



Rep. Natalie A. Manley

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10100SB1726ham001

LRB101 06866 CPF 59973 a

1 AMENDMENT TO SENATE BILL 1726

2 AMENDMENT NO. _____. Amend Senate Bill 1726 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Lottery Law is amended by changing
5 Sections 2, 9.1, and 20 and by adding Section 21.12 as follows:

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

7 Sec. 2. This Act is enacted to implement and establish
8 within the State a lottery to be conducted by the State through
9 the Department. The entire net proceeds of the Lottery are to
10 be used for the support of the State's Common School Fund,
11 except as provided in subsection (o) of Section 9.1 and
12 Sections 21.5, 21.6, 21.7, 21.8, 21.9, ~~and~~ 21.10, 21.11, and
13 21.12. The General Assembly finds that it is in the public
14 interest for the Department to conduct the functions of the
15 Lottery with the assistance of a private manager under a
16 management agreement overseen by the Department. The

1 Department shall be accountable to the General Assembly and the
2 people of the State through a comprehensive system of
3 regulation, audits, reports, and enduring operational
4 oversight. The Department's ongoing conduct of the Lottery
5 through a management agreement with a private manager shall act
6 to promote and ensure the integrity, security, honesty, and
7 fairness of the Lottery's operation and administration. It is
8 the intent of the General Assembly that the Department shall
9 conduct the Lottery with the assistance of a private manager
10 under a management agreement at all times in a manner
11 consistent with 18 U.S.C. 1307(a)(1), 1307(b)(1), 1953(b)(4).

12 Beginning with Fiscal Year 2018 and every year thereafter,
13 any moneys transferred from the State Lottery Fund to the
14 Common School Fund shall be supplemental to, and not in lieu
15 of, any other money due to be transferred to the Common School
16 Fund by law or appropriation.

17 (Source: P.A. 99-933, eff. 1-27-17; 100-466, eff. 6-1-18;
18 100-647, eff. 7-30-18; 100-1068, eff. 8-24-18; revised
19 9-20-18.)

20 (20 ILCS 1605/9.1)

21 Sec. 9.1. Private manager and management agreement.

22 (a) As used in this Section:

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

25 "Request for qualifications" means all materials and

1 documents prepared by the Department to solicit the following
2 from offerors:

3 (1) Statements of qualifications.

4 (2) Proposals to enter into a management agreement,
5 including the identity of any prospective vendor or vendors
6 that the offeror intends to initially engage to assist the
7 offeror in performing its obligations under the management
8 agreement.

9 "Final offer" means the last proposal submitted by an
10 offeror in response to the request for qualifications,
11 including the identity of any prospective vendor or vendors
12 that the offeror intends to initially engage to assist the
13 offeror in performing its obligations under the management
14 agreement.

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

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

23 (c) Pursuant to the terms of this subsection, the
24 Department shall endeavor to expeditiously terminate the
25 existing contracts in support of the Lottery in effect on the
26 effective date of this amendatory Act of the 96th General

1 Assembly in connection with the selection of the private
2 manager. As part of its obligation to terminate these contracts
3 and select the private manager, the Department shall establish
4 a mutually agreeable timetable to transfer the functions of
5 existing contractors to the private manager so that existing
6 Lottery operations are not materially diminished or impaired
7 during the transition. To that end, the Department shall do the
8 following:

9 (1) where such contracts contain a provision
10 authorizing termination upon notice, the Department shall
11 provide notice of termination to occur upon the mutually
12 agreed timetable for transfer of functions;

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

17 (3) in the event any current contract provides for
18 termination of that contract upon the implementation of a
19 contract with the private manager, the Department shall
20 perform all necessary actions to terminate the contract on
21 the date that coincides with the mutually agreed timetable
22 for transfer of functions.

23 If the contracts to support the current operation of the
24 Lottery in effect on the effective date of this amendatory Act
25 of the 96th General Assembly are not subject to termination as
26 provided for in this subsection (c), then the Department may

1 include a provision in the contract with the private manager
2 specifying a mutually agreeable methodology for incorporation.

3 (c-5) The Department shall include provisions in the
4 management agreement whereby the private manager shall, for a
5 fee, and pursuant to a contract negotiated with the Department
6 (the "Employee Use Contract"), utilize the services of current
7 Department employees to assist in the administration and
8 operation of the Lottery. The Department shall be the employer
9 of all such bargaining unit employees assigned to perform such
10 work for the private manager, and such employees shall be State
11 employees, as defined by the Personnel Code. Department
12 employees shall operate under the same employment policies,
13 rules, regulations, and procedures, as other employees of the
14 Department. In addition, neither historical representation
15 rights under the Illinois Public Labor Relations Act, nor
16 existing collective bargaining agreements, shall be disturbed
17 by the management agreement with the private manager for the
18 management of the Lottery.

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

21 (1) A term not to exceed 10 years, including any
22 renewals.

23 (2) A provision specifying that the Department:

24 (A) shall exercise actual control over all
25 significant business decisions;

26 (A-5) has the authority to direct or countermand

1 operating decisions by the private manager at any time;

2 (B) has ready access at any time to information
3 regarding Lottery operations;

4 (C) has the right to demand and receive information
5 from the private manager concerning any aspect of the
6 Lottery operations at any time; and

7 (D) retains ownership of all trade names,
8 trademarks, and intellectual property associated with
9 the Lottery.

10 (3) A provision imposing an affirmative duty on the
11 private manager to provide the Department with material
12 information and with any information the private manager
13 reasonably believes the Department would want to know to
14 enable the Department to conduct the Lottery.

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

23 (5) A provision providing for compensation of the
24 private manager that may consist of, among other things, a
25 fee for services and a performance based bonus as
26 consideration for managing the Lottery, including terms

1 that may provide the private manager with an increase in
2 compensation if Lottery revenues grow by a specified
3 percentage in a given year.

4 (6) (Blank).

5 (7) A provision requiring the deposit of all Lottery
6 proceeds to be deposited into the State Lottery Fund except
7 as otherwise provided in Section 20 of this Act.

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

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

19 (9) A requirement that so long as the private manager
20 complies with all the conditions of the agreement under the
21 oversight of the Department, the private manager shall have
22 the following duties and obligations with respect to the
23 management of the Lottery:

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

26 (B) The rights and obligations under contracts

1 with retailers and vendors.

2 (C) The implementation of a comprehensive security
3 program by the private manager.

4 (D) The implementation of a comprehensive system
5 of internal audits.

6 (E) The implementation of a program by the private
7 manager to curb compulsive gambling by persons playing
8 the Lottery.

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

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

21 (11) A requirement that the private manager market the
22 Lottery to those residents who are new, infrequent, or
23 lapsed players of the Lottery, especially those who are
24 most likely to make regular purchases on the Internet as
25 permitted by law.

26 (12) A code of ethics for the private manager's

1 officers and employees.

2 (13) A requirement that the Department monitor and
3 oversee the private manager's practices and take action
4 that the Department considers appropriate to ensure that
5 the private manager is in compliance with the terms of the
6 management agreement, while allowing the manager, unless
7 specifically prohibited by law or the management
8 agreement, to negotiate and sign its own contracts with
9 vendors.

10 (14) A provision requiring the private manager to
11 periodically file, at least on an annual basis, appropriate
12 financial statements in a form and manner acceptable to the
13 Department.

14 (15) Cash reserves requirements.

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

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

21 (18) Procedures for amendment of the agreement.

22 (19) A provision requiring the private manager to
23 engage in an open and competitive bidding process for any
24 procurement having a cost in excess of \$50,000 that is not
25 a part of the private manager's final offer. The process
26 shall favor the selection of a vendor deemed to have

1 submitted a proposal that provides the Lottery with the
2 best overall value. The process shall not be subject to the
3 provisions of the Illinois Procurement Code, unless
4 specifically required by the management agreement.

5 (20) The transition of rights and obligations,
6 including any associated equipment or other assets used in
7 the operation of the Lottery, from the manager to any
8 successor manager of the lottery, including the
9 Department, following the termination of or foreclosure
10 upon the management agreement.

11 (21) Right of use of copyrights, trademarks, and
12 service marks held by the Department in the name of the
13 State. The agreement must provide that any use of them by
14 the manager shall only be for the purpose of fulfilling its
15 obligations under the management agreement during the term
16 of the agreement.

17 (22) The disclosure of any information requested by the
18 Department to enable it to comply with the reporting
19 requirements and information requests provided for under
20 subsection (p) of this Section.

21 (e) Notwithstanding any other law to the contrary, the
22 Department shall select a private manager through a competitive
23 request for qualifications process consistent with Section
24 20-35 of the Illinois Procurement Code, which shall take into
25 account:

26 (1) the offeror's ability to market the Lottery to

1 those residents who are new, infrequent, or lapsed players
2 of the Lottery, especially those who are most likely to
3 make regular purchases on the Internet;

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

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

11 (4) the offeror's poor or inadequate past performance
12 in servicing, equipping, operating or managing a lottery on
13 behalf of Illinois, another State or foreign government and
14 attracting persons who are not currently regular players of
15 a lottery.

16 (f) The Department may retain the services of an advisor or
17 advisors with significant experience in financial services or
18 the management, operation, and procurement of goods, services,
19 and equipment for a government-run lottery to assist in the
20 preparation of the terms of the request for qualifications and
21 selection of the private manager. Any prospective advisor
22 seeking to provide services under this subsection (f) shall
23 disclose any material business or financial relationship
24 during the past 3 years with any potential offeror, or with a
25 contractor or subcontractor presently providing goods,
26 services, or equipment to the Department to support the

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

26 (g) The Department shall select at least 2 offerors as

1 finalists to potentially serve as the private manager no later
2 than August 9, 2010. Upon making preliminary selections, the
3 Department shall schedule a public hearing on the finalists'
4 proposals and provide public notice of the hearing at least 7
5 calendar days before the hearing. The notice must include all
6 of the following:

7 (1) The date, time, and place of the hearing.

8 (2) The subject matter of the hearing.

9 (3) A brief description of the management agreement to
10 be awarded.

11 (4) The identity of the offerors that have been
12 selected as finalists to serve as the private manager.

13 (5) The address and telephone number of the Department.

14 (h) At the public hearing, the Department shall (i) provide
15 sufficient time for each finalist to present and explain its
16 proposal to the Department and the Governor or the Governor's
17 designee, including an opportunity to respond to questions
18 posed by the Department, Governor, or designee and (ii) allow
19 the public and non-selected offerors to comment on the
20 presentations. The Governor or a designee shall attend the
21 public hearing. After the public hearing, the Department shall
22 have 14 calendar days to recommend to the Governor whether a
23 management agreement should be entered into with a particular
24 finalist. After reviewing the Department's recommendation, the
25 Governor may accept or reject the Department's recommendation,
26 and shall select a final offeror as the private manager by

1 publication of a notice in the Illinois Procurement Bulletin on
2 or before September 15, 2010. The Governor shall include in the
3 notice a detailed explanation and the reasons why the final
4 offeror is superior to other offerors and will provide
5 management services in a manner that best achieves the
6 objectives of this Section. The Governor shall also sign the
7 management agreement with the private manager.

8 (i) Any action to contest the private manager selected by
9 the Governor under this Section must be brought within 7
10 calendar days after the publication of the notice of the
11 designation of the private manager as provided in subsection
12 (h) of this Section.

13 (j) The Lottery shall remain, for so long as a private
14 manager manages the Lottery in accordance with provisions of
15 this Act, a Lottery conducted by the State, and the State shall
16 not be authorized to sell or transfer the Lottery to a third
17 party.

18 (k) Any tangible personal property used exclusively in
19 connection with the lottery that is owned by the Department and
20 leased to the private manager shall be owned by the Department
21 in the name of the State and shall be considered to be public
22 property devoted to an essential public and governmental
23 function.

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

1 (m) Neither this Section nor any management agreement
2 entered into under this Section prohibits the General Assembly
3 from authorizing forms of gambling that are not in direct
4 competition with the Lottery.

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

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

1 complete authority for the Department to approve any contracts
2 entered into by a private manager with a vendor providing
3 goods, services, or both goods and services to the private
4 manager under the terms of the management agreement, including
5 subcontractors of such vendors.

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

23 Notwithstanding any other provision of this Section to the
24 contrary, the Chief Procurement Officer shall adopt
25 administrative rules, including emergency rules, to establish
26 a procurement process to select a successor private manager if

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

14 Except as provided in Sections 21.5, 21.6, 21.7, 21.8,
15 21.9, ~~and 21.10, 21.11, and 21.12, and 21.10~~ the Department
16 shall distribute all proceeds of lottery tickets and shares
17 sold in the following priority and manner:

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

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

23 (3) On the last day of each month or as soon thereafter
24 as possible, the State Comptroller shall direct and the
25 State Treasurer shall transfer from the State Lottery Fund
26 to the Common School Fund an amount that is equal to the

1 proceeds transferred in the corresponding month of fiscal
2 year 2009, as adjusted for inflation, to the Common School
3 Fund.

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

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

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

20 (2) upon request of the Chief Procurement Officer, the
21 Department shall promptly produce information related to
22 the procurement activities of the Department and the
23 private manager requested by the Chief Procurement
24 Officer; the Chief Procurement Officer must retain
25 confidential, proprietary, or trade secret information
26 designated by the Department in complete confidence

1 pursuant to subsection (g) of Section 7 of the Freedom of
2 Information Act; and

3 (3) at least 30 days prior to the beginning of the
4 Department's fiscal year, the Department shall prepare an
5 annual written report on the activities of the private
6 manager selected under this Section and deliver that report
7 to the Governor and General Assembly.

8 (Source: P.A. 99-933, eff. 1-27-17; 100-391, eff. 8-25-17;
9 100-587, eff. 6-4-18; 100-647, eff. 7-30-18; 100-1068, eff.
10 8-24-18; revised 9-20-18.)

11 (20 ILCS 1605/20) (from Ch. 120, par. 1170)
12 Sec. 20. State Lottery Fund.

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

24 (b) The receipt and distribution of moneys under Section
25 21.5 of this Act shall be in accordance with Section 21.5.

1 (c) The receipt and distribution of moneys under Section
2 21.6 of this Act shall be in accordance with Section 21.6.

3 (d) The receipt and distribution of moneys under Section
4 21.7 of this Act shall be in accordance with Section 21.7.

5 (e) The receipt and distribution of moneys under Section
6 21.8 of this Act shall be in accordance with Section 21.8.

7 (f) The receipt and distribution of moneys under Section
8 21.9 of this Act shall be in accordance with Section 21.9.

9 (g) The receipt and distribution of moneys under Section
10 21.10 of this Act shall be in accordance with Section 21.10.

11 (h) ~~(g)~~ The receipt and distribution of moneys under
12 Section 21.11 ~~21.10~~ of this Act shall be in accordance with
13 Section 21.11 ~~21.10~~.

14 (i) The receipt and distribution of moneys under Section
15 21.12 of this Act shall be in accordance with Section 21.12.

16 (Source: P.A. 100-647, eff. 7-30-18; 100-1068, eff. 8-24-18;
17 revised 9-20-18.)

18 (20 ILCS 1605/21.12 new)

19 Sec. 21.12. The End of Alzheimer's Begins With Me
20 scratch-off game.

21 (a) The Department shall offer a special instant
22 scratch-off game with the title of "The End of Alzheimer's
23 Begins With Me". The game shall commence on January 1, 2020 or
24 as soon thereafter, at the discretion of the Director, as is
25 reasonably practical. The operation of the game shall be

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

4 (b) The net revenue from the "The End of Alzheimer's Begins
5 With Me" scratch-off game shall be deposited into the
6 Alzheimer's Awareness Fund.

7 Moneys received for the purposes of this Section,
8 including, without limitation, net revenue from the special
9 instant scratch-off game and from gifts, grants, and awards
10 from any public or private entity, must be deposited into the
11 Fund. Any interest earned on moneys in the Fund must be
12 deposited into the Fund.

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

18 (c) During the time that tickets are sold for the "The End
19 of Alzheimer's Begins With Me" scratch-off game, the Department
20 shall not unreasonably diminish the efforts devoted to
21 marketing any other instant scratch-off lottery game.

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

24 Section 10. The State Finance Act is amended by changing
25 Section 5.180 as follows:

1 (30 ILCS 105/5.180) (from Ch. 127, par. 141.180)
2 Sec. 5.180. The Alzheimer's Disease Research, Care, and
3 Support Fund.
4 (Source: P.A. 84-1308.)

5 Section 15. The Alzheimer's Disease Assistance Act is
6 amended by changing Section 6 and by adding Section 8 as
7 follows:

8 (410 ILCS 405/6) (from Ch. 111 1/2, par. 6956)
9 Sec. 6. Alzheimer's Disease ~~ADA~~ Advisory Committee.

10 (a) There is created the Alzheimer's Disease Advisory
11 Committee consisting of 17 ~~23~~ voting members appointed by the
12 Director of the Department, as well as 5 nonvoting members as
13 hereinafter provided in this Section. The Director or his
14 designee shall serve as one of the 17 ~~23~~ voting members and as
15 the Chairman of the Committee. Those appointed as voting
16 members shall include persons who are experienced in research
17 and the delivery of services to individuals with Alzheimer's
18 disease or a related disorder and their families. Such members
19 shall include:

20 (1) one individual from a statewide association
21 dedicated to Alzheimer's care, support, and research;

22 (2) one individual from a non-governmental statewide
23 organization that advocates for seniors;

1 (3) the Dementia Coordinator of the Illinois
2 Department of Public Health, or the Dementia Coordinator's
3 designee;

4 (4) one individual representing the Community Care
5 Program's Home and Community Services Division;

6 (5) one individual representing the Adult Protective
7 Services Unit;

8 (6) 3 individuals from Alzheimer's Disease Assistance
9 Centers;

10 (7) one individual from a statewide association
11 representing an adult day service organization;

12 (8) one individual from a statewide association
13 representing home care providers;

14 (9) one individual from a statewide trade organization
15 representing the interests of physicians licensed to
16 practice medicine in all of its branches in Illinois;

17 (10) one individual representing long-term care
18 facilities licensed under the Nursing Home Care Act, an
19 assisted living establishment licensed under the Assisted
20 Living and Shared Housing Act, or supportive living
21 facilities;

22 (11) one individual from a statewide association
23 representing the interests of social workers;

24 (12) one individual representing Area Agencies on
25 Aging;

26 (13) the Medicaid Director of the Department of

1 Healthcare and Family Services, or the Medicaid Director's
2 designee;

3 (14) one individual from a statewide association
4 representing health education and promotion and public
5 health advocacy; and

6 (15) one individual with medical or academic
7 experience with early onset Alzheimer's disease or related
8 disorders. ~~3 physicians licensed to practice medicine in~~
9 ~~all of its branches, one representative of a licensed~~
10 ~~hospital, one registered nurse with a specialty in~~
11 ~~geriatric or dementia care, one representative of a long~~
12 ~~term care facility under the Nursing Home Care Act, one~~
13 ~~representative of a long term care facility under the~~
14 ~~Assisted Living and Shared Housing Act, one representative~~
15 ~~from a supportive living facility specially serving~~
16 ~~individuals with dementia, one representative of a home~~
17 ~~care agency serving individuals with dementia, one~~
18 ~~representative of a hospice with a specialty in palliative~~
19 ~~care for dementia, one representative of an area agency on~~
20 ~~aging as defined by Section 3.07 of the Illinois Act on the~~
21 ~~Aging, one representative from a leading advocacy~~
22 ~~organization serving individuals with Alzheimer's disease,~~
23 ~~one licensed social worker, one representative of law~~
24 ~~enforcement, 2 individuals with early stage Alzheimer's~~
25 ~~disease, 3 family members or representatives of~~
26 ~~individuals with Alzheimer's disease and related~~

1 ~~disorders, and 3 members of the general public. Among the~~
2 ~~physician appointments shall be persons with specialties~~
3 ~~in the fields of neurology, family medicine, psychiatry and~~
4 ~~pharmacology. Among the general public members, at least 2~~
5 ~~appointments shall include persons 65 years of age or~~
6 ~~older.~~

7 (b) In addition to the 17 ~~23~~ voting members, the Directors
8 of the following State agencies or their designees who are
9 qualified to represent each Department's programs and services
10 for those with Alzheimer's disease or related disorders shall
11 serve as nonvoting members: Department on Aging, Department of
12 Healthcare and Family Services, Department of Public Health,
13 Department of Human Services, and Guardianship and Advocacy
14 Commission.

15 Each voting member appointed by the Director of Public
16 Health shall serve for a term of 2 years, and until his
17 successor is appointed and qualified. Members of the Committee
18 shall not be compensated but shall be reimbursed for expenses
19 actually incurred in the performance of their duties. ~~No more~~
20 ~~than 12 voting members may be of the same political party.~~
21 Vacancies shall be filled in the same manner as original
22 appointments.

23 The Committee shall review all State programs and services
24 provided by State agencies that are directed toward persons
25 with Alzheimer's disease and related dementias, and by
26 consensus recommend changes to improve the State's response to

1 this serious health problem. Such recommendations shall be
2 included in the State plan described in this Act.

3 (Source: P.A. 97-768, eff. 1-1-13.)

4 (410 ILCS 405/8 new)

5 Sec. 8. Alzheimer's Disease Research, Care, and Support
6 Fund; support. The Department, in coordination with the members
7 of the Alzheimer's Disease Advisory Committee, shall make
8 reasonable efforts to promote the Alzheimer's Disease
9 Research, Care, and Support Fund during relevant times,
10 including, but not limited to, periods of time when tax returns
11 are typically received. Ways to promote the Fund include, but
12 are not limited to, issuing press releases and posting on
13 social media.

14 Section 20. The Alzheimer's Disease Research Act is amended
15 by changing Sections 1, 2, 3, and by adding Sections 3.1, 3.2
16 and 3.3 as follows:

17 (410 ILCS 410/1) (from Ch. 111 1/2, par. 6901)

18 Sec. 1. Short title. This Act shall be known and may be
19 cited as the Alzheimer's Disease Research, Care, and Support
20 Fund Act.

21 (Source: P.A. 84-324.)

22 (410 ILCS 410/2) (from Ch. 111 1/2, par. 6902)

1 Sec. 2. Contributions on tax returns. Each individual
2 taxpayer required to file a return pursuant to the Illinois
3 Income Tax Act desiring to contribute to the Alzheimer's
4 Disease Research, Care, and Support Fund may do so by stating
5 the amount of such contribution (not less than \$1) on such
6 return. This Section shall not apply to an amended return.

7 (Source: P.A. 86-678.)

8 (410 ILCS 410/3) (from Ch. 111 1/2, par. 6903)

9 Sec. 3. Alzheimer's Disease Research, Care, and Support
10 Fund.

11 (a) There is created the Alzheimer's Disease Research,
12 Care, and Support Fund, a special fund in the State Treasury.

13 (b) The Department of Public Health shall deposit any
14 donations received for the grant program created pursuant to
15 this Act in the Alzheimer's Disease Research, Care, and Support
16 Fund.

17 (c) The General Assembly may appropriate moneys ~~monies~~ in
18 the Alzheimer's Disease Research, Care, and Support Fund to the
19 Department of Public Health for the purpose of complying with
20 the requirements under Section 3.1 of ~~awarding grants pursuant~~
21 ~~to~~ this Act.

22 (Source: P.A. 84-1265.)

23 (410 ILCS 410/3.1 new)

24 Sec. 3.1. Dementia Coordinator.

1 (a) The full-time position of Dementia Coordinator is
2 created within the Department of Public Health. The Dementia
3 Coordinator shall be funded out of the Alzheimer's Disease
4 Research, Care, and Support Fund. The Dementia Coordinator is
5 responsible only for activities associated with and relevant to
6 the successful implementation of the State of Illinois
7 Alzheimer's Disease State Plan, including, but not limited to:

8 (1) coordinating quality dementia services in the
9 State to ensure dementia capability;

10 (2) using dementia-related data to coordinate with the
11 Department to improve public health outcomes;

12 (3) increasing awareness and creating
13 dementia-specific training;

14 (4) providing access to quality coordinated care for
15 individuals with dementia in the most integrated setting
16 available;

17 (5) establishing and maintaining relationships with
18 other agencies and organizations within the State in order
19 to meet the needs of the affected population and prevent
20 duplication of services;

21 (6) identifying and managing grants to assist in the
22 funding of the position of Dementia Coordinator and other
23 programs and services to assist Illinois in becoming
24 dementia-capable;

25 (7) working with the Department's Behavioral Risk
26 Factor Surveillance System Coordinator and the Alzheimer's

1 Disease Advisory Committee in identifying available funds
2 to execute appropriate modules for critical data
3 collection and research, if and when necessary; moneys
4 appropriated to the Alzheimer's Disease Research, Care,
5 and Support Fund may be considered;

6 (8) building and maintaining effective working
7 relationships with other departments and organizations to
8 ensure coordination between and the support of dementia
9 services;

10 (9) maintaining and applying knowledge of current
11 developments and trends in the assigned area of expertise
12 by reading appropriate journals, books, and other
13 professional literature, and attending related
14 conferences, seminars, and trainings;

15 (10) providing support for the Alzheimer's Disease
16 Advisory Committee's activities, including co-drafting the
17 State plan; and

18 (11) compiling and publishing an annual report on the
19 state of dementia care in Illinois, including, but not
20 limited to, the status of Illinois in becoming a
21 dementia-capable state.

22 (410 ILCS 410/3.2 new)

23 Sec. 3.2. Use of moneys in the Fund. Moneys in the
24 Alzheimer's Disease Research, Care, and Support Fund shall be
25 used by the Department of Public Health to cover costs

1 associated with this Act, including, but not limited to, the
2 following:

3 (1) salary and benefits for the full-time position of
4 Dementia Coordinator within the Department; and

5 (2) other expenses contingent with the
6 responsibilities of the Dementia Coordinator, including,
7 but not limited to, travel and professional development
8 opportunities.

9 (410 ILCS 410/3.3 new)

10 Sec. 3.3. Administrative support. The Department of Public
11 Health shall be responsible for providing the Dementia
12 Coordinator with work space, supplies, and other
13 administrative office materials, as needed, through existing
14 resources and not with moneys from the Alzheimer's Disease
15 Research, Care, and Support Fund.

16 (410 ILCS 410/4 rep.)

17 Section 25. The Alzheimer's Disease Research Act is amended
18 by repealing Section 4."