based upon the income accruing to
23 the Blind Vendors Trust Fund in the preceding year. The
24 Committee may establish its budget and expend funds through
25 contract or otherwise without the approval of the Department.

26 (i) Notwithstanding the provisions of subsection (a) of

1 this Section, with respect to vending machines located on any
2 facility or property controlled or operated by the Division of
3 Mental Health or the Division of Developmental Disabilities
4 within the Department of Human Services:

5 (1) Any written contract in place as of the effective
6 date of this Act between the Division and the Business
7 Enterprise Program for the Blind shall be maintained and
8 fully adhered to including any moneys paid to the
9 individual facilities.

10 (2) With respect to existing vending machines with no
11 written contract or agreement in place as of the effective
12 date of this Act between the Division and a private vendor,
13 bottler, or vending machine supplier, the Business
14 Enterprise Program for the Blind has the right to provide
15 the vending services as provided in this Act, provided that
16 the blind vendor must provide 10% of gross sales from those
17 machines to the individual facilities.

18 (Source: P.A. 99-78, eff. 7-20-15.)".