



Rep. Elizabeth Hernandez

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10200HB1591ham003

LRB102 03634 AMQ 38595 a

1 AMENDMENT TO HOUSE BILL 1591

2 AMENDMENT NO. _____. Amend House Bill 1591 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Lottery Law is amended by
5 changing Sections 2, 9.1, and 20 and by adding Section 21.15 as
6 follows:

7 (20 ILCS 1605/2) (from Ch. 120, par. 1152)

8 Sec. 2. This Act is enacted to implement and establish
9 within the State a lottery to be conducted by the State through
10 the Department. The entire net proceeds of the Lottery are to
11 be used for the support of the State's Common School Fund,
12 except as provided in subsection (o) of Section 9.1 and
13 Sections 21.5, 21.6, 21.7, 21.8, 21.9, 21.10, 21.11, 21.12,
14 ~~and~~ 21.13, and 21.15. The General Assembly finds that it is in
15 the public interest for the Department to conduct the
16 functions of the Lottery with the assistance of a private

1 manager under a management agreement overseen by the
2 Department. The Department shall be accountable to the General
3 Assembly and the people of the State through a comprehensive
4 system of regulation, audits, reports, and enduring
5 operational oversight. The Department's ongoing conduct of the
6 Lottery through a management agreement with a private manager
7 shall act to promote and ensure the integrity, security,
8 honesty, and fairness of the Lottery's operation and
9 administration. It is the intent of the General Assembly that
10 the Department shall conduct the Lottery with the assistance
11 of a private manager under a management agreement at all times
12 in a manner consistent with 18 U.S.C. 1307(a)(1), 1307(b)(1),
13 1953(b)(4).

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

19 (Source: P.A. 101-81, eff. 7-12-19; 101-561, eff. 8-23-19;
20 102-558, eff. 8-20-21.)

21 (20 ILCS 1605/9.1)

22 Sec. 9.1. Private manager and management agreement.

23 (a) As used in this Section:

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

1 "Request for qualifications" means all materials and
2 documents prepared by the Department to solicit the following
3 from offerors:

4 (1) Statements of qualifications.

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

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

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

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

24 (c) Pursuant to the terms of this subsection, the
25 Department shall endeavor to expeditiously terminate the
26 existing contracts in support of the Lottery in effect on July

1 13, 2009 (the effective date of Public Act 96-37) in
2 connection with the selection of the private manager. As part
3 of its obligation to terminate these contracts and select the
4 private manager, the Department shall establish a mutually
5 agreeable timetable to transfer the functions of existing
6 contractors to the private manager so that existing Lottery
7 operations are not materially diminished or impaired during
8 the transition. To that end, the Department shall do the
9 following:

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

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

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

25 If the contracts to support the current operation of the
26 Lottery in effect on July 13, 2009 (the effective date of

1 Public Act 96-34) are not subject to termination as provided
2 for in this subsection (c), then the Department may include a
3 provision in the contract with the private manager specifying
4 a mutually agreeable methodology for incorporation.

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

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

23 (1) A term not to exceed 10 years, including any
24 renewals.

25 (2) A provision specifying that the Department:

26 (A) shall exercise actual control over all

1 significant business decisions;

2 (A-5) has the authority to direct or countermand
3 operating decisions by the private manager at any
4 time;

5 (B) has ready access at any time to information
6 regarding Lottery operations;

7 (C) has the right to demand and receive
8 information from the private manager concerning any
9 aspect of the Lottery operations at any time; and

10 (D) retains ownership of all trade names,
11 trademarks, and intellectual property associated with
12 the Lottery.

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

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

26 (5) A provision providing for compensation of the

1 private manager that may consist of, among other things, a
2 fee for services and a performance based bonus as
3 consideration for managing the Lottery, including terms
4 that may provide the private manager with an increase in
5 compensation if Lottery revenues grow by a specified
6 percentage in a given year.

7 (6) (Blank).

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

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

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

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

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

3 (B) The rights and obligations under contracts
4 with retailers and vendors.

5 (C) The implementation of a comprehensive security
6 program by the private manager.

7 (D) The implementation of a comprehensive system
8 of internal audits.

9 (E) The implementation of a program by the private
10 manager to curb compulsive gambling by persons playing
11 the Lottery.

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

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

24 (11) A requirement that the private manager market the
25 Lottery to those residents who are new, infrequent, or
26 lapsed players of the Lottery, especially those who are

1 most likely to make regular purchases on the Internet as
2 permitted by law.

3 (12) A code of ethics for the private manager's
4 officers and employees.

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

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

17 (15) Cash reserves requirements.

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

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

24 (18) Procedures for amendment of the agreement.

25 (19) A provision requiring the private manager to
26 engage in an open and competitive bidding process for any

1 procurement having a cost in excess of \$50,000 that is not
2 a part of the private manager's final offer. The process
3 shall favor the selection of a vendor deemed to have
4 submitted a proposal that provides the Lottery with the
5 best overall value. The process shall not be subject to
6 the provisions of the Illinois Procurement Code, unless
7 specifically required by the management agreement.

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

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

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

24 (e) Notwithstanding any other law to the contrary, the
25 Department shall select a private manager through a
26 competitive request for qualifications process consistent with

1 Section 20-35 of the Illinois Procurement Code, which shall
2 take into account:

3 (1) the offeror's ability to market the Lottery to
4 those residents who are new, infrequent, or lapsed players
5 of the Lottery, especially those who are most likely to
6 make regular purchases on the Internet;

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

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

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

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

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

1 Department on December 22, 2008 as "LOT08GAMESYS" and
2 reference number "22016176" is declared void.

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

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

11 (2) The subject matter of the hearing.

12 (3) A brief description of the management agreement to
13 be awarded.

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

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

18 (h) At the public hearing, the Department shall (i)
19 provide sufficient time for each finalist to present and
20 explain its proposal to the Department and the Governor or the
21 Governor's designee, including an opportunity to respond to
22 questions posed by the Department, Governor, or designee and
23 (ii) allow the public and non-selected offerors to comment on
24 the presentations. The Governor or a designee shall attend the
25 public hearing. After the public hearing, the Department shall
26 have 14 calendar days to recommend to the Governor whether a

1 management agreement should be entered into with a particular
2 finalist. After reviewing the Department's recommendation, the
3 Governor may accept or reject the Department's recommendation,
4 and shall select a final offeror as the private manager by
5 publication of a notice in the Illinois Procurement Bulletin
6 on or before September 15, 2010. The Governor shall include in
7 the notice a detailed explanation and the reasons why the
8 final offeror is superior to other offerors and will provide
9 management services in a manner that best achieves the
10 objectives of this Section. The Governor shall also sign the
11 management agreement with the private manager.

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

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

22 (k) Any tangible personal property used exclusively in
23 connection with the lottery that is owned by the Department
24 and leased to the private manager shall be owned by the
25 Department in the name of the State and shall be considered to
26 be public property devoted to an essential public and

1 governmental function.

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

5 (m) Neither this Section nor any management agreement
6 entered into under this Section prohibits the General Assembly
7 from authorizing forms of gambling that are not in direct
8 competition with the Lottery. The forms of gambling authorized
9 by Public Act 101-31 constitute authorized forms of gambling
10 that are not in direct competition with the Lottery.

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

19 (o) The powers conferred by this Section are in addition
20 and supplemental to the powers conferred by any other law. If
21 any other law or rule is inconsistent with this Section,
22 including, but not limited to, provisions of the Illinois
23 Procurement Code, then this Section controls as to any
24 management agreement entered into under this Section. This
25 Section and any rules adopted under this Section contain full
26 and complete authority for a management agreement between the

1 Department and a private manager. No law, procedure,
2 proceeding, publication, notice, consent, approval, order, or
3 act by the Department or any other officer, Department,
4 agency, or instrumentality of the State or any political
5 subdivision is required for the Department to enter into a
6 management agreement under this Section. This Section contains
7 full and complete authority for the Department to approve any
8 contracts entered into by a private manager with a vendor
9 providing goods, services, or both goods and services to the
10 private manager under the terms of the management agreement,
11 including subcontractors of such vendors.

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

1 provide the Chief Procurement Officer with reasonable advance
2 written notice of any contract that is pending Department
3 approval.

4 Notwithstanding any other provision of this Section to the
5 contrary, the Chief Procurement Officer shall adopt
6 administrative rules, including emergency rules, to establish
7 a procurement process to select a successor private manager if
8 a private management agreement has been terminated. The
9 selection process shall at a minimum take into account the
10 criteria set forth in items (1) through (4) of subsection (e)
11 of this Section and may include provisions consistent with
12 subsections (f), (g), (h), and (i) of this Section. The Chief
13 Procurement Officer shall also implement and administer the
14 adopted selection process upon the termination of a private
15 management agreement. The Department, after the Chief
16 Procurement Officer certifies that the procurement process has
17 been followed in accordance with the rules adopted under this
18 subsection (o), shall select a final offeror as the private
19 manager and sign the management agreement with the private
20 manager.

21 Except as provided in Sections 21.5, 21.6, 21.7, 21.8,
22 21.9, 21.10, 21.11, 21.12, ~~and~~ 21.13, and 21.15, the
23 Department shall distribute all proceeds of lottery tickets
24 and shares sold in the following priority and manner:

- 25 (1) The payment of prizes and retailer bonuses.
- 26 (2) The payment of costs incurred in the operation and

1 administration of the Lottery, including the payment of
2 sums due to the private manager under the management
3 agreement with the Department.

4 (3) On the last day of each month or as soon thereafter
5 as possible, the State Comptroller shall direct and the
6 State Treasurer shall transfer from the State Lottery Fund
7 to the Common School Fund an amount that is equal to the
8 proceeds transferred in the corresponding month of fiscal
9 year 2009, as adjusted for inflation, to the Common School
10 Fund.

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

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

23 (1) the Department shall submit written quarterly
24 reports to the Governor and the General Assembly on the
25 activities and actions of the private manager selected
26 under this Section;

1 (2) upon request of the Chief Procurement Officer, the
2 Department shall promptly produce information related to
3 the procurement activities of the Department and the
4 private manager requested by the Chief Procurement
5 Officer; the Chief Procurement Officer must retain
6 confidential, proprietary, or trade secret information
7 designated by the Department in complete confidence
8 pursuant to subsection (g) of Section 7 of the Freedom of
9 Information Act; and

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

15 (Source: P.A. 101-31, eff. 6-28-19; 101-81, eff. 7-12-19;
16 101-561, eff. 8-23-19; 102-558, eff. 8-20-21.)

17 (20 ILCS 1605/20) (from Ch. 120, par. 1170)

18 Sec. 20. State Lottery Fund.

19 (a) There is created in the State Treasury a special fund
20 to be known as the State Lottery Fund. Such fund shall consist
21 of all revenues received from (1) the sale of lottery tickets
22 or shares, (net of commissions, fees representing those
23 expenses that are directly proportionate to the sale of
24 tickets or shares at the agent location, and prizes of less
25 than \$600 which have been validly paid at the agent level), (2)

1 application fees, and (3) all other sources including moneys
2 credited or transferred thereto from any other fund or source
3 pursuant to law. Interest earnings of the State Lottery Fund
4 shall be credited to the Common School Fund.

5 (b) The receipt and distribution of moneys under Section
6 21.5 of this Act shall be in accordance with Section 21.5.

7 (c) The receipt and distribution of moneys under Section
8 21.6 of this Act shall be in accordance with Section 21.6.

9 (d) The receipt and distribution of moneys under Section
10 21.7 of this Act shall be in accordance with Section 21.7.

11 (e) The receipt and distribution of moneys under Section
12 21.8 of this Act shall be in accordance with Section 21.8.

13 (f) The receipt and distribution of moneys under Section
14 21.9 of this Act shall be in accordance with Section 21.9.

15 (g) The receipt and distribution of moneys under Section
16 21.10 of this Act shall be in accordance with Section 21.10.

17 (h) The receipt and distribution of moneys under Section
18 21.11 of this Act shall be in accordance with Section 21.11.

19 (i) The receipt and distribution of moneys under Section
20 21.12 of this Act shall be in accordance with Section 21.12.

21 (j) The receipt and distribution of moneys under Section
22 21.13 of this Act shall be in accordance with Section 21.13.

23 (k) The receipt and distribution of moneys under Section
24 25-70 of the Sports Wagering Act shall be in accordance with
25 Section 25-70 of the Sports Wagering Act.

26 (l) The receipt and distribution of moneys under Section

1 21.15 of this Act shall be in accordance with Section 21.15.

2 (Source: P.A. 101-81, eff. 7-12-19; 101-561, eff. 8-23-19;
3 102-16, eff. 6-17-21.)

4 (20 ILCS 1605/21.15 new)

5 Sec. 21.15. Illinois DREAM scratch-off.

6 (a) The Department shall offer a special Illinois DREAM
7 instant scratch-off game for the benefit of the Illinois DREAM
8 Fund Commission. The net revenue from the Illinois DREAM
9 scratch-off game shall be deposited into the Illinois DREAM
10 Fund, a special fund that is created in the State treasury.
11 Subject to appropriation, money in the Illinois DREAM Fund
12 shall be used to assist in funding scholarships and other
13 statutory responsibilities of the Illinois DREAM Fund
14 Commission. The game shall commence on January 1, 2023 or as
15 soon thereafter as is reasonably practical. The Department
16 shall consult with the Illinois DREAM Fund Commission
17 established under Section 67 of the Higher Education Student
18 Assistance Act regarding the design and promotion of the game.

19 (b) The operation of any games under this Section shall be
20 governed by this Act, and any rules shall be adopted by the
21 Department. If any provision of this Section is inconsistent
22 with any other provision of this Act, then this Section
23 governs.

24 (c) For purposes of this Section, "net revenue" means the
25 total amount for which tickets have been sold less the sum of

1 the amount paid out in prizes and the actual administrative
2 expenses of the Department solely related to the Illinois
3 DREAM scratch-off game.

4 (d) During the time that tickets are sold for the Illinois
5 DREAM scratch-off game, the Department shall not unreasonably
6 diminish the efforts devoted to marketing any other instant
7 scratch-off lottery game.

8 (e) The Department may adopt any rules necessary to
9 implement and administer this Section in consultation with the
10 Illinois DREAM Fund Commission.

11 Section 10. The State Finance Act is amended by adding
12 Section 5.970 as follows:

13 (30 ILCS 105/5.970 new)

14 Sec. 5.970. The Illinois DREAM Fund.

15 Section 15. The Higher Education Student Assistance Act is
16 amended by changing Section 67 as follows:

17 (110 ILCS 947/67)

18 Sec. 67. Illinois DREAM Fund Commission.

19 (a) The Illinois Student Assistance Commission shall
20 establish an Illinois DREAM Fund Commission. The Governor
21 shall appoint, with the advice and consent of the Senate,
22 members to the Illinois DREAM Fund Commission, which shall be

1 comprised of 9 members representing the geographic and ethnic
2 diversity of this State, including students, college and
3 university administrators and faculty, and other individuals
4 committed to advancing the educational opportunities of the
5 children of immigrants.

6 (b) The Illinois DREAM Fund Commission is charged with all
7 of the following responsibilities:

8 (1) Administering this Section and raising funds for
9 the Illinois DREAM Fund.

10 (2) Establishing a not-for-profit entity charged with
11 raising funds for the administration of this Section, any
12 educational or training programs the Commission is tasked
13 with administering, and funding scholarships to students
14 who are the children of immigrants to the United States.

15 (3) Publicizing the availability of scholarships from
16 the Illinois DREAM Fund.

17 (4) Selecting the recipients of scholarships funded
18 through the Illinois DREAM Fund.

19 (5) Researching issues pertaining to the availability
20 of assistance with the costs of higher education for the
21 children of immigrants and other issues regarding access
22 for and the performance of the children of immigrants
23 within higher education.

24 (6) Overseeing implementation of the other provisions
25 of this amendatory Act of the 97th General Assembly.

26 (7) Establishing and administering training programs

1 for high school counselors and counselors, admissions
2 officers, and financial aid officers of public
3 institutions of higher education. The training programs
4 shall instruct participants on the educational
5 opportunities available to college-bound students who are
6 the children of immigrants, including, but not limited to,
7 in-state tuition and scholarship programs. The Illinois
8 DREAM Fund Commission may also establish a public
9 awareness campaign regarding educational opportunities
10 available to college bound students who are the children
11 of immigrants.

12 The Illinois DREAM Fund Commission shall establish, by
13 rule, procedures for accepting and evaluating applications for
14 scholarships from the children of immigrants and issuing
15 scholarships to selected student applicants.

16 (c) To receive a scholarship under this Section, a student
17 must meet all of the following qualifications:

18 (1) Have resided with his or her parents or guardian
19 while attending a public or private high school in this
20 State.

21 (2) Have graduated from a public or private high
22 school or received the equivalent of a high school diploma
23 in this State.

24 (3) Have attended school in this State for at least 3
25 years as of the date he or she graduated from high school
26 or received the equivalent of a high school diploma.

1 (4) Have at least one parent who immigrated to the
2 United States.

3 (d) The Illinois Student Assistance Commission shall
4 establish an Illinois DREAM Fund to provide scholarships under
5 this Section. The Illinois DREAM Fund shall be funded entirely
6 from private contributions and proceeds from the scratch-off
7 created in Section 21.15 of the Illinois Lottery Law.

8 (Source: P.A. 97-233, eff. 8-1-11.)

9 Section 99. Effective date. This Act takes effect upon
10 becoming law."