



Sen. Don Harmon

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1 AMENDMENT TO HOUSE BILL 4700

2 AMENDMENT NO. _____. Amend House Bill 4700 by replacing
3 everything after the enacting clause with the following:

4 "ARTICLE 1.

5 Section 1-1. Short Title. This Act may be cited as the
6 FY2023 Budget Implementation Act.

7 Section 1-5. Purpose. It is the purpose of this Act to make
8 changes in State programs that are necessary to implement the
9 State budget for Fiscal Year 2023.

10 ARTICLE 3.

11 Section 3-1. This Article may be referred to as the
12 Climate Jobs Institute Law. References in this Article to
13 "this Act" mean this Article.

1 Section 3-5. Findings and intent. The General Assembly
2 finds that:

3 (1) Public Act 102-662 places the State on a path
4 toward 100% clean energy by 2050;

5 (2) the transition to a carbon-free energy economy
6 will have a significant economic, ecological, and
7 sociological impact on the State's residents;

8 (3) rigorous data collection and research are needed
9 to help minimize job loss, maximize high-quality job
10 creation and economic development, and facilitate just
11 transitions, workforce development programs, and
12 activities necessary to meet the increased labor demand in
13 the State's clean-energy sector;

14 (4) the State finds that an equitable transition to a
15 clean-energy economy must be guided by applied research
16 that provides detailed, nuanced information about the
17 labor, employment, and broader social and economic impacts
18 of decarbonizing the State's economy;

19 (5) collecting and analyzing labor and employment data
20 in the clean-energy sector is essential for creating a
21 clean-energy economy that prioritizes local resources,
22 improves resiliency, and promotes energy independence; and

23 (6) the State has a strong interest in ensuring that
24 State residents, especially those from environmental
25 justice and historically underserved communities, have

1 access to safe, well-paying, clean-energy jobs, supporting
2 displaced energy workers in the transition to a
3 clean-energy economy; and creating workforce development
4 programs to meet the labor demand in the clean-energy
5 industry.

6 The General Assembly intends that, in order to promote
7 those interests in the State's growing clean-energy sector, a
8 Climate Jobs Institute should be created that will produce
9 high-quality data, research, and educational opportunities to
10 inform policymakers, industry partners, labor organizations,
11 and other relevant stakeholders in the development and
12 implementation of innovative and data-supported labor policies
13 for the emerging clean-energy economy.

14 Section 3-10. The University of Illinois Act is amended by
15 adding Section 165 as follows:

16 (110 ILCS 305/165 new)

17 Sec. 165. Climate Jobs Institute.

18 (a) Subject to appropriation and Section 7 of the Board of
19 Higher Education Act, the Board of Trustees shall establish
20 and operate a Climate Jobs Institute for the purpose of
21 producing high-quality, reliable, and accurate research on
22 labor, employment, and the broader social and economic impacts
23 of decarbonizing the State's economy. The Institute shall be
24 under the direction of the School of Labor and Employment

1 Relations at the University of Illinois at Urbana-Champaign.
2 The Dean of the School of Labor and Employment Relations shall
3 select the Executive Director of the Climate Jobs Institute.
4 The Executive Director shall submit a budget that includes a
5 staff plan to the Board of Trustees for approval. The
6 Executive Director shall consider suggestions from the Climate
7 Jobs Advisory Council in preparing the budget.

8 (b) The Climate Jobs Advisory Council is created. The
9 Climate Jobs Advisory Council shall consist of stakeholders in
10 the clean-energy economy and be composed of the following
11 members:

12 (1) Four members representing statewide labor
13 organizations, appointed by the Governor.

14 (2) Three members representing environmental advocacy
15 organizations, appointed by the Governor.

16 (3) Three members representing the renewable energy
17 industry, appointed by the Governor.

18 (4) Two members from University of Illinois School of
19 Labor and Employment Relations faculty, appointed by the
20 Chancellor in consultation with the Dean of the School of
21 Labor and Employment Relations.

22 (5) Two members appointed by the President of the
23 Senate, who may or may not be elected officials.

24 (6) Two members appointed by the Speaker of the House
25 of Representatives, who may or may not be elected
26 officials.

1 (7) One member appointed by the Minority Leader of the
2 Senate, who may or may not be an elected official.

3 (8) One member appointed by the Minority Leader of the
4 House of Representatives, who may or may not be an elected
5 official.

6 (9) One member of the Illinois Senate Latino Caucus,
7 appointed by the President of the Senate.

8 (10) One member of the Illinois Senate Black Caucus,
9 appointed by the President of the Senate.

10 (11) One member of the Illinois House Latino Caucus,
11 appointed by the Speaker of the House of Representatives.

12 (12) One member of the Illinois House Black Caucus,
13 appointed by the Speaker of the House of Representatives.

14 Members appointed to the Council shall serve 2-year terms
15 and may be reappointed. If a seat becomes vacant in the middle
16 of a term, the Governor shall appoint a replacement, who shall
17 serve for the remainder of that term. Members of the Council
18 shall serve without compensation.

19 (c) The Climate Jobs Institute's Executive Director, with
20 input from the Climate Jobs Advisory Council, shall set the
21 priorities, work processes, and timeline for implementing the
22 Institute's work. The Climate Jobs Institute's Executive
23 Director shall serve as Chairperson of the Council, and the
24 Council shall meet at the call of the Executive Director.

25 (d) The Climate Jobs Institute shall provide high-quality,
26 accurate information through research and education that

1 addresses key issues and questions to guide the State's
2 implementation and transition goals to a strong, equitable,
3 decarbonized economy. The Climate Jobs Institute may respond
4 to inquiries submitted by State lawmakers and State agencies.

5 (e) The Climate Jobs Institute shall do all of the
6 following:

7 (1) Evaluate how workforce opportunities in the
8 clean-energy industry can provide just transitions for
9 displaced energy workers in the State. This duty shall
10 include, but is not limited to, identifying the industries
11 and demographics that will be most impacted by the
12 transition to a clean-energy economy, finding workforce
13 transition opportunities available to workers based on
14 level of skill and geographic location, identifying and
15 eliminating barriers that may prevent workers from
16 entering the clean-energy industry, and defining the
17 nature and level of job support that is necessary for a
18 successful employment transition to clean-energy jobs.

19 (2) Identify opportunities to maximize job creation
20 and workforce development in the State's clean-energy
21 industry, being particularly mindful of job creation in
22 historically underrepresented populations and
23 environmental justice communities. This duty shall
24 include, but is not limited to, identifying the types of
25 workforce development training programs and activities
26 that are needed to meet the workforce demand in the

1 clean-energy industry, identifying the types of
2 clean-energy activities that provide the greatest job
3 creation and economic benefits to various regions in the
4 State, and classifying the quantity and category of jobs
5 needed to meet the State's clean-energy commitment.

6 (3) Recommend policies that will create high-quality
7 family and community-sustaining jobs in the clean-energy
8 economy. This duty shall include, but is not limited to,
9 identifying how wages, workforce development training, and
10 labor standards improve the quality of clean-energy jobs,
11 evaluating the economic impact of implementing high labor
12 standards, and identifying effective labor-standard
13 enforcement measures.

14 (4) Develop strategies to address current and future
15 supply chain vulnerabilities and challenges in the
16 clean-energy manufacturing industry. This duty shall
17 include, but is not limited to, identifying how the State
18 can incentivize the development of a clean-energy
19 manufacturing supply chain, including end-of-life
20 recycling for renewable-energy-generation components,
21 identifying the types of information and support that are
22 needed to help businesses transition to providing products
23 and services for the clean-energy economy, and assessing
24 what forms of low-interest loans, grants, and technical
25 assistance will best support business communities through
26 this transition.

1 (5) Identify how to expand access to high-quality
2 clean-energy jobs for environmental justice communities
3 and other frontline communities that have faced historical
4 inequities. This duty shall include, but is not limited
5 to, identifying best practices for building a pipeline for
6 workers participating in on-the-job training programs to
7 high quality careers in the clean-energy industry and
8 identifying how the State can utilize clean-energy jobs
9 hubs and United States Department of Labor registered
10 apprenticeship programs to advance labor market equity.

11 (6) Assess the types of support that local governments
12 will need to help communities develop their own community
13 energy, climate, and jobs plans. This duty shall include,
14 but is not limited to, identifying the sociological,
15 ecological, and economic impact on local communities
16 resulting from the transition to a clean-energy economy
17 and ascertaining the type of financial and technical
18 support that local governments may need to navigate the
19 transition to a decarbonized economy.

20 (7) Evaluate initiatives, including the Public Schools
21 Carbon-Free Assessment programs, to retrofit schools for
22 energy efficiencies to create a safe, healthy,
23 cost-effective school environment, while contributing to
24 an environmentally sustainable State. This duty shall
25 include, but is not limited to, identifying the type of
26 research support that school districts may need to assess

1 initiatives to decarbonize public schools, identifying
2 best practices to prioritize assistance for school
3 districts most impacted by climate change, and
4 synthesizing the results of school energy audits to inform
5 policy decision making.

6 (f) The Climate Jobs Institute's research shall be
7 disseminated in ways that maximize the public dissemination of
8 the Institute's research and recommendations, including public
9 policy reports, academic articles, highly interactive
10 web-based platforms, and labor, community, legislative, and
11 media outreach and education programs.

12 (g) The Climate Jobs Institute may coordinate with the
13 Department of Labor and the Department of Commerce and
14 Economic Opportunity to share data collected for, but not
15 limited to, the Bureau on Apprenticeship Programs and Clean
16 Energy Jobs and the Energy Community Reinvestment Report.

17 ARTICLE 4.

18 Section 4-1. Short title. This Article may be cited as the
19 Broadband Infrastructure Advancement Act. References in this
20 Article to "this Act" mean this Article.

21 Section 4-5. Findings. The General Assembly finds:

22 (1) that on November 15, 2021, the Infrastructure
23 Investment and Jobs Act was signed into law by President

1 Biden, which provides for historic levels of investment in
2 the nation's infrastructure;

3 (2) that the United States government has made
4 available \$550,000,000,000 for new infrastructure
5 investment for state and local governments through the
6 Infrastructure Investment and Job Act;

7 (3) that it is essential that this State not lose out
8 on funding made available through the Infrastructure
9 Investment and Jobs Infrastructure Investment and Jobs
10 Act;

11 (4) that investments in this State's bridges, roads,
12 highways, rail system, high-speed internet, and
13 electricity are essential to the public safety, economic
14 viability, and equity of all citizens in every part of
15 this State;

16 (5) that an important component of infrastructure in
17 the 21st century is access to affordable, reliable,
18 high-speed internet;

19 (6) that the persistent digital divide in this State
20 is a barrier to the economic competitiveness in the
21 economic distribution of essential public services,
22 including health care and education; and

23 (7) that the digital divide disproportionately affects
24 communities of color, lower-income areas, and rural areas,
25 and the benefits of broadband should be broadly enjoyed by
26 all citizens of this State.

1 Section 4-10. Intent. This Act is intended to be construed
2 in compliance and consistent with the Infrastructure
3 Investment and Jobs Act and all regulations, rules, guidance,
4 forms, instructions, and publications issued thereunder. In
5 any instance in which this Act conflicts with such
6 regulations, rules, guidance, forms, instructions, or
7 publications, the latter shall prevail.

8 Section 4-15. Use of funds. Any plans, responses to
9 requests, letters of intent, application materials, or other
10 documents prepared describing the State's intended plan for
11 distributing broadband grants that must be submitted to the
12 federal government pursuant to Division F of the
13 Infrastructure Investment and Jobs Act and any associated
14 federal rule, regulation, or guidance in order to be eligible
15 to receive broadband grants pursuant to the Infrastructure
16 Investment and Jobs Act must be, to the extent practical,
17 submitted to the Legislative Budget Oversight Commission for
18 review and comment at least 30 days prior to submission to the
19 federal government. The Governor, or designated State entity
20 responsible for administering the grant programs pursuant to
21 Division F of the Infrastructure Investment and Jobs Act, must
22 consider comments and suggestions provided by the members of
23 the Legislative Budget Oversight Commission and members of the
24 public.

1 Section 4-20. Use of other broadband funds. The Department
2 of Commerce and Economic Opportunity, the Office of Broadband,
3 or any other State agency, board, office, or commission
4 appropriated funding to provide grants for broadband
5 deployment, broadband expansion, broadband access, broadband
6 affordability, and broadband improvement projects must
7 establish program eligibility and selection criteria by
8 administrative rules. The Department of Commerce and Economic
9 Opportunity may not issue emergency rules under the Illinois
10 Administrative Procedure Act for the purpose of issuing grants
11 to entities for broadband purposes unless otherwise specified.

12 Section 4-25. The General Assembly Operations Act is
13 amended by changing Section 20 as follows:

14 (25 ILCS 10/20)

15 (Section scheduled to be repealed on July 1, 2022)

16 Sec. 20. Legislative Budget Oversight Commission.

17 (a) The General Assembly hereby finds and declares that
18 the State is confronted with an unprecedented fiscal crisis.
19 In light of this crisis, and the challenges it presents for the
20 budgeting process, the General Assembly hereby establishes the
21 Legislative Budget Oversight Commission. The purpose of the
22 Commission is: to monitor budget management actions taken by
23 the Office of the Governor or Governor's Office of Management

1 and Budget; ~~and~~ to oversee the distribution and expenditure of
2 federal financial relief for State and local governments
3 related to the COVID-19 pandemic; and to advise and review
4 planned expenditures of State and federal grants for broadband
5 projects.

6 (b) At the request of the Commission, units of local
7 governments and State agency directors or their respective
8 designees shall report to the Commission on the status and
9 distribution of federal CARES money and any other federal
10 financial relief related to the COVID-19 pandemic.

11 (c) In anticipation of constantly changing and
12 unpredictable economic circumstances, the Commission will
13 provide a means for the Governor's Office and the General
14 Assembly to maintain open communication about necessary budget
15 management actions during these unprecedented times. Beginning
16 August 15, 2020, the Governor's Office of Management and
17 Budget shall submit a monthly written report to the Commission
18 reporting any budget management actions taken by the Office of
19 the Governor, Governor's Office of Management and Budget, or
20 any State agency. At the call of one of the co-chairs ~~On a~~
21 ~~quarterly basis,~~ the Governor or his or her designee shall
22 give a report to the Commission and each member thereof. The
23 report shall be given either in person or by telephonic or
24 videoconferencing means. The report shall include:

25 (1) any budget management actions taken by the Office
26 of the Governor, Governor's Office of Management and

1 Budget, or any agency or board under the Office of the
2 Governor in the prior quarter;

3 (2) year-to-date general funds revenues as compared to
4 anticipated revenues;

5 (3) year-to-date general funds expenditures as
6 compared to the Fiscal Year 2021 budget as enacted;

7 (4) a list, by program, of the number of grants
8 awarded, the aggregate amount of such grant awards, and
9 the aggregate amount of awards actually paid with respect
10 to all grants awarded from federal funds from the
11 Coronavirus Relief Fund in accordance with Section 5001 of
12 the federal Coronavirus Aid, Relief, and Economic Security
13 (CARES) Act or from the Coronavirus State Fiscal Recovery
14 Fund in accordance with Section 9901 of the federal
15 American Rescue Plan Act of 2021, which shall identify the
16 number of grants awarded, the aggregate amount of such
17 grant awards, and the aggregate amount of such awards
18 actually paid to grantees located in or serving a
19 disproportionately impacted area, as defined in the
20 program from which the grant is awarded; and

21 (5) any additional items reasonably requested by the
22 Commission.

23 (c-5) Any plans, responses to requests, letters of intent,
24 application materials, or other documents prepared on behalf
25 of the State describing the State's intended plan for
26 distributing grants pursuant to Division F of the

1 Infrastructure Investment and Jobs Act must be, to the extent
2 practical, provided to the Legislative Budget Oversight
3 Commission for review at least 30 days prior to submission to
4 the appropriate federal entity. If plans, responses to
5 requests, letters of intent, application materials, or other
6 documents prepared on behalf of the State describing the
7 State's plan or goals for distributing grants pursuant to
8 Division F of the Infrastructure Investment and Jobs Act
9 cannot practically be given the Legislative Budget Oversight
10 Commission 30 days prior to submission to the appropriate
11 federal entity, the materials shall be provided to the
12 Legislative Budget Oversight Commission with as much time for
13 review as practical. All documents provided to the Commission
14 shall be made available to the public on the General
15 Assembly's website. However, the following information shall
16 be redacted from any documents made available to the public:
17 (i) information specifically prohibited from disclosure by
18 federal or State law or federal or State rules and
19 regulations; (ii) trade secrets; (iii) security sensitive
20 information; and (iv) proprietary, privileged, or confidential
21 commercial or financial information from a privately held
22 person or business which, if disclosed, would cause
23 competitive harm. Members of the public and interested parties
24 may submit written comments to the Commission for
25 consideration. Prior to the State's submission to the
26 appropriate federal entity pursuant to this subsection, the

1 Commission shall conduct at least one public hearing during
2 which members of the public and other interested parties may
3 file written comments with and offer testimony before the
4 Commission. After completing its review and consideration of
5 any such testimony offered and written public comments
6 received, the Commission shall submit its written comments and
7 suggestions to the Governor or designated State entity
8 responsible for administering the grant programs under
9 Division F of the Infrastructure Investment and Jobs Act on
10 behalf of the State. The Governor, or designated State entity
11 responsible for administering the grant programs pursuant to
12 Division F of the Infrastructure Investment and Jobs Act, must
13 consider comments and suggestions provided by the members of
14 the Legislative Budget Oversight Commission and members of the
15 public.

16 (c-10) At the request of the Commission, the Governor or
17 the designated State entity responsible for administering
18 programs under Division F of the Infrastructure Investment and
19 Jobs Act on behalf of the State must report on the grants
20 issued by the State pursuant to the programs under Division F
21 of the Infrastructure Investment and Jobs Act.

22 (d) The Legislative Budget Oversight Commission shall
23 consist of the following members:

24 (1) 7 members of the House of Representatives
25 appointed by the Speaker of the House of Representatives;

26 (2) 7 members of the Senate appointed by the Senate

1 President;

2 (3) 4 members of the House of Representatives
3 appointed by the Minority Leader of the House of
4 Representatives; and

5 (4) 4 members of the Senate appointed by the Senate
6 Minority Leader.

7 (e) The Speaker of the House of Representatives and the
8 Senate President shall each appoint one member of the
9 Commission to serve as a co-chair. The members of the
10 Commission shall serve without compensation.

11 (f) As used in this Section:

12 "Budget management action" means any ~~transfer between~~
13 ~~appropriation lines exceeding 2%,~~ fund transfer directed by
14 the Governor or the Governor's Office of Management and
15 Budget, designation of appropriation lines as reserve, or any
16 other discretionary action taken with regard to the ~~Fiscal~~
17 ~~Year 2021~~ budget as enacted;

18 "State agency" means all officers, boards, commissions,
19 departments, and agencies created by the Constitution, by law,
20 by Executive Order, or by order of the Governor in the
21 Executive Branch, other than the Offices of the Attorney
22 General, Secretary of State, Comptroller, or Treasurer.

23 (g) This Section is repealed July 1, 2023 ~~2022~~.

24 (Source: P.A. 101-636, eff. 6-10-20; 102-16, eff. 6-17-21.)

25

ARTICLE 5.

1 Section 5-3. The Illinois Constitutional Amendment Act is
2 amended by changing Section 2 as follows:

3 (5 ILCS 20/2) (from Ch. 1, par. 103)

4 Sec. 2.

5 (a) The General Assembly in submitting an amendment to the
6 Constitution to the electors, or the proponents of an
7 amendment to Article IV of the Constitution submitted by
8 petition, shall prepare a brief explanation of such amendment,
9 a brief argument in favor of the same, and the form in which
10 such amendment will appear on the separate ballot as provided
11 by Section 16-6 of the Election Code, as amended. The minority
12 of the General Assembly, or if there is no minority, anyone
13 designated by the General Assembly shall prepare a brief
14 argument against such amendment. The explanation, the
15 arguments for and against each constitutional amendment, and
16 the form in which the amendment will appear on the separate
17 ballot shall be approved by a joint resolution of the General
18 Assembly and filed in the office of the Secretary of State with
19 the proposed amendment.

20 (b) In the case of an amendment to Article IV of the
21 Constitution initiated pursuant to Section 3 of Article XIV of
22 the Constitution, the proponents shall be those persons so
23 designated at the time of the filing of the petition as
24 provided in Section 10-8 of the Election Code, and the

1 opponents shall be those members of the General Assembly
2 opposing such amendment, or if there are none, anyone
3 designated by the General Assembly and such opponents shall
4 prepare a brief argument against such amendment. The
5 proponent's explanation and argument in favor of and the
6 opponents argument against an amendment to Article IV
7 initiated by petition must be submitted to the Attorney
8 General, who may rewrite them for accuracy and fairness. The
9 explanation, the arguments for and against each constitutional
10 amendment, and the form in which the amendment will appear on
11 the separate ballot shall be filed in the office of the
12 Secretary of State with the proposed amendment.

13 (c) At least 2 months ~~one month~~ before the next election of
14 members of the General Assembly, following the passage of the
15 proposed amendment, the Secretary of State shall publish the
16 amendment, in full in 8 point type, or the equivalent thereto,
17 in at least one secular newspaper of general circulation in
18 every county in this State in which a newspaper is published.
19 In counties in which 2 or more newspapers are published, the
20 Secretary of State shall cause such amendment to be published
21 in 2 newspapers. In counties having a population of 500,000 or
22 more, such amendment shall be published in not less than 6
23 newspapers of general circulation. After the first
24 publication, the publication of such amendment shall be
25 repeated once each week for 2 consecutive weeks. In selecting
26 newspapers in which to publish such amendment the Secretary of

1 State shall have regard solely to the circulation of such
2 newspapers, selecting secular newspapers in every case having
3 the largest circulation. The proposed amendment shall have a
4 notice prefixed thereto in said publications, that at such
5 election the proposed amendment will be submitted to the
6 electors for adoption or rejection, and at the end of the
7 official publication, he shall also publish the form in which
8 the proposed amendment will appear on the separate ballot. The
9 Secretary of State shall fix the publication fees to be paid
10 newspapers for making such publication, but in no case shall
11 such publication fee exceed the amount charged by such
12 newspapers to private individuals for a like publication.

13 (d) In addition to the notice hereby required to be
14 published, the Secretary of State shall also cause the
15 existing form of the constitutional provision proposed to be
16 amended, the proposed amendment, the explanation of the same,
17 the arguments for and against the same, and the form in which
18 such amendment will appear on the separate ballot, to be
19 published in pamphlet form in 8 point type or the equivalent
20 thereto in English, in additional languages as required by
21 Section 203 of Title III of the federal Voting Rights Act of
22 1965, and in braille. The Secretary of State shall publish the
23 pamphlet on the Secretary's website in a downloadable,
24 printable format and maintain a reasonable supply of printed
25 pamphlets to be available upon request. The Secretary of State
26 shall publish an audio version of the pamphlet, which shall be

1 available for playback on the Secretary's website and made
2 available to any individual or entity upon request. ~~and~~

3 (e) Except as provided in subsection (f), the Secretary of
4 State shall mail such pamphlet to every mailing address in the
5 State, addressed to the attention of the Postal Patron. He
6 shall also maintain a reasonable supply of such pamphlets so
7 as to make them available to any person requesting one.

8 (f) For any proposed constitutional amendment appearing on
9 the ballot for the general election on November 8, 2022, the
10 Secretary of State, in lieu of the requirement in subsection
11 (e) of this Act, shall mail a postcard to every mailing address
12 in the State advising that a proposed constitutional amendment
13 will be considered at the general election. The postcard shall
14 include a URL to the Secretary of State's website that
15 contains the information required in subsection (d).

16 (Source: P.A. 98-463, eff. 8-16-13.)

17 Section 5-5. The Substance Use Disorder Act is amended by
18 changing Section 5-10 as follows:

19 (20 ILCS 301/5-10)

20 Sec. 5-10. Functions of the Department.

21 (a) In addition to the powers, duties and functions vested
22 in the Department by this Act, or by other laws of this State,
23 the Department shall carry out the following activities:

24 (1) Design, coordinate and fund comprehensive

1 community-based and culturally and gender-appropriate
2 services throughout the State. These services must include
3 prevention, early intervention, treatment, and other
4 recovery support services for substance use disorders that
5 are accessible and addresses the needs of at-risk
6 individuals and their families.

7 (2) Act as the exclusive State agency to accept,
8 receive and expend, pursuant to appropriation, any public
9 or private monies, grants or services, including those
10 received from the federal government or from other State
11 agencies, for the purpose of providing prevention, early
12 intervention, treatment, and other recovery support
13 services for substance use disorders.

14 (2.5) In partnership with the Department of Healthcare
15 and Family Services, act as one of the principal State
16 agencies for the sole purpose of calculating the
17 maintenance of effort requirement under Section 1930 of
18 Title XIX, Part B, Subpart II of the Public Health Service
19 Act (42 U.S.C. 300x-30) and the Interim Final Rule (45 CFR
20 96.134).

21 (3) Coordinate a statewide strategy for the
22 prevention, early intervention, treatment, and recovery
23 support of substance use disorders. This strategy shall
24 include the development of a comprehensive plan, submitted
25 annually with the application for federal substance use
26 disorder block grant funding, for the provision of an

1 array of such services. The plan shall be based on local
2 community-based needs and upon data including, but not
3 limited to, that which defines the prevalence of and costs
4 associated with substance use disorders. This
5 comprehensive plan shall include identification of
6 problems, needs, priorities, services and other pertinent
7 information, including the needs of minorities and other
8 specific priority populations in the State, and shall
9 describe how the identified problems and needs will be
10 addressed. For purposes of this paragraph, the term
11 "minorities and other specific priority populations" may
12 include, but shall not be limited to, groups such as
13 women, children, intravenous drug users, persons with AIDS
14 or who are HIV infected, veterans, African-Americans,
15 Puerto Ricans, Hispanics, Asian Americans, the elderly,
16 persons in the criminal justice system, persons who are
17 clients of services provided by other State agencies,
18 persons with disabilities and such other specific
19 populations as the Department may from time to time
20 identify. In developing the plan, the Department shall
21 seek input from providers, parent groups, associations and
22 interested citizens.

23 The plan developed under this Section shall include an
24 explanation of the rationale to be used in ensuring that
25 funding shall be based upon local community needs,
26 including, but not limited to, the incidence and

1 prevalence of, and costs associated with, substance use
2 disorders, as well as upon demonstrated program
3 performance.

4 The plan developed under this Section shall also
5 contain a report detailing the activities of and progress
6 made through services for the care and treatment of
7 substance use disorders among pregnant women and mothers
8 and their children established under subsection (j) of
9 Section 35-5.

10 As applicable, the plan developed under this Section
11 shall also include information about funding by other
12 State agencies for prevention, early intervention,
13 treatment, and other recovery support services.

14 (4) Lead, foster and develop cooperation, coordination
15 and agreements among federal and State governmental
16 agencies and local providers that provide assistance,
17 services, funding or other functions, peripheral or
18 direct, in the prevention, early intervention, treatment,
19 and recovery support for substance use disorders. This
20 shall include, but shall not be limited to, the following:

21 (A) Cooperate with and assist other State
22 agencies, as applicable, in establishing and
23 conducting substance use disorder services among the
24 populations they respectively serve.

25 (B) Cooperate with and assist the Illinois
26 Department of Public Health in the establishment,

1 funding and support of programs and services for the
2 promotion of maternal and child health and the
3 prevention and treatment of infectious diseases,
4 including but not limited to HIV infection, especially
5 with respect to those persons who are high risk due to
6 intravenous injection of illegal drugs, or who may
7 have been sexual partners of these individuals, or who
8 may have impaired immune systems as a result of a
9 substance use disorder.

10 (C) Supply to the Department of Public Health and
11 prenatal care providers a list of all providers who
12 are licensed to provide substance use disorder
13 treatment for pregnant women in this State.

14 (D) Assist in the placement of child abuse or
15 neglect perpetrators (identified by the Illinois
16 Department of Children and Family Services (DCFS)) who
17 have been determined to be in need of substance use
18 disorder treatment pursuant to Section 8.2 of the
19 Abused and Neglected Child Reporting Act.

20 (E) Cooperate with and assist DCFS in carrying out
21 its mandates to:

22 (i) identify substance use disorders among its
23 clients and their families; and

24 (ii) develop services to deal with such
25 disorders.

26 These services may include, but shall not be limited

1 to, programs to prevent or treat substance use
2 disorders with DCFS clients and their families,
3 identifying child care needs within such treatment,
4 and assistance with other issues as required.

5 (F) Cooperate with and assist the Illinois
6 Criminal Justice Information Authority with respect to
7 statistical and other information concerning the
8 incidence and prevalence of substance use disorders.

9 (G) Cooperate with and assist the State
10 Superintendent of Education, boards of education,
11 schools, police departments, the Illinois State
12 Police, courts and other public and private agencies
13 and individuals in establishing prevention programs
14 statewide and preparing curriculum materials for use
15 at all levels of education.

16 (H) Cooperate with and assist the Illinois
17 Department of Healthcare and Family Services in the
18 development and provision of services offered to
19 recipients of public assistance for the treatment and
20 prevention of substance use disorders.

21 (I) (Blank).

22 (5) From monies appropriated to the Department from
23 the Drunk and Drugged Driving Prevention Fund, reimburse
24 DUI evaluation and risk education programs licensed by the
25 Department for providing indigent persons with free or
26 reduced-cost evaluation and risk education services

1 relating to a charge of driving under the influence of
2 alcohol or other drugs.

3 (6) Promulgate regulations to identify and disseminate
4 best practice guidelines that can be utilized by publicly
5 and privately funded programs as well as for levels of
6 payment to government funded programs that provide
7 prevention, early intervention, treatment, and other
8 recovery support services for substance use disorders and
9 those services referenced in Sections 15-10 and 40-5.

10 (7) In consultation with providers and related trade
11 associations, specify a uniform methodology for use by
12 funded providers and the Department for billing and
13 collection and dissemination of statistical information
14 regarding services related to substance use disorders.

15 (8) Receive data and assistance from federal, State
16 and local governmental agencies, and obtain copies of
17 identification and arrest data from all federal, State and
18 local law enforcement agencies for use in carrying out the
19 purposes and functions of the Department.

20 (9) Designate and license providers to conduct
21 screening, assessment, referral and tracking of clients
22 identified by the criminal justice system as having
23 indications of substance use disorders and being eligible
24 to make an election for treatment under Section 40-5 of
25 this Act, and assist in the placement of individuals who
26 are under court order to participate in treatment.

1 (10) Identify and disseminate evidence-based best
2 practice guidelines as maintained in administrative rule
3 that can be utilized to determine a substance use disorder
4 diagnosis.

5 (11) (Blank).

6 (12) Make grants with funds appropriated from the Drug
7 Treatment Fund in accordance with Section 7 of the
8 Controlled Substance and Cannabis Nuisance Act, or in
9 accordance with Section 80 of the Methamphetamine Control
10 and Community Protection Act, or in accordance with
11 subsections (h) and (i) of Section 411.2 of the Illinois
12 Controlled Substances Act, or in accordance with Section
13 6z-107 of the State Finance Act.

14 (13) Encourage all health and disability insurance
15 programs to include substance use disorder treatment as a
16 covered service and to use evidence-based best practice
17 criteria as maintained in administrative rule and as
18 required in Public Act 99-0480 in determining the
19 necessity for such services and continued stay.

20 (14) Award grants and enter into fixed-rate and
21 fee-for-service arrangements with any other department,
22 authority or commission of this State, or any other state
23 or the federal government or with any public or private
24 agency, including the disbursement of funds and furnishing
25 of staff, to effectuate the purposes of this Act.

26 (15) Conduct a public information campaign to inform

1 the State's Hispanic residents regarding the prevention
2 and treatment of substance use disorders.

3 (b) In addition to the powers, duties and functions vested
4 in it by this Act, or by other laws of this State, the
5 Department may undertake, but shall not be limited to, the
6 following activities:

7 (1) Require all organizations licensed or funded by
8 the Department to include an education component to inform
9 participants regarding the causes and means of
10 transmission and methods of reducing the risk of acquiring
11 or transmitting HIV infection and other infectious
12 diseases, and to include funding for such education
13 component in its support of the program.

14 (2) Review all State agency applications for federal
15 funds that include provisions relating to the prevention,
16 early intervention and treatment of substance use
17 disorders in order to ensure consistency.

18 (3) Prepare, publish, evaluate, disseminate and serve
19 as a central repository for educational materials dealing
20 with the nature and effects of substance use disorders.
21 Such materials may deal with the educational needs of the
22 citizens of Illinois, and may include at least pamphlets
23 that describe the causes and effects of fetal alcohol
24 spectrum disorders.

25 (4) Develop and coordinate, with regional and local
26 agencies, education and training programs for persons

1 engaged in providing services for persons with substance
2 use disorders, which programs may include specific HIV
3 education and training for program personnel.

4 (5) Cooperate with and assist in the development of
5 education, prevention, early intervention, and treatment
6 programs for employees of State and local governments and
7 businesses in the State.

8 (6) Utilize the support and assistance of interested
9 persons in the community, including recovering persons, to
10 assist individuals and communities in understanding the
11 dynamics of substance use disorders, and to encourage
12 individuals with substance use disorders to voluntarily
13 undergo treatment.

14 (7) Promote, conduct, assist or sponsor basic
15 clinical, epidemiological and statistical research into
16 substance use disorders and research into the prevention
17 of those problems either solely or in conjunction with any
18 public or private agency.

19 (8) Cooperate with public and private agencies,
20 organizations and individuals in the development of
21 programs, and to provide technical assistance and
22 consultation services for this purpose.

23 (9) (Blank).

24 (10) (Blank).

25 (11) Fund, promote, or assist entities dealing with
26 substance use disorders.

1 (12) With monies appropriated from the Group Home Loan
2 Revolving Fund, make loans, directly or through
3 subcontract, to assist in underwriting the costs of
4 housing in which individuals recovering from substance use
5 disorders may reside, pursuant to Section 50-40 of this
6 Act.

7 (13) Promulgate such regulations as may be necessary
8 to carry out the purposes and enforce the provisions of
9 this Act.

10 (14) Provide funding to help parents be effective in
11 preventing substance use disorders by building an
12 awareness of the family's role in preventing substance use
13 disorders through adjusting expectations, developing new
14 skills, and setting positive family goals. The programs
15 shall include, but not be limited to, the following
16 subjects: healthy family communication; establishing rules
17 and limits; how to reduce family conflict; how to build
18 self-esteem, competency, and responsibility in children;
19 how to improve motivation and achievement; effective
20 discipline; problem solving techniques; and how to talk
21 about drugs and alcohol. The programs shall be open to all
22 parents.

23 (c) There is created within the Department of Human
24 Services an Office of Opioid Settlement Administration. The
25 Office shall be responsible for implementing and administering
26 approved abatement programs as described in Exhibit B of the

1 Illinois Opioid Allocation Agreement, effective December 30,
2 2021. The Office may also implement and administer other
3 opioid-related programs, including but not limited to
4 prevention, treatment, and recovery services from other funds
5 made available to the Department of Human Services. The
6 Secretary of Human Services shall appoint or assign staff as
7 necessary to carry out the duties and functions of the Office.

8 (Source: P.A. 101-10, eff. 6-5-19; 102-538, eff. 8-20-21.)

9 Section 5-10. The Department of Central Management
10 Services Law of the Civil Administrative Code of Illinois is
11 amended by changing Section 405-280 as follows:

12 (20 ILCS 405/405-280) (was 20 ILCS 405/67.15)

13 Sec. 405-280. State garages; charging stations; passenger
14 cars.

15 (a) To supervise and administer all State garages used for
16 the repair, maintenance, or servicing of State-owned motor
17 vehicles except those operated by any State college or
18 university or by the Illinois Mathematics and Science Academy;
19 to supervise and administer the design, purchase,
20 installation, operation, and maintenance of electric vehicle
21 charging infrastructure and associated improvements on any
22 property that is owned or controlled by the State; and to
23 acquire, maintain, and administer the operation of the
24 passenger cars reasonably necessary to the operations of the

1 executive department of the State government. To this end, the
2 Department shall adopt regulations setting forth guidelines
3 for the acquisition, use, maintenance, and replacement of
4 motor vehicles, including the use of ethanol blended gasoline
5 whenever feasible, used by the executive department of State
6 government; shall occupy the space and take possession of the
7 personnel, facilities, equipment, tools, and vehicles that are
8 in the possession or under the administration of the former
9 Department of Administrative Services for these purposes on
10 July 13, 1982 (the effective date of Public Act 82-789); and
11 shall, from time to time, acquire any further, additional, and
12 replacement facilities, space, tools, and vehicles that are
13 reasonably necessary for the purposes described in this
14 Section.

15 (a-5) Notwithstanding any State policy or rule to the
16 contrary, any State-owned motor vehicle requiring maintenance
17 in the form of an oil change shall have such maintenance
18 performed according to the applicable Department policy which
19 considers the manufacturer's suggested oil change frequency
20 for that vehicle's particular make, model, and year. The
21 Department shall evaluate the original equipment
22 manufacturer's oil change interval recommendations and other
23 related impacts periodically and consider policy adjustments
24 as is cost and operationally efficient for the State.

25 (b) The Department shall evaluate the availability and
26 cost of GPS systems that State agencies may be able to use to

1 track State-owned motor vehicles.

2 (c) The Department shall distribute a spreadsheet or
3 otherwise make data entry available to each State agency to
4 facilitate the collection of data for publishing on the
5 Department's Internet website. Each State agency shall
6 cooperate with the Department in furnishing the data necessary
7 for the implementation of this subsection within the timeframe
8 specified by the Department. Each State agency shall be
9 responsible for the validity and accuracy of the data
10 provided. Beginning on July 1, 2013, the Department shall make
11 available to the public on its Internet website the following
12 information:

13 (1) vehicle cost data, organized by individual vehicle
14 and by State agency, and including repair, maintenance,
15 fuel, insurance, and other costs, as well as whether
16 required vehicle inspections have been performed; and

17 (2) an annual vehicle breakeven analysis, organized by
18 individual vehicle and by State agency, comparing the
19 number of miles a vehicle has been driven with the total
20 cost of maintaining the vehicle.

21 (d) Beginning on January 1, 2013 (the effective date of
22 Public Act 97-922) ~~this amendatory Act of the 97th General~~
23 ~~Assembly~~, and notwithstanding any provision of law to the
24 contrary, the Department may not make any new motor vehicle
25 purchases until the Department sets forth procedures to
26 condition the purchase of new motor vehicles on (i) a

1 determination of need based on a breakeven analysis, and (ii)
2 a determination that no other available means, including car
3 sharing or rental agreements, would be more cost-effective to
4 the State. However, the Department may purchase motor vehicles
5 not meeting or exceeding a breakeven analysis only if there is
6 no alternative available to carry out agency work functions
7 and the purchase is approved by the Manager of the Division of
8 Vehicles upon the receipt of a written explanation from the
9 agency head of the operational needs justifying the purchase.

10 (Source: P.A. 100-651, eff. 1-1-19.)

11 Section 5-12. The Children and Family Services Act is
12 amended by adding Section 35.11 as follows:

13 (20 ILCS 505/35.11 new)

14 Sec. 35.11. Rate study. By November 1, 2022, the
15 Department of Children and Family Services shall issue a
16 request for proposal for a rate consultant to study and
17 develop potential new rates and rate methodologies using
18 objective, publicly available data sources, standard
19 administrative cost reporting, and provider-reported costs in
20 order to determine the resources necessary to create and
21 maintain a robust continuum of care in Illinois to meet the
22 needs of all youth in the Department's care, including, but
23 not limited to, therapeutic residential placements,
24 evidence-based alternatives to residential care including

1 therapeutic foster care, specialized foster care, community
2 supports for youth in care who are returned home to parents or
3 guardians, and emergency foster care and emergency shelter
4 care.

5 Section 5-15. The Department of Commerce and Economic
6 Opportunity Law of the Civil Administrative Code of Illinois
7 is amended by changing Sections 605-55 and 605-705 and by
8 adding Sections 605-1095 and 605-1100 as follows:

9 (20 ILCS 605/605-55) (was 20 ILCS 605/46.21)

10 Sec. 605-55. Contracts and other acts to accomplish
11 Department's duties. To make and enter into contracts,
12 including but not limited to making grants and loans to units
13 of local government, private agencies as defined in the
14 Illinois State Auditing Act, non-profit corporations,
15 educational institutions, and for-profit businesses as
16 authorized pursuant to appropriations by the General Assembly
17 from the Build Illinois Bond Fund, the Fund for Illinois'
18 Future, the Capital Development Fund, ~~and~~ the General Revenue
19 Fund, and, for Fiscal Year 2023 only, the Chicago Travel
20 Industry Promotion Fund, and generally to do all things that,
21 in its judgment, may be necessary, proper, and expedient in
22 accomplishing its duties.

23 (Source: P.A. 94-91, eff. 7-1-05.)

1 (20 ILCS 605/605-705) (was 20 ILCS 605/46.6a)

2 Sec. 605-705. Grants to local tourism and convention
3 bureaus.

4 (a) To establish a grant program for local tourism and
5 convention bureaus. The Department will develop and implement
6 a program for the use of funds, as authorized under this Act,
7 by local tourism and convention bureaus. For the purposes of
8 this Act, bureaus eligible to receive funds are those local
9 tourism and convention bureaus that are (i) either units of
10 local government or incorporated as not-for-profit
11 organizations; (ii) in legal existence for a minimum of 2
12 years before July 1, 2001; (iii) operating with a paid,
13 full-time staff whose sole purpose is to promote tourism in
14 the designated service area; and (iv) affiliated with one or
15 more municipalities or counties that support the bureau with
16 local hotel-motel taxes. After July 1, 2001, bureaus
17 requesting certification in order to receive funds for the
18 first time must be local tourism and convention bureaus that
19 are (i) either units of local government or incorporated as
20 not-for-profit organizations; (ii) in legal existence for a
21 minimum of 2 years before the request for certification; (iii)
22 operating with a paid, full-time staff whose sole purpose is
23 to promote tourism in the designated service area; and (iv)
24 affiliated with multiple municipalities or counties that
25 support the bureau with local hotel-motel taxes. Each bureau
26 receiving funds under this Act will be certified by the

1 Department as the designated recipient to serve an area of the
2 State. Notwithstanding the criteria set forth in this
3 subsection (a), or any rule adopted under this subsection (a),
4 the Director of the Department may provide for the award of
5 grant funds to one or more entities if in the Department's
6 judgment that action is necessary in order to prevent a loss of
7 funding critical to promoting tourism in a designated
8 geographic area of the State.

9 (b) To distribute grants to local tourism and convention
10 bureaus from appropriations made from the Local Tourism Fund
11 for that purpose. Of the amounts appropriated annually to the
12 Department for expenditure under this Section prior to July 1,
13 2011, one-third of those monies shall be used for grants to
14 convention and tourism bureaus in cities with a population
15 greater than 500,000. The remaining two-thirds of the annual
16 appropriation prior to July 1, 2011 shall be used for grants to
17 convention and tourism bureaus in the remainder of the State,
18 in accordance with a formula based upon the population served.
19 Of the amounts appropriated annually to the Department for
20 expenditure under this Section beginning July 1, 2011, 18% of
21 such moneys shall be used for grants to convention and tourism
22 bureaus in cities with a population greater than 500,000. Of
23 the amounts appropriated annually to the Department for
24 expenditure under this Section beginning July 1, 2011, 82% of
25 such moneys shall be used for grants to convention bureaus in
26 the remainder of the State, in accordance with a formula based

1 upon the population served. The Department may reserve up to
2 3% of total local tourism funds available for costs of
3 administering the program to conduct audits of grants, to
4 provide incentive funds to those bureaus that will conduct
5 promotional activities designed to further the Department's
6 statewide advertising campaign, to fund special statewide
7 promotional activities, and to fund promotional activities
8 that support an increased use of the State's parks or historic
9 sites. The Department shall require that any convention and
10 tourism bureau receiving a grant under this Section that
11 requires matching funds shall provide matching funds equal to
12 no less than 50% of the grant amount except that in Fiscal
13 Years 2021 through 2023 ~~and 2022~~ only, the Department shall
14 require that any convention and tourism bureau receiving a
15 grant under this Section that requires matching funds shall
16 provide matching funds equal to no less than 25% of the grant
17 amount. During fiscal year 2013, the Department shall reserve
18 \$2,000,000 of the available local tourism funds for
19 appropriation to the Historic Preservation Agency for the
20 operation of the Abraham Lincoln Presidential Library and
21 Museum and State historic sites.

22 To provide for the expeditious and timely implementation
23 of the changes made by Public Act 101-636 ~~this amendatory Act~~
24 ~~of the 101st General Assembly~~, emergency rules to implement
25 the changes made by Public Act 101-636 ~~this amendatory Act of~~
26 ~~the 101st General Assembly~~ may be adopted by the Department

1 subject to the provisions of Section 5-45 of the Illinois
2 Administrative Procedure Act.

3 (Source: P.A. 101-636, eff. 6-10-20; 102-16, eff. 6-17-21.)

4 (20 ILCS 605/605-1095 new)

5 Sec. 605-1095. Hotel Jobs Recovery Grant Program.

6 (a) In 2019, the hotel industry in the State of Illinois
7 directly employed more than 60,000 people and generated
8 \$4,000,000,000 in State and local taxes. During the first year
9 of the COVID-19 pandemic, one in three hotel workers were laid
10 off or furloughed, and hotels lost \$3,600,000,000 in economic
11 activity. Unlike other segments of the hospitality industry,
12 the hotel industry has not received any direct hotel-specific
13 support from the federal government. Funds awarded under this
14 Section will be used by hotels to support their workforce and
15 recover from the COVID-19 pandemic.

16 (b) As used in this Section:

17 "Hotel" means any building or buildings in which the
18 public may, for a consideration, obtain living quarters,
19 sleeping or housekeeping accommodations. The term includes,
20 but is not limited to, inns, motels, tourist homes or courts,
21 lodging houses, rooming houses, retreat centers, conference
22 centers, and hunting lodges. "Hotel" does not include a
23 short-term rental.

24 "Short-term rental" means a single-family dwelling, or a
25 residential dwelling unit in a multi-unit structure,

1 condominium, cooperative, timeshare, or similar joint property
2 ownership arrangement, that is rented for a fee for less than
3 30 consecutive days. "Short-term rental" includes a vacation
4 rental.

5 "Operator" and "room" have the meanings given to those
6 terms in the Hotel Operators' Occupation Tax Act.

7 (c) The Department may receive State funds and, directly
8 or indirectly, federal funds under the authority of
9 legislation passed in response to the Coronavirus epidemic
10 including, but not limited to, the American Rescue Plan Act of
11 2021, (Public Law 117-2) ("ARPA"); such funds shall be used in
12 accordance with the ARPA legislation and other State and
13 federal law. Upon receipt or availability of such State or
14 federal funds, and subject to appropriations for their use,
15 the Department shall establish the Hotel Jobs Recovery Grant
16 Program for the purpose of providing direct relief to hotels
17 impacted by the COVID-19 pandemic. Based on an application
18 filed by the hotel operator, the Department shall award a
19 one-time grant in an amount of up to \$1,500 for each room in
20 the hotel. Every hotel in operation in the state prior to March
21 12, 2020 that remains in operation shall be eligible to apply
22 for the grant. Grant awards shall be scaled based on a process
23 determined by the Department, including reducing the grant
24 amount by previous state and local relief provided to the
25 business during the COVID-19 pandemic.

26 (d) Any operator who receives grant funds under this

1 Section shall use a minimum of 80% of the funds on payroll
2 costs, to the extent permitted by Section 9901 of ARPA,
3 including, but not limited to, wages, benefits, and employer
4 contributions to employee healthcare costs. The remaining
5 funds shall be used on any other costs and losses permitted by
6 ARPA.

7 (e) Within 12 months after receiving grant funds under
8 this Section, the operator shall submit a written attestation
9 to the Department acknowledging compliance with subsection
10 (d).

11 (f) The Department may establish by rule administrative
12 procedures for the grant program, including any application
13 procedures, grant agreements, certifications, payment
14 methodologies, and other accountability measures that may be
15 imposed upon participants in the program. The emergency
16 rulemaking process may be used to promulgate the initial rules
17 of the program following the effective date of this amendatory
18 Act of the 102nd General Assembly.

19 (g) The Department has the power to issue grants and enter
20 into agreements with eligible hotels to carry out the purposes
21 of this program.

22 (h) This Section is repealed on December 31, 2024.

23 (20 ILCS 605/605-1100 new)

24 Sec. 605-1100. Restaurant Employment and Stabilization
25 Grant Program.

1 (a) As used in this Section, "eligible entity" means a
2 restaurant or tavern that meets all of the following criteria:

3 (1) the restaurant or tavern is located in the State
4 of Illinois;

5 (2) the restaurant or tavern is eligible to receive
6 federal grant funds under Section 5003 of the American
7 Rescue Plan Act of 2021 ("ARPA");

8 (3) the restaurant or tavern employs 50 or fewer
9 employees;

10 (4) the restaurant or tavern was in operation as of
11 March 12, 2020 and remains in operation; and

12 (5) the restaurant or tavern has not received
13 financial assistance pursuant to the federal Restaurant
14 Revitalization Grant Program; the State Back to Business
15 Grant Program or the Business Interruption Grant program;
16 or any other local or State program providing more than
17 \$10,000 in grants or forgiven loans since April 1, 2020.

18 (b) The Department may receive State funds and, directly
19 or indirectly, federal funds under the authority of
20 legislation passed in response to the Coronavirus epidemic
21 including, but not limited to, ARPA; such funds shall be used
22 in accordance with the ARPA legislation and other State and
23 federal law. Upon receipt or availability of such State or
24 federal funds, and subject to appropriations for their use,
25 the Department shall establish the Restaurant Employment and
26 Stabilization Grant Program for the purpose of providing

1 direct economic relief to eligible entities that continue to
2 be impacted by COVID-19 economic pandemic conditions. The
3 Department shall award a one-time grant in an amount of up to
4 \$50,000 to each eligible entity. Grant award amounts will be
5 determined, based on the eligible entity's reported losses
6 during a timeframe determined by the Department.

7 (c) Eligible entities receiving grant funds under this
8 Section shall use those grant funds only for the following
9 purposes, to the extent permitted by Section 9901 of ARPA and
10 related federal guidance, including but not limited to the
11 following: payroll costs; paid sick leave; employer
12 contributions to employee health care costs; payments of
13 principal or interest on any mortgage obligation; rent
14 payments, including rent under a lease agreement; utilities;
15 maintenance; and operational expenses.

16 (d) Within one year after receiving grant funds under this
17 Section, the eligible entity shall submit a written
18 attestation to the Department acknowledging compliance with
19 subsection (c). The Department shall establish additional
20 reporting requirements based on reporting guidelines
21 established by the U.S. Department of Treasury for Section
22 9901 of ARPA by administrative rule.

23 (e) If an eligible entity that receives a grant under this
24 Section fails to use all of those grant funds within one year
25 after receiving the grant, the eligible entity shall return to
26 the Department any grant funds that the eligible entity

1 received under this Section and did not use for allowable
2 expenses under subsection (c).

3 (f) The Department may establish by rule administrative
4 procedures for the grant program, including any application
5 procedures, grant agreements, certifications, payment
6 methodologies, and other accountability measures that may be
7 imposed upon participants in the program. The emergency
8 rulemaking process may be used to promulgate the initial rules
9 of the program following the effective date of this amendatory
10 Act of the 102nd General Assembly.

11 (g) The Department has the power to issue grants and enter
12 into agreements with eligible entities to carry out the
13 purposes of this program.

14 (h) This Section is repealed on December 31, 2024.

15 Section 5-16. The Electric Vehicle Act is amended by
16 changing Section 15 as follows:

17 (20 ILCS 627/15)

18 Sec. 15. Electric Vehicle Coordinator. The Governor, with
19 the advice and consent of the Senate, shall appoint a person
20 within the Illinois Environmental Protection Agency to serve
21 as the Electric Vehicle Coordinator for the State of Illinois.
22 The Electric Vehicle Coordinator shall receive an annual
23 salary as set by the Governor and beginning July 1, 2022 shall
24 be compensated from appropriations made to the Comptroller for

1 this purpose. This person may be an existing employee with
2 other duties. The Coordinator shall act as a point person for
3 electric vehicle-related and electric vehicle charging-related
4 policies and activities in Illinois, including, but not
5 limited to, the issuance of electric vehicle rebates for
6 consumers and electric vehicle charging rebates for
7 organizations and companies.

8 (Source: P.A. 102-444, eff. 8-20-21; 102-662, eff. 9-15-21.)

9 Section 5-17. The Department of Natural Resources Act is
10 amended by changing Section 1-15 as follows:

11 (20 ILCS 801/1-15)

12 Sec. 1-15. General powers and duties.

13 (a) It shall be the duty of the Department to investigate
14 practical problems, implement studies, conduct research and
15 provide assistance, information and data relating to the
16 technology and administration of the natural history,
17 entomology, zoology, and botany of this State; the geology and
18 natural resources of this State; the water and atmospheric
19 resources of this State; and the archeological and cultural
20 history of this State.

21 (b) The Department (i) shall obtain, store, and process
22 relevant data; recommend technological, administrative, and
23 legislative changes and developments; cooperate with other
24 federal, state, and local governmental research agencies,

1 facilities, or institutes in the selection of projects for
2 study; cooperate with the Board of Higher Education and with
3 the public and private colleges and universities in this State
4 in developing relevant interdisciplinary approaches to
5 problems; and evaluate curricula at all levels of education
6 and provide assistance to instructors and (ii) may sponsor an
7 annual conference of leaders in government, industry, health,
8 and education to evaluate the state of this State's
9 environment and natural resources.

10 (c) The Director, in accordance with the Personnel Code,
11 shall employ such personnel, provide such facilities, and
12 contract for such outside services as may be necessary to
13 carry out the purposes of the Department. Maximum use shall be
14 made of existing federal and state agencies, facilities, and
15 personnel in conducting research under this Act.

16 (c-5) The Department may use the services of, and enter
17 into necessary agreements with, outside entities for the
18 purpose of evaluating grant applications and for the purpose
19 of administering or monitoring compliance with grant
20 agreements. Contracts under this subsection shall not exceed 2
21 years in length.

22 (d) In addition to its other powers, the Department has
23 the following powers:

24 (1) To obtain, store, process, and provide data and
25 information related to the powers and duties of the
26 Department under this Act. This subdivision (d)(1) does

1 not give authority to the Department to require reports
2 from nongovernmental sources or entities.

3 (2) To cooperate with and support the Illinois Science
4 and Technology Advisory Committee and the Illinois
5 Coalition for the purpose of facilitating the effective
6 operations and activities of such entities. Support may
7 include, but need not be limited to, providing space for
8 the operations of the Committee and the Illinois
9 Coalition.

10 (e) The Department is authorized to make grants to local
11 not-for-profit organizations for the purposes of development,
12 maintenance and study of wetland areas.

13 (f) The Department has the authority to accept, receive
14 and administer on behalf of the State any gifts, bequests,
15 donations, income from property rental and endowments. Any
16 such funds received by the Department shall be deposited into
17 the Natural Resources Fund, a special fund which is hereby
18 created in the State treasury, and used for the purposes of
19 this Act or, when appropriate, for such purposes and under
20 such restrictions, terms and conditions as are predetermined
21 by the donor or grantor of such funds or property. Any accrued
22 interest from money deposited into the Natural Resources Fund
23 shall be reinvested into the Fund and used in the same manner
24 as the principal. The Director shall maintain records which
25 account for and assure that restricted funds or property are
26 disbursed or used pursuant to the restrictions, terms or

1 conditions of the donor.

2 (g) The Department shall recognize, preserve, and promote
3 our special heritage of recreational hunting and trapping by
4 providing opportunities to hunt and trap in accordance with
5 the Wildlife Code.

6 (h) Within 5 years after the effective date of this
7 amendatory Act of the 102nd General Assembly, the Department
8 shall fly a United States Flag, an Illinois flag, and a POW/MIA
9 flag at all State parks. Donations may be made by groups and
10 individuals to the Department's Special Projects Fund for
11 costs related to the implementation of this subsection.

12 (Source: P.A. 102-388, eff. 1-1-22.)

13 Section 5-18. The Department of Human Services Act is
14 amended by changing Section 1-20 as follows:

15 (20 ILCS 1305/1-20)

16 Sec. 1-20. General powers and duties.

17 (a) The Department shall exercise the rights, powers,
18 duties, and functions provided by law, including (but not
19 limited to) the rights, powers, duties, and functions
20 transferred to the Department under Article 80 and Article 90
21 of this Act.

22 (b) The Department may employ personnel (in accordance
23 with the Personnel Code), provide facilities, contract for
24 goods and services, and adopt rules as necessary to carry out

1 its functions and purposes, all in accordance with applicable
2 State and federal law.

3 (c) On and after the date 6 months after the effective date
4 of this amendatory Act of the 98th General Assembly, as
5 provided in the Executive Order 1 (2012) Implementation Act,
6 all of the powers, duties, rights, and responsibilities
7 related to State healthcare purchasing under this Act that
8 were transferred from the Department to the Department of
9 Healthcare and Family Services by Executive Order 3 (2005) are
10 transferred back to the Department.

11 (d) The Department may utilize the services of, and enter
12 into necessary agreements with, outside entities for the
13 purpose of evaluating grant applications and administration of
14 or monitoring compliance with grant agreements. Contracts
15 pursuant to this subsection shall not exceed 2 years in
16 length.

17 (Source: P.A. 98-488, eff. 8-16-13.)

18 Section 5-20. The Illinois Commission on Volunteerism and
19 Community Service Act is amended by adding Section 4.5 as
20 follows:

21 (20 ILCS 1345/4.5 new)

22 Sec. 4.5. Serve Illinois Commission Fund; creation. The
23 Serve Illinois Commission Fund is created as a special fund in
24 the State treasury. All federal grant moneys awarded in

1 support of the activities authorized under this Act to the
2 Department of Human Services or the Commission may be
3 deposited into the Serve Illinois Commission Fund. In addition
4 to federal grant moneys, the Department and the Commission may
5 accept and deposit into the Serve Illinois Commission Fund any
6 other funds, grants, gifts, and bequests from any source,
7 public or private, in support of the activities authorized
8 under this Act. Appropriations from the Serve Illinois
9 Commission Fund shall be used for operations, grants, and
10 other purposes as authorized by this Act. Upon written
11 notification by the Secretary of Human Services, the State
12 Comptroller shall direct and the State Treasurer shall
13 transfer any remaining balance in the Federal National
14 Community Services Grant Fund to the Serve Illinois Commission
15 Fund.

16 Section 5-25. The Illinois Lottery Law is amended by
17 changing Sections 2, 7.12, and 9.1 and by adding Sections 9.2
18 and 9.3 as follows:

19 (20 ILCS 1605/2) (from Ch. 120, par. 1152)

20 Sec. 2. This Act is enacted to implement and establish
21 within the State a lottery to be conducted by the State through
22 the Department. The entire net proceeds of the Lottery are to
23 be used for the support of the State's Common School Fund,
24 except as otherwise provided in this Act ~~subsection (e) of~~

1 ~~Section 9.1 and Sections 21.5, 21.6, 21.7, 21.8, 21.9, 21.10,~~
2 ~~21.11, 21.12, and 21.13.~~ The General Assembly finds that it is
3 in the public interest for the Department to conduct the
4 functions of the Lottery with the assistance of a private
5 manager under a management agreement overseen by the
6 Department. The Department shall be accountable to the General
7 Assembly and the people of the State through a comprehensive
8 system of regulation, audits, reports, and enduring
9 operational oversight. The Department's ongoing conduct of the
10 Lottery through a management agreement with a private manager
11 shall act to promote and ensure the integrity, security,
12 honesty, and fairness of the Lottery's operation and
13 administration. It is the intent of the General Assembly that
14 the Department shall conduct the Lottery with the assistance
15 of a private manager under a management agreement at all times
16 in a manner consistent with 18 U.S.C. 1307(a)(1), 1307(b)(1),
17 1953(b)(4).

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

23 (Source: P.A. 101-81, eff. 7-12-19; 101-561, eff. 8-23-19;
24 102-558, eff. 8-20-21.)

1 (Section scheduled to be repealed on July 1, 2022)

2 Sec. 7.12. Internet program.

3 (a) The General Assembly finds that:

4 (1) the consumer market in Illinois has changed since
5 the creation of the Illinois State Lottery in 1974;

6 (2) the Internet has become an integral part of
7 everyday life for a significant number of Illinois
8 residents not only in regards to their professional life,
9 but also in regards to personal business and
10 communication; and

11 (3) the current practices of selling lottery tickets
12 does not appeal to the new form of market participants who
13 prefer to make purchases on the Internet at their own
14 convenience.

15 It is the intent of the General Assembly to create an
16 Internet program for the sale of lottery tickets to capture
17 this new form of market participant.

18 (b) The Department shall create a program that allows an
19 individual 18 years of age or older to purchase lottery
20 tickets or shares on the Internet without using a Lottery
21 retailer with on-line status, as those terms are defined by
22 rule. The Department shall restrict the sale of lottery
23 tickets on the Internet to transactions initiated and received
24 or otherwise made exclusively within the State of Illinois.
25 The Department shall adopt rules necessary for the
26 administration of this program. These rules shall include,

1 among other things, requirements for marketing of the Lottery
2 to infrequent players, as well as limitations on the purchases
3 that may be made through any one individual's lottery account.
4 The provisions of this Act and the rules adopted under this Act
5 shall apply to the sale of lottery tickets or shares under this
6 program.

7 The Department is obligated to implement the program set
8 forth in this Section and Sections 7.15 and 7.16. The
9 Department may offer Lotto, Lucky Day Lotto, Mega Millions,
10 Powerball, Pick 3, Pick 4, and other draw games that are
11 offered at retail locations through the Internet program. The
12 private manager shall obtain the Director's approval before
13 providing any draw games. Any draw game tickets that are
14 approved for sale by lottery licensees are automatically
15 approved for sale through the Internet program. The Department
16 shall maintain responsible gaming controls in its policies.

17 The Department shall authorize the private manager to
18 implement and administer the program pursuant to the
19 management agreement entered into under Section 9.1 and in a
20 manner consistent with the provisions of this Section. If a
21 private manager has not been selected pursuant to Section 9.1
22 at the time the Department is obligated to implement the
23 program, then the Department shall not proceed with the
24 program until after the selection of the private manager, at
25 which time the Department shall authorize the private manager
26 to implement and administer the program pursuant to the

1 management agreement entered into under Section 9.1 and in a
2 manner consistent with the provisions of this Section.

3 Nothing in this Section shall be construed as prohibiting
4 the Department from implementing and operating a website
5 portal whereby individuals who are 18 years of age or older
6 with an Illinois mailing address may apply to purchase lottery
7 tickets via subscription. Nothing in this Section shall also
8 be construed as prohibiting the Lottery draw game tickets
9 authorized for sale through the Internet program under this
10 Section from also continuing to be sold at retail locations by
11 a lottery licensee pursuant to the Department's rules.

12 (c) (Blank).

13 (d) This Section is repealed on July 1, 2025 ~~2022~~.

14 (Source: P.A. 100-23, eff. 7-6-17; 100-587, eff. 6-4-18;
15 101-35, eff. 6-28-19.)

16 (20 ILCS 1605/9.1)

17 Sec. 9.1. Private manager and management agreement.

18 (a) As used in this Section:

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

21 "Request for qualifications" means all materials and
22 documents prepared by the Department to solicit the following
23 from offerors:

24 (1) Statements of qualifications.

25 (2) Proposals to enter into a management agreement,

1 including the identity of any prospective vendor or
2 vendors that the offeror intends to initially engage to
3 assist the offeror in performing its obligations under the
4 management agreement.

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

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

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

19 (c) Pursuant to the terms of this subsection, the
20 Department shall endeavor to expeditiously terminate the
21 existing contracts in support of the Lottery in effect on July
22 13, 2009 (the effective date of Public Act 96-37) in
23 connection with the selection of the private manager. As part
24 of its obligation to terminate these contracts and select the
25 private manager, the Department shall establish a mutually
26 agreeable timetable to transfer the functions of existing

1 contractors to the private manager so that existing Lottery
2 operations are not materially diminished or impaired during
3 the transition. To that end, the Department shall do the
4 following:

5 (1) where such contracts contain a provision
6 authorizing termination upon notice, the Department shall
7 provide notice of termination to occur upon the mutually
8 agreed timetable for transfer of functions;

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

13 or

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

20 If the contracts to support the current operation of the
21 Lottery in effect on July 13, 2009 (the effective date of
22 Public Act 96-34) are not subject to termination as provided
23 for in this subsection (c), then the Department may include a
24 provision in the contract with the private manager specifying
25 a mutually agreeable methodology for incorporation.

26 (c-5) The Department shall include provisions in the

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

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

18 (1) A term not to exceed 10 years, including any
19 renewals.

20 (2) A provision specifying that the Department:

21 (A) shall exercise actual control over all
22 significant business decisions;

23 (A-5) has the authority to direct or countermand
24 operating decisions by the private manager at any
25 time;

26 (B) has ready access at any time to information

1 regarding Lottery operations;

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

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

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

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

21 (5) A provision providing for compensation of the
22 private manager that may consist of, among other things, a
23 fee for services and a performance based bonus as
24 consideration for managing the Lottery, including terms
25 that may provide the private manager with an increase in
26 compensation if Lottery revenues grow by a specified

1 percentage in a given year.

2 (6) (Blank).

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

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

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

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

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

24 (B) The rights and obligations under contracts
25 with retailers and vendors.

26 (C) The implementation of a comprehensive security

1 program by the private manager.

2 (D) The implementation of a comprehensive system
3 of internal audits.

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

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

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

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

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

26 (13) A requirement that the Department monitor and

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

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

12 (15) Cash reserves requirements.

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

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

19 (18) Procedures for amendment of the agreement.

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

1 the provisions of the Illinois Procurement Code, unless
2 specifically required by the management agreement.

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

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

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

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

24 (1) the offeror's ability to market the Lottery to
25 those residents who are new, infrequent, or lapsed players
26 of the Lottery, especially those who are most likely to

1 make regular purchases on the Internet;

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

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

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

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

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

24 (g) The Department shall select at least 2 offerors as
25 finalists to potentially serve as the private manager no later
26 than August 9, 2010. Upon making preliminary selections, the

1 Department shall schedule a public hearing on the finalists'
2 proposals and provide public notice of the hearing at least 7
3 calendar days before the hearing. The notice must include all
4 of the following:

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

6 (2) The subject matter of the hearing.

7 (3) A brief description of the management agreement to
8 be awarded.

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

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

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

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

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

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

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

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

26 (m) Neither this Section nor any management agreement

1 entered into under this Section prohibits the General Assembly
2 from authorizing forms of gambling that are not in direct
3 competition with the Lottery. The forms of gambling authorized
4 by Public Act 101-31 constitute authorized forms of gambling
5 that are not in direct competition with the Lottery.

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

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

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

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

24 Notwithstanding any other provision of this Section to the
25 contrary, the Chief Procurement Officer shall adopt
26 administrative rules, including emergency rules, to establish

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

15 Through June 30, 2022, except ~~Except~~ as provided in
16 Sections 21.5, 21.6, 21.7, 21.8, 21.9, 21.10, 21.11, 21.12,
17 and 21.13 of this Act and Section 25-70 of the Sports Wagering
18 Act, the Department shall distribute all proceeds of lottery
19 tickets and shares sold in the following priority and manner:

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

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

25 (3) On the last day of each month or as soon thereafter
26 as possible, the State Comptroller shall direct and the

1 State Treasurer shall transfer from the State Lottery Fund
2 to the Common School Fund an amount that is equal to the
3 proceeds transferred in the corresponding month of fiscal
4 year 2009, as adjusted for inflation, to the Common School
5 Fund.

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

16 Beginning July 1, 2022, the Department shall distribute
17 all proceeds of lottery tickets and shares sold in the manner
18 and priority described in Section 9.3 of this Act.

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

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

25 (2) upon request of the Chief Procurement Officer, the
26 Department shall promptly produce information related to

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

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

13 (Source: P.A. 101-31, eff. 6-28-19; 101-81, eff. 7-12-19;
14 101-561, eff. 8-23-19; 102-558, eff. 8-20-21.)

15 (20 ILCS 1605/9.2 new)

16 Sec. 9.2. Reconciliation of Fiscal Year 2017 through
17 Fiscal Year 2022 annual net lottery proceeds.

18 (a) The Office of the Auditor General concluded in the
19 Department's annual fiscal year audits for Fiscal Year 2017,
20 Fiscal Year 2018, Fiscal Year 2019, Fiscal Year 2020, and
21 Fiscal Year 2021 that annual net lottery proceeds from the
22 State Lottery Fund to the Common School Fund exceeded the
23 annual net lottery proceeds available to transfer as described
24 in subsection (o) of Section 9.1. The excess transfers to the
25 Common School Fund during those fiscal years resulted in

1 transfers of annual net lottery proceeds to the Capital
2 Projects Fund as required by paragraph (4) of subsection (o)
3 of Section 9.1 not being sent. The Department had no statutory
4 authority to offset future transfers as described in paragraph
5 (4) of subsection (a) of Section 9.3 during Fiscal Year 2017,
6 Fiscal Year 2018, Fiscal Year 2019, Fiscal Year 2020, or
7 Fiscal Year 2021 to reconcile the discrepancies.

8 (b) The Department is hereby authorized to reconcile the
9 discrepancies occurring in Fiscal Year 2017, Fiscal Year 2018,
10 Fiscal Year 2019, Fiscal Year 2020, and Fiscal Year 2021 as
11 reported by the Office of the Auditor General. The Department
12 shall accomplish this reconciliation by offsetting its monthly
13 transfers to the Common School Fund to recover the resulting
14 cash deficit in the State Lottery Fund and separately
15 transferring the deficient amounts owed to the Capital
16 Projects Fund. All offsets and transfers shall be done in
17 accordance with Generally Accepted Accounting Principles for
18 government entities. The Department shall determine, in
19 coordination with the Governor's Office of Management and
20 Budget, an appropriate schedule for the offsets and transfers.
21 All offsets and transfers shall be completed no later than
22 June 30, 2023.

23 (c) The Department is also authorized to reconcile any
24 discrepancies that may occur in Fiscal Year 2022, if the
25 annual net lottery proceeds transferred from the State Lottery
26 Fund to the Common School Fund exceed the annual net lottery

1 proceeds available to transfer. The Department shall determine
2 whether there were any excess transfers by June 30, 2023. The
3 Department shall reconcile any discrepancies by offsetting its
4 monthly transfers to the Common School Fund to recover the
5 resulting cash deficit in the State Lottery Fund and
6 separately transferring the deficient amounts owed to the
7 Capital Projects Fund. All offsets and transfers shall be done
8 in accordance with Generally Accepted Accounting principles.
9 All offsets and transfers for Fiscal Year 2022 discrepancies
10 shall be completed no later than June 30, 2024.

11 (d) This Section is repealed on January 1, 2025.

12 (20 ILCS 1605/9.3 new)

13 Sec. 9.3. Expenditure and distribution of lottery
14 proceeds.

15 (a) Beginning July 1, 2022, except as provided in Sections
16 21.5, 21.6, 21.7, 21.8, 21.9, 21.10, 21.11, 21.12, and 21.13
17 of this Act and Section 25-70 of the Sports Wagering Act, the
18 Department shall distribute all proceeds of lottery tickets
19 and shares sold in the following priority and manner:

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

21 (2) The payment of costs incurred in the operation and
22 administration of the Lottery, including the payment of
23 sums due to the private manager under the management
24 agreement with the Department and including costs of
25 administering the Lottery sports wagering program pursuant

1 to Section 25-70 of the Sports Wagering Act.

2 (3) On the last day of each month or as soon thereafter
3 as possible, the State Comptroller shall direct and the
4 State Treasurer shall transfer from the State Lottery Fund
5 to the Common School Fund the Department's estimate of net
6 lottery proceeds.

7 (4) If an amount in excess of the annual net lottery
8 proceeds is transferred for a fiscal year, then the
9 Department shall offset the monthly transfers of estimated
10 net lottery proceeds during the following fiscal year by
11 that excess amount. If an amount less than the annual net
12 lottery proceeds is transferred for a fiscal year, then
13 after the related annual fiscal year audit is completed
14 following such fiscal year, the Department shall direct
15 the deposit of any remaining annual net lottery proceeds
16 from such fiscal year, subject to payments under
17 paragraphs (1) and (2), into the Common School Fund as
18 soon thereafter as possible.

19 (b) The net lottery proceeds shall be determined by
20 deducting from total annual lottery proceeds the expenditures
21 required by paragraphs (1) and (2) of subsection (a). The
22 total annual lottery proceeds and annual net lottery proceeds
23 shall be determined according to generally accepted accounting
24 principles for governmental entities and verified by an annual
25 fiscal year audit.

1 Section 5-27. The Department of Public Health Powers and
2 Duties Law of the Civil Administrative Code of Illinois is
3 amended by adding Section 2310-50.10 as follows:

4 (20 ILCS 2310/2310-50.10 new)

5 Sec. 2310-50.10. Coordination with outside entities for
6 grants management. To utilize the services of, and enter into
7 necessary agreements with, outside entities for the purpose of
8 evaluating grant applications and administration of or
9 monitoring compliance with grant agreements. Contracts
10 pursuant to this subsection shall not exceed 2 years in
11 length.

12 Section 5-30. The Illinois Council on Developmental
13 Disabilities Law is amended by changing Section 2003 as
14 follows:

15 (20 ILCS 4010/2003) (from Ch. 91 1/2, par. 1953)

16 Sec. 2003. Council. The Illinois Council on Developmental
17 Disabilities is hereby created as an executive agency of State
18 government. The Council shall be composed of 29 members,
19 governed by a chairperson, and headed by a director. The
20 functions of the council shall be as prescribed in Chapter 75
21 of Title 42 of the United States Code (42 U.S.C. 6000, et
22 seq.), as now or hereafter amended, and in Section 2006 of this
23 Article.

1 The Council shall receive and disburse funds authorized
2 under Chapter 75 of Title 42 of the United States Code (42
3 U.S.C. 6000, et seq.), as now or hereafter amended. The
4 Council may also receive funds from any source, public or
5 private, to be used for the purposes authorized by this Act or
6 otherwise authorized by law.

7 (Source: P.A. 91-798, eff. 7-9-00.)

8 Section 5-33. The General Assembly Compensation Act is
9 amended by changing Section 4 as follows:

10 (25 ILCS 115/4) (from Ch. 63, par. 15.1)

11 Sec. 4. Office allowance. Beginning July 1, 2001 and
12 through July 1, 2020, each member of the House of
13 Representatives is authorized to approve the expenditure of
14 not more than \$61,000 per year and each member of the Senate is
15 authorized to approve the expenditure of not more than \$73,000
16 per year to pay for "personal services", "contractual
17 services", "commodities", "printing", "travel", "operation of
18 automotive equipment", "telecommunications services", as
19 defined in the State Finance Act, and the compensation of one
20 or more legislative assistants authorized pursuant to this
21 Section, in connection with his or her legislative duties and
22 not in connection with any political campaign. On July 1, 2002
23 and on July 1 of each year thereafter, the amount authorized
24 per year under this Section for each member of the Senate and

1 each member of the House of Representatives shall be increased
2 by a percentage increase equivalent to the lesser of (i) the
3 increase in the designated cost of living index or (ii) 5%. The
4 designated cost of living index is the index known as the
5 "Employment Cost Index, Wages and Salaries, By Occupation and
6 Industry Groups: State and Local Government Workers: Public
7 Administration" as published by the Bureau of Labor Statistics
8 of the U.S. Department of Labor for the calendar year
9 immediately preceding the year of the respective July 1st
10 increase date. The increase shall be added to the then current
11 amount, and the adjusted amount so determined shall be the
12 annual amount beginning July 1 of the increase year until July
13 1 of the next year. No increase under this provision shall be
14 less than zero.

15 Beginning July 1, 2021, each member of the House of
16 Representatives is authorized to approve the expenditure of
17 not more than \$179,000 per year and each member of the Senate
18 is authorized to approve the expenditure of not more than
19 \$214,000 per year to pay for "personal services", "contractual
20 services", "commodities", "printing", "travel", "operation of
21 automotive equipment", "telecommunications services", as
22 defined in the State Finance Act, and the compensation of one
23 or more legislative assistants authorized pursuant to this
24 Section, in connection with his or her legislative duties and
25 not in connection with any political campaign. On July 1, 2022
26 and on July 1 of each year thereafter, the amount authorized

1 per year under this Section for each member of the Senate and
2 each member of the House of Representatives shall be increased
3 by a percentage increase equivalent to the lesser of (i) the
4 increase in the designated cost of living index or (ii) 5%. The
5 designated cost of living index is the index known as the
6 "Employment Cost Index, Wages and Salaries, By Occupation and
7 Industry Groups: State and Local Government Workers: Public
8 Administration" as published by the Bureau of Labor Statistics
9 of the U.S. Department of Labor for the calendar year
10 immediately preceding the year of the respective July 1st
11 increase date. The increase shall be added to the then current
12 amount, and the adjusted amount so determined shall be the
13 annual amount beginning July 1 of the increase year until July
14 1 of the next year. No increase under this provision shall be
15 less than zero.

16 A member may purchase office equipment if the member
17 certifies to the Secretary of the Senate or the Clerk of the
18 House, as applicable, that the purchase price, whether paid in
19 lump sum or installments, amounts to less than would be
20 charged for renting or leasing the equipment over its
21 anticipated useful life. All such equipment must be purchased
22 through the Secretary of the Senate or the Clerk of the House,
23 as applicable, for proper identification and verification of
24 purchase.

25 Each member of the General Assembly is authorized to
26 employ one or more legislative assistants, who shall be solely

1 under the direction and control of that member, for the
2 purpose of assisting the member in the performance of his or
3 her official duties. A legislative assistant may be employed
4 pursuant to this Section as a full-time employee, part-time
5 employee, or contractual employee, at the discretion of the
6 member. If employed as a State employee, a legislative
7 assistant shall receive employment benefits on the same terms
8 and conditions that apply to other employees of the General
9 Assembly. Each member shall adopt and implement personnel
10 policies for legislative assistants under his or her direction
11 and control relating to work time requirements, documentation
12 for reimbursement for travel on official State business,
13 compensation, and the earning and accrual of State benefits
14 for those legislative assistants who may be eligible to
15 receive those benefits. The policies shall also require
16 legislative assistants to periodically submit time sheets
17 documenting, in quarter-hour increments, the time spent each
18 day on official State business. The policies shall require the
19 time sheets to be submitted on paper, electronically, or both
20 and to be maintained in either paper or electronic format by
21 the applicable fiscal office for a period of at least 2 years.
22 Contractual employees may satisfy the time sheets requirement
23 by complying with the terms of their contract, which shall
24 provide for a means of compliance with this requirement. A
25 member may satisfy the requirements of this paragraph by
26 adopting and implementing the personnel policies promulgated

1 by that member's legislative leader under the State Officials
2 and Employees Ethics Act with respect to that member's
3 legislative assistants.

4 As used in this Section the term "personal services" shall
5 include contributions of the State under the Federal Insurance
6 Contribution Act and under Article 14 of the Illinois Pension
7 Code. As used in this Section the term "contractual services"
8 shall not include improvements to real property unless those
9 improvements are the obligation of the lessee under the lease
10 agreement. Beginning July 1, 1989, as used in the Section, the
11 term "travel" shall be limited to travel in connection with a
12 member's legislative duties and not in connection with any
13 political campaign. Beginning on the effective date of this
14 amendatory Act of the 93rd General Assembly, as used in this
15 Section, the term "printing" includes, but is not limited to,
16 newsletters, brochures, certificates, congratulatory
17 mailings, greeting or welcome messages, anniversary or
18 birthday cards, and congratulations for prominent achievement
19 cards. As used in this Section, the term "printing" includes
20 fees for non-substantive resolutions charged by the Clerk of
21 the House of Representatives under subsection (c-5) of Section
22 1 of the Legislative Materials Act. No newsletter or brochure
23 that is paid for, in whole or in part, with funds provided
24 under this Section may be printed or mailed during a period
25 beginning February 1 of the year of a general primary
26 election, except that in 2022 the period shall begin on May 15,

1 2022, and ending the day after the general primary election
2 and during a period beginning September 1 of the year of a
3 general election and ending the day after the general
4 election, except that such a newsletter or brochure may be
5 mailed during those times if it is mailed to a constituent in
6 response to that constituent's inquiry concerning the needs of
7 that constituent or questions raised by that constituent. The
8 printing or mailing of any newsletter or brochure paid for, in
9 whole or in part, with funds under this Section between
10 February 1, 2022 and the effective date of this amendatory Act
11 of the 102nd General Assembly shall not be considered a
12 violation of this Section. Nothing in this Section shall be
13 construed to authorize expenditures for lodging and meals
14 while a member is in attendance at sessions of the General
15 Assembly.

16 Any utility bill for service provided to a member's
17 district office for a period including portions of 2
18 consecutive fiscal years may be paid from funds appropriated
19 for such expenditure in either fiscal year.

20 If a vacancy occurs in the office of Senator or
21 Representative in the General Assembly, any office equipment
22 in the possession of the vacating member shall transfer to the
23 member's successor; if the successor does not want such
24 equipment, it shall be transferred to the Secretary of the
25 Senate or Clerk of the House of Representatives, as the case
26 may be, and if not wanted by other members of the General

1 Assembly then to the Department of Central Management Services
2 for treatment as surplus property under the State Property
3 Control Act. Each member, on or before June 30th of each year,
4 shall conduct an inventory of all equipment purchased pursuant
5 to this Act. Such inventory shall be filed with the Secretary
6 of the Senate or the Clerk of the House, as the case may be.
7 Whenever a vacancy occurs, the Secretary of the Senate or the
8 Clerk of the House, as the case may be, shall conduct an
9 inventory of equipment purchased.

10 In the event that a member leaves office during his or her
11 term, any unexpended or unobligated portion of the allowance
12 granted under this Section shall lapse. The vacating member's
13 successor shall be granted an allowance in an amount, rounded
14 to the nearest dollar, computed by dividing the annual
15 allowance by 365 and multiplying the quotient by the number of
16 days remaining in the fiscal year.

17 From any appropriation for the purposes of this Section
18 for a fiscal year which overlaps 2 General Assemblies, no more
19 than 1/2 of the annual allowance per member may be spent or
20 encumbered by any member of either the outgoing or incoming
21 General Assembly, except that any member of the incoming
22 General Assembly who was a member of the outgoing General
23 Assembly may encumber or spend any portion of his annual
24 allowance within the fiscal year.

25 The appropriation for the annual allowances permitted by
26 this Section shall be included in an appropriation to the

1 President of the Senate and to the Speaker of the House of
2 Representatives for their respective members. The President of
3 the Senate and the Speaker of the House shall voucher for
4 payment individual members' expenditures from their annual
5 office allowances to the State Comptroller, subject to the
6 authority of the Comptroller under Section 9 of the State
7 Comptroller Act.

8 Nothing in this Section prohibits the expenditure of
9 personal funds or the funds of a political committee
10 controlled by an officeholder to defray the customary and
11 reasonable expenses of an officeholder in connection with the
12 performance of governmental and public service functions.

13 (Source: P.A. 102-16, eff. 6-17-21.)

14 Section 5-34. The Legislative Commission Reorganization
15 Act of 1984 is amended by changing Sections 8A-15, 8A-20, and
16 8A-30 and by adding Section 8A-37 as follows:

17 (25 ILCS 130/8A-15)

18 Sec. 8A-15. Master plan.

19 (a) The term "legislative complex" means (i) the buildings
20 and facilities located in Springfield, Illinois, and occupied
21 in whole or in part by the General Assembly or any of its
22 support service agencies, (ii) the grounds, walkways, and
23 pedestrian or utility tunnels surrounding or connected to
24 those buildings and facilities, and (iii) the off-street

1 parking areas serving those buildings and facilities,
2 including parking lots D, DD, E, F, G, H, O, M, N, R, S, and
3 the legislative parking garage located under parking lot O.

4 (b) The Architect of the Capitol shall prepare and
5 implement a long-range master plan of development for the
6 State Capitol Building, the remaining portions of the
7 legislative complex, and the land and State buildings and
8 facilities within the area bounded by Washington, Third, Cook,
9 and Walnut ~~Pasfield~~ Streets and the land and State buildings
10 and facilities within the area bounded by Madison, Klein,
11 Mason, and Rutledge Streets that addresses the improvement,
12 construction, historic preservation, restoration,
13 maintenance, repair, and landscaping needs of these State
14 buildings and facilities and the land. The Architect of the
15 Capitol shall submit the master plan to the Capitol Historic
16 Preservation Board for its review and comment. The Board must
17 confine its review and comment to those portions of the master
18 plan that relate to areas other than the State Capitol
19 Building. The Architect may incorporate suggestions of the
20 Board into the master plan. The master plan must be submitted
21 to and approved by the Board of the Office of the Architect of
22 the Capitol before its implementation.

23 The Architect of the Capitol may change the master plan
24 and shall submit changes in the master plan that relate to
25 areas other than the State Capitol Building to the Capitol
26 Historic Preservation Board for its review and comment. All

1 changes in the master plan must be submitted to and approved by
2 the Board of the Office of the Architect of the Capitol before
3 implementation.

4 (c) The Architect of the Capitol must review the master
5 plan every 5 years or at the direction of the Board of the
6 Office of the Architect of the Capitol. Changes in the master
7 plan resulting from this review must be made in accordance
8 with the procedure provided in subsection (b).

9 (d) Notwithstanding any other law to the contrary, the
10 Architect of the Capitol has the sole authority to contract
11 for all materials and services necessary for the
12 implementation of the master plan. The Architect (i) may
13 comply with the procedures established by the Joint Committee
14 on Legislative Support Services under Section 1-4 or (ii) upon
15 approval of the Board of the Office of the Architect of the
16 Capitol, may, but is not required to, comply with a portion or
17 all of the Illinois Procurement Code when entering into
18 contracts under this subsection. The Architect's compliance
19 with the Illinois Procurement Code shall not be construed to
20 subject the Architect or any other entity of the legislative
21 branch to the Illinois Procurement Code with respect to any
22 other contract.

23 The Architect may enter into agreements with other State
24 agencies for the provision of materials or performance of
25 services necessary for the implementation of the master plan.

26 State officers and agencies providing normal, day-to-day

1 repair, maintenance, or landscaping or providing security,
2 commissary, utility, parking, banking, tour guide, event
3 scheduling, or other operational services for buildings and
4 facilities within the legislative complex immediately prior to
5 the effective date of this amendatory Act of the 93rd General
6 Assembly shall continue to provide that normal, day-to-day
7 repair, maintenance, or landscaping or those services on the
8 same basis, whether by contract or employees, that the repair,
9 maintenance, landscaping, or services were provided
10 immediately prior to the effective date of this amendatory Act
11 of the 93rd General Assembly, subject to the provisions of the
12 master plan and with the approval of or as otherwise directed
13 by the Architect of the Capitol.

14 (e) The Architect of the Capitol shall monitor and approve
15 all construction, preservation, restoration, maintenance,
16 repair, and landscaping work in the legislative complex and
17 implementation of the master plan, as well as activities that
18 alter the historic integrity of the legislative complex and
19 the other land and State buildings and facilities in the
20 master plan.

21 (f) The Architect of the Capitol shall be given notice of
22 any bid for or contract of services related to the legislative
23 complex. Prior to final execution of any contract for
24 services, the Architect of the Capitol shall be given an
25 opportunity to review and approve the contract and give any
26 necessary input. As used in this subsection, "services" means

1 any maintenance, removal of refuse, or delivery of utilities
2 to the legislative complex.

3 (Source: P.A. 98-692, eff. 7-1-14.)

4 (25 ILCS 130/8A-20)

5 Sec. 8A-20. Legislative complex space ~~Space~~ allocation.
6 The Architect of the Capitol has the power and duty, subject to
7 direction by the Board of the Office of the Architect of the
8 Capitol, to make space allocations for the use of the General
9 Assembly and its related agencies, except the Supreme Court
10 Building and the Fourth District Appellate Court Building.
11 This allocation of space includes, but is not limited to,
12 office, conference, committee, and parking space.

13 (Source: P.A. 93-632, eff. 2-1-04.)

14 (25 ILCS 130/8A-30)

15 Sec. 8A-30. Acquisition of land; contract review. The
16 Architect of the Capitol, upon the approval of the Board of the
17 Office of the Architect of the Capitol, may acquire land in
18 Springfield, Illinois, within the area bounded by Washington,
19 Third, Cook, and Walnut Pasfield Streets and the land and
20 State buildings and facilities within the area bounded by
21 Madison, Klein, Mason, and Rutledge Streets for the purpose of
22 providing space for the operation and expansion of the
23 legislative complex or other State facilities. The Architect
24 of the Capitol must review and either approve or disapprove

1 all contracts for the repair, rehabilitation, construction, or
2 alteration of all State buildings within the bounded area,
3 except the Supreme Court Building and the Fourth District
4 Appellate Court Building.

5 (Source: P.A. 93-632, eff. 2-1-04.)

6 (25 ILCS 130/8A-37 new)

7 Sec. 8A-37. General Assembly Technology Fund;
8 appropriations.

9 (a) The General Assembly Technology Fund is hereby
10 established as a special fund in the State treasury. The Fund
11 may accept deposits from the General Revenue Fund and any
12 other source, whether private or public. Moneys in the fund
13 may be used, subject to appropriation, by the President of the
14 Senate, the Speaker of the House of Representatives, the
15 Minority Leader of the Senate, and the Minority Leader of the
16 House of Representatives for the purpose of meeting the
17 technology-related needs of their respective offices and the
18 General Assembly.

19 (b) On July 1, 2022, the State Comptroller shall order
20 transferred and the State Treasurer shall transfer \$3,000,000
21 from the General Revenue Fund to the General Assembly
22 Technology Fund.

23 Section 5-35. The State Finance Act is amended by changing
24 Sections 5.857, 6z-21, 6z-27, 6z-30, 6z-32, 6z-51, 6z-70,

1 6z-77, 6z-81, 6z-100, 6z-121, 8.3, 8.6, 8.12, 8g-1, 13.2,
2 24.2, and 25 and by adding Sections 5.970, 5.971, 5.972,
3 5.973, 5.974, 5.975, 5.976, 6z-130, 6z-131, 6z-132, and 6z-133
4 as follows:

5 (30 ILCS 105/5.857)

6 (Section scheduled to be repealed on July 1, 2022)

7 Sec. 5.857. The Capital Development Board Revolving Fund.

8 This Section is repealed July 1, 2023 ~~2022~~.

9 (Source: P.A. 101-10, eff. 6-5-19; 101-645, eff. 6-26-20;
10 102-16, eff. 6-17-21.)

11 (30 ILCS 105/5.970 new)

12 Sec. 5.970. The Serve Illinois Commission Fund.

13 (30 ILCS 105/5.971 new)

14 Sec. 5.971. The Statewide 9-8-8 Trust Fund.

15 (30 ILCS 105/5.972 new)

16 Sec. 5.972. The Board of Higher Education State Contracts
17 and Grants Fund.

18 (30 ILCS 105/5.973 new)

19 Sec. 5.973. The Agriculture Federal Projects Fund.

20 (30 ILCS 105/5.974 new)

1 Sec. 5.974. The DNR Federal Projects Fund.

2 (30 ILCS 105/5.975 new)

3 Sec. 5.975. The Illinois Opioid Remediation State Trust
4 Fund.

5 (30 ILCS 105/5.976 new)

6 Sec. 5.976. The General Assembly Technology Fund.

7 (30 ILCS 105/6z-21) (from Ch. 127, par. 142z-21)

8 Sec. 6z-21. Education Assistance Fund; transfers to and
9 from the Education Assistance Fund. All monies deposited into
10 the Education Assistance Fund, a special fund in the State
11 treasury which is hereby created, shall be appropriated to
12 provide financial assistance for elementary and secondary
13 education programs including, among others, distributions
14 under Sections Section 18-19 and 29-5 of the The School Code,
15 and for higher education programs, including, among others,
16 the Monetary Award Program under Section 35 of the Higher
17 Education Student Assistance Act. During fiscal years 2012 and
18 2013 only, the State Comptroller may order transferred and the
19 State Treasurer may transfer from the General Revenue Fund to
20 the Education Assistance Fund, or the State Comptroller may
21 order transferred and the State Treasurer may transfer from
22 the Education Assistance Fund to the General Revenue Fund,
23 such amounts as may be required to honor the vouchers

1 presented by the State Universities Retirement System, by a
 2 public institution of higher education, as defined in Section
 3 1 of the Board of Higher Education Act, or by the State Board
 4 of Education pursuant to Sections 18-3, 18-4.3, 18-5, 18-6,
 5 and 18-7 of the School Code.

6 (Source: P.A. 97-732, eff. 6-30-12.)

7 (30 ILCS 105/6z-27)

8 Sec. 6z-27. All moneys in the Audit Expense Fund shall be
 9 transferred, appropriated and used only for the purposes
 10 authorized by, and subject to the limitations and conditions
 11 prescribed by, the State Auditing Act.

12 Within 30 days after July 1, 2022, or as soon thereafter as
 13 practical ~~the effective date of this amendatory Act of the~~
 14 ~~102nd General Assembly,~~ the State Comptroller shall order
 15 transferred and the State Treasurer shall transfer from the
 16 following funds moneys in the specified amounts for deposit
 17 into the Audit Expense Fund:

18 Attorney General Court Ordered and Voluntary Compliance

19	<u>Payment Projects Fund</u>	<u>\$38,974</u>
20	<u>Attorney General Sex Offender Awareness,</u>	
21	<u>Training, and Education Fund</u>	<u>\$539</u>
22	<u>Aggregate Operations Regulatory Fund</u>	<u>\$711</u>
23	<u>Agricultural Premium Fund</u>	<u>\$25,265</u>
24	<u>Attorney General's State Projects and Court</u>	
25	<u>Ordered Distribution Fund</u>	<u>\$43,667</u>

1	<u>Anna Veterans Home Fund</u>	\$15,792
2	<u>Appraisal Administration Fund</u>	\$4,017
3	<u>Attorney General Whistleblower Reward</u>	
4	<u>and Protection Fund</u>	\$22,896
5	<u>Bank and Trust Company Fund</u>	\$78,017
6	<u>Cannabis Expungement Fund</u>	\$4,501
7	<u>Capital Development Board Revolving Fund</u>	\$2,494
8	<u>Care Provider Fund for Persons with</u>	
9	<u>a Developmental Disability</u>	\$5,707
10	<u>CDLIS/AAMVAnet/NMVTIS Trust Fund</u>	\$1,702
11	<u>Cemetery Oversight Licensing and Disciplinary Fund</u>	\$5,002
12	<u>Chicago State University Education</u>	
13	<u>Improvement Fund</u>	\$16,218
14	<u>Child Support Administrative Fund</u>	\$2,657
15	<u>Clean Air Act Permit Fund</u>	\$10,108
16	<u>Coal Technology Development Assistance Fund</u>	\$12,943
17	<u>Commitment to Human Services Fund</u>	\$111,465
18	<u>Common School Fund</u>	\$445,997
19	<u>Community Mental Health Medicaid Trust Fund</u>	\$9,599
20	<u>Community Water Supply Laboratory Fund</u>	\$637
21	<u>Credit Union Fund</u>	\$16,048
22	<u>DCFS Children's Services Fund</u>	\$287,247
23	<u>Department of Business Services</u>	
24	<u>Special Operations Fund</u>	\$4,402
25	<u>Department of Corrections Reimbursement</u>	
26	<u>and Education Fund</u>	\$60,429

1	<u>Design Professionals Administration</u>	
2	<u>and Investigation Fund</u>	\$3,362
3	<u>Department of Human Services Community Services Fund</u> ..	\$5,239
4	<u>Downstate Public Transportation Fund</u>	\$30,625
5	<u>Driver Services Administration Fund</u>	\$639
6	<u>Drivers Education Fund</u>	\$1,202
7	<u>Drug Rebate Fund</u>	\$22,702
8	<u>Drug Treatment Fund</u>	\$571
9	<u>Drycleaner Environmental Response Trust Fund</u>	\$846
10	<u>Education Assistance Fund</u>	\$1,969,661
11	<u>Environmental Protection Permit and</u>	
12	<u>Inspection Fund</u>	\$7,079
13	<u>Facilities Management Revolving Fund</u>	\$16,163
14	<u>Federal High Speed Rail Trust Fund</u>	\$1,264
15	<u>Federal Workforce Training Fund</u>	\$91,791
16	<u>Feed Control Fund</u>	\$1,701
17	<u>Fertilizer Control Fund</u>	\$1,791
18	<u>Fire Prevention Fund</u>	\$3,507
19	<u>Firearm Dealer License Certification Fund</u>	\$648
20	<u>Fund for the Advancement of Education</u>	\$44,609
21	<u>General Professions Dedicated Fund</u>	\$31,353
22	<u>General Revenue Fund</u>	\$17,663,958
23	<u>Grade Crossing Protection Fund</u>	\$1,856
24	<u>Hazardous Waste Fund</u>	\$8,446
25	<u>Health and Human Services Medicaid Trust Fund</u>	\$6,134
26	<u>Healthcare Provider Relief Fund</u>	\$185,164

1	<u>Horse Racing Fund</u>	\$169,632
2	<u>Hospital Provider Fund</u>	\$63,346
3	<u>ICCB Federal Trust Fund</u>	\$10,805
4	<u>Illinois Affordable Housing Trust Fund</u>	\$5,414
5	<u>Illinois Charity Bureau Fund</u>	\$3,298
6	<u>Illinois Clean Water Fund</u>	\$11,951
7	<u>Illinois Forestry Development Fund</u>	\$11,004
8	<u>Illinois Gaming Law Enforcement Fund</u>	\$1,869
9	<u>IMSA Income Fund</u>	\$2,188
10	<u>Illinois Military Family Relief Fund</u>	\$6,986
11	<u>Illinois Power Agency Operations Fund</u>	\$41,229
12	<u>Illinois State Dental Disciplinary Fund</u>	\$6,127
13	<u>Illinois State Fair Fund</u>	\$660
14	<u>Illinois State Medical Disciplinary Fund</u>	\$23,384
15	<u>Illinois State Pharmacy Disciplinary Fund</u>	\$10,308
16	<u>Illinois Veterans Assistance Fund</u>	\$2,016
17	<u>Illinois Veterans' Rehabilitation Fund</u>	\$862
18	<u>Illinois Wildlife Preservation Fund</u>	\$1,742
19	<u>Illinois Workers' Compensation Commission</u>	
20	<u>Operations Fund</u>	\$4,476
21	<u>Income Tax Refund Fund</u>	\$239,691
22	<u>Insurance Financial Regulation Fund</u>	\$104,462
23	<u>Insurance Premium Tax Refund Fund</u>	\$23,121
24	<u>Insurance Producer Administration Fund</u>	\$104,566
25	<u>International Tourism Fund</u>	\$1,985
26	<u>LaSalle Veterans Home Fund</u>	\$46,145

1	<u>LEADS Maintenance Fund</u>	<u>\$681</u>
2	<u>Live and Learn Fund</u>	<u>\$8,120</u>
3	<u>Local Government Distributive Fund</u>	<u>\$154,289</u>
4	<u>Long-Term Care Provider Fund</u>	<u>\$6,468</u>
5	<u>Manteno Veterans Home Fund</u>	<u>\$93,493</u>
6	<u>Mental Health Fund</u>	<u>\$12,227</u>
7	<u>Mental Health Reporting Fund</u>	<u>\$611</u>
8	<u>Monitoring Device Driving Permit</u>	
9	<u>Administration Fee Fund</u>	<u>\$617</u>
10	<u>Motor Carrier Safety Inspection Fund</u>	<u>\$1,823</u>
11	<u>Motor Fuel Tax Fund</u>	<u>\$103,497</u>
12	<u>Motor Vehicle License Plate Fund</u>	<u>\$5,656</u>
13	<u>Motor Vehicle Theft Prevention and Insurance</u>	
14	<u>Verification Trust Fund</u>	<u>\$2,618</u>
15	<u>Nursing Dedicated and Professional Fund</u>	<u>\$11,973</u>
16	<u>Off-Highway Vehicle Trails Fund</u>	<u>\$1,994</u>
17	<u>Open Space Lands Acquisition and Development Fund</u>	<u>\$45,493</u>
18	<u>Optometric Licensing and Disciplinary Board Fund</u>	<u>\$1,169</u>
19	<u>Partners For Conservation Fund</u>	<u>\$19,950</u>
20	<u>Pawnbroker Regulation Fund</u>	<u>\$1,053</u>
21	<u>Personal Property Tax Replacement Fund</u>	<u>\$203,036</u>
22	<u>Pesticide Control Fund</u>	<u>\$6,845</u>
23	<u>Professional Services Fund</u>	<u>\$2,778</u>
24	<u>Professions Indirect Cost Fund</u>	<u>\$172,106</u>
25	<u>Public Pension Regulation Fund</u>	<u>\$6,919</u>
26	<u>Public Transportation Fund</u>	<u>\$77,303</u>

1	<u>Quincy Veterans Home Fund</u>	\$91,704
2	<u>Real Estate License Administration Fund</u>	\$33,329
3	<u>Registered Certified Public Accountants'</u>	
4	<u>Administration and Disciplinary Fund</u>	\$3,617
5	<u>Renewable Energy Resources Trust Fund</u>	\$1,591
6	<u>Rental Housing Support Program Fund</u>	\$1,539
7	<u>Residential Finance Regulatory Fund</u>	\$20,510
8	<u>Road Fund</u>	\$399,062
9	<u>Regional Transportation Authority Occupation and</u>	
10	<u>Use Tax Replacement Fund</u>	\$5,205
11	<u>Salmon Fund</u>	\$655
12	<u>School Infrastructure Fund</u>	\$14,015
13	<u>Secretary of State DUI Administration Fund</u>	\$1,025
14	<u>Secretary of State Identification Security</u>	
15	<u>and Theft Prevention Fund</u>	\$4,502
16	<u>Secretary of State Special License Plate Fund</u>	\$1,384
17	<u>Secretary of State Special Services Fund</u>	\$8,114
18	<u>Securities Audit and Enforcement Fund</u>	\$2,824
19	<u>State Small Business Credit Initiative Fund</u>	\$4,331
20	<u>Solid Waste Management Fund</u>	\$10,397
21	<u>Special Education Medicaid Matching Fund</u>	\$2,924
22	<u>Sports Wagering Fund</u>	\$8,572
23	<u>State Police Law Enforcement Administration Fund</u>	\$6,822
24	<u>State and Local Sales Tax Reform Fund</u>	\$10,355
25	<u>State Asset Forfeiture Fund</u>	\$1,740
26	<u>State Aviation Program Fund</u>	\$557

1	<u>State Construction Account Fund</u>	\$195,722
2	<u>State Crime Laboratory Fund</u>	\$7,743
3	<u>State Gaming Fund</u>	\$204,660
4	<u>State Garage Revolving Fund</u>	\$3,731
5	<u>State Lottery Fund</u>	\$129,814
6	<u>State Offender DNA Identification System Fund</u>	\$1,405
7	<u>State Pensions Fund</u>	\$500,000
8	<u>State Police Firearm Services Fund</u>	\$16,122
9	<u>State Police Services Fund</u>	\$21,151
10	<u>State Police Vehicle Fund</u>	\$3,013
11	<u>State Police Whistleblower Reward</u>	
12	<u>and Protection Fund</u>	\$2,452
13	<u>Subtitle D Management Fund</u>	\$1,431
14	<u>Supplemental Low-Income Energy Assistance Fund</u>	\$68,591
15	<u>Tax Compliance and Administration Fund</u>	\$5,259
16	<u>Technology Management Revolving Fund</u>	\$244,294
17	<u>Tobacco Settlement Recovery Fund</u>	\$4,653
18	<u>Tourism Promotion Fund</u>	\$35,322
19	<u>Traffic and Criminal Conviction Surcharge Fund</u>	\$136,332
20	<u>Underground Storage Tank Fund</u>	\$20,429
21	<u>University of Illinois Hospital Services Fund</u>	\$3,664
22	<u>Vehicle Inspection Fund</u>	\$11,203
23	<u>Violent Crime Victims Assistance Fund</u>	\$14,202
24	<u>Weights and Measures Fund</u>	\$6,127
25	<u>Working Capital Revolving Fund</u>	\$18,120
26	<u>Agricultural Premium Fund</u>	145,477

1	Amusement Ride and Patron Safety Fund	10,067
2	Assisted Living and Shared Housing Regulatory Fund	2,696
3	Capital Development Board Revolving Fund	1,807
4	Care Provider Fund for Persons with a Developmental	
5	Disability	15,438
6	CDLIS/AAMVAnet/NMVTIS Trust Fund	5,148
7	Chicago State University Education Improvement Fund	4,748
8	Child Labor and Day and Temporary Labor Services	
9	Enforcement Fund	18,662
10	Child Support Administrative Fund	5,832
11	Clean Air Act Permit Fund	1,410
12	Common School Fund	259,307
13	Community Mental Health Medicaid Trust Fund	23,472
14	Death Certificate Surcharge Fund	4,161
15	Death Penalty Abolition Fund	4,095
16	Department of Business Services Special Operations Fund	12,790
17	Department of Human Services Community Services Fund ..	8,744
18	Downstate Public Transportation Fund	12,100
19	Dram Shop Fund	155,250
20	Driver Services Administration Fund	1,920
21	Drug Rebate Fund	39,351
22	Drug Treatment Fund	896
23	Education Assistance Fund	1,818,170
24	Emergency Public Health Fund	7,450
25	Employee Classification Fund	1,518
26	EMS Assistance Fund	1,286

1	Environmental Protection Permit and Inspection Fund	671
2	Estate Tax Refund Fund	2,150
3	Facilities Management Revolving Fund	33,930
4	Facility Licensing Fund	3,894
5	Fair and Exposition Fund	5,904
6	Federal Financing Cost Reimbursement Fund	1,579
7	Federal High Speed Rail Trust Fund	517
8	Feed Control Fund	9,601
9	Fertilizer Control Fund	8,941
10	Fire Prevention Fund	4,456
11	Fund for the Advancement of Education	17,988
12	General Revenue Fund	17,653,153
13	General Professions Dedicated Fund	3,567
14	Governor's Administrative Fund	4,052
15	Governor's Grant Fund	16,687
16	Grade Crossing Protection Fund	629
17	Grant Accountability and Transparency Fund	910
18	Hazardous Waste Fund	849
19	Hazardous Waste Research Fund	528
20	Health and Human Services Medicaid Trust Fund	10,635
21	Health Facility Plan Review Fund	3,190
22	Healthcare Provider Relief Fund	360,142
23	Healthy Smiles Fund	745
24	Home Care Services Agency Licensure Fund	2,824
25	Hospital Licensure Fund	1,313
26	Hospital Provider Fund	128,466

1	ICJIA Violence Prevention Fund	742
2	Illinois Affordable Housing Trust Fund	7,829
3	Illinois Clean Water Fund	1,915
4	IMSA Income Fund	12,557
5	Illinois Health Facilities Planning Fund	2,704
6	Illinois Power Agency Operations Fund	36,874
7	Illinois School Asbestos Abatement Fund	1,556
8	Illinois State Fair Fund	41,374
9	Illinois Veterans' Rehabilitation Fund	1,008
10	Illinois Workers' Compensation Commission Operations	
11	Fund	189,581
12	Income Tax Refund Fund	53,295
13	Lead Poisoning Screening, Prevention, and Abatement	
14	Fund	14,747
15	Live and Learn Fund	23,420
16	Lobbyist Registration Administration Fund	1,178
17	Local Government Distributive Fund	36,680
18	Long Term Care Monitor/Receiver Fund	40,812
19	Long Term Care Provider Fund	18,266
20	Mandatory Arbitration Fund	1,618
21	Medical Interagency Program Fund	890
22	Mental Health Fund	10,924
23	Metabolic Screening and Treatment Fund	35,159
24	Monitoring Device Driving Permit Administration Fee Fund	2,355
25	Motor Fuel Tax Fund	36,804
26	Motor Vehicle License Plate Fund	13,274

1	Motor Vehicle Theft Prevention and Insurance Verification	
2	Trust Fund	8,773
3	Multiple Sclerosis Research Fund	670
4	Nuclear Safety Emergency Preparedness Fund	17,663
5	Nursing Dedicated and Professional Fund	2,667
6	Open Space Lands Acquisition and Development Fund	1,463
7	Partners for Conservation Fund	75,235
8	Personal Property Tax Replacement Fund	85,166
9	Pesticide Control Fund	44,745
10	Plumbing Licensure and Program Fund	5,297
11	Professional Services Fund	6,549
12	Public Health Laboratory Services Revolving Fund	9,044
13	Public Transportation Fund	47,744
14	Radiation Protection Fund	6,575
15	Renewable Energy Resources Trust Fund	8,169
16	Road Fund	284,307
17	Regional Transportation Authority Occupation and Use Tax	
18	Replacement Fund	1,278
19	School Infrastructure Fund	8,938
20	Secretary of State DUI Administration Fund	2,044
21	Secretary of State Identification Security and Theft	
22	Prevention Fund	15,122
23	Secretary of State Police Services Fund	815
24	Secretary of State Special License Plate Fund	4,441
25	Secretary of State Special Services Fund	21,797
26	Securities Audit and Enforcement Fund	8,480

1	Solid Waste Management Fund	1,427
2	Special Education Medicaid Matching Fund	5,854
3	State and Local Sales Tax Reform Fund	2,742
4	State Construction Account Fund	69,387
5	State Gaming Fund	89,997
6	State Garage Revolving Fund	10,788
7	State Lottery Fund	343,580
8	State Pensions Fund	500,000
9	State Treasurer's Bank Services Trust Fund	913
10	Supreme Court Special Purposes Fund	1,704
11	Tattoo and Body Piercing Establishment Registration Fund	724
12	Tax Compliance and Administration Fund	1,847
13	Tobacco Settlement Recovery Fund	27,854
14	Tourism Promotion Fund	42,180
15	Trauma Center Fund	5,128
16	Underground Storage Tank Fund	3,473
17	University of Illinois Hospital Services Fund	7,505
18	Vehicle Inspection Fund	4,863
19	Weights and Measures Fund	25,431
20	Youth Alcoholism and Substance Abuse Prevention Fund	857

21 Notwithstanding any provision of the law to the contrary,
22 the General Assembly hereby authorizes the use of such funds
23 for the purposes set forth in this Section.

24 These provisions do not apply to funds classified by the
25 Comptroller as federal trust funds or State trust funds. The
26 Audit Expense Fund may receive transfers from those trust

1 funds only as directed herein, except where prohibited by the
2 terms of the trust fund agreement. The Auditor General shall
3 notify the trustees of those funds of the estimated cost of the
4 audit to be incurred under the Illinois State Auditing Act for
5 the fund. The trustees of those funds shall direct the State
6 Comptroller and Treasurer to transfer the estimated amount to
7 the Audit Expense Fund.

8 The Auditor General may bill entities that are not subject
9 to the above transfer provisions, including private entities,
10 related organizations and entities whose funds are
11 locally-held, for the cost of audits, studies, and
12 investigations incurred on their behalf. Any revenues received
13 under this provision shall be deposited into the Audit Expense
14 Fund.

15 In the event that moneys on deposit in any fund are
16 unavailable, by reason of deficiency or any other reason
17 preventing their lawful transfer, the State Comptroller shall
18 order transferred and the State Treasurer shall transfer the
19 amount deficient or otherwise unavailable from the General
20 Revenue Fund for deposit into the Audit Expense Fund.

21 On or before December 1, 1992, and each December 1
22 thereafter, the Auditor General shall notify the Governor's
23 Office of Management and Budget (formerly Bureau of the
24 Budget) of the amount estimated to be necessary to pay for
25 audits, studies, and investigations in accordance with the
26 Illinois State Auditing Act during the next succeeding fiscal

1 year for each State fund for which a transfer or reimbursement
2 is anticipated.

3 Beginning with fiscal year 1994 and during each fiscal
4 year thereafter, the Auditor General may direct the State
5 Comptroller and Treasurer to transfer moneys from funds
6 authorized by the General Assembly for that fund. In the event
7 funds, including federal and State trust funds but excluding
8 the General Revenue Fund, are transferred, during fiscal year
9 1994 and during each fiscal year thereafter, in excess of the
10 amount to pay actual costs attributable to audits, studies,
11 and investigations as permitted or required by the Illinois
12 State Auditing Act or specific action of the General Assembly,
13 the Auditor General shall, on September 30, or as soon
14 thereafter as is practicable, direct the State Comptroller and
15 Treasurer to transfer the excess amount back to the fund from
16 which it was originally transferred.

17 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;
18 102-16, eff. 6-17-21.)

19 (30 ILCS 105/6z-30)

20 Sec. 6z-30. University of Illinois Hospital Services Fund.

21 (a) The University of Illinois Hospital Services Fund is
22 created as a special fund in the State Treasury. The following
23 moneys shall be deposited into the Fund:

24 (1) (Blank). ~~As soon as possible after the beginning~~
25 ~~of fiscal year 2010, and in no event later than July 30,~~

1 ~~the State Comptroller and the State Treasurer shall~~
2 ~~automatically transfer \$30,000,000 from the General~~
3 ~~Revenue Fund to the University of Illinois Hospital~~
4 ~~Services Fund.~~

5 (1.5) (Blank). ~~Starting in fiscal year 2011, and~~
6 ~~continuing through fiscal year 2017, as soon as possible~~
7 ~~after the beginning of each fiscal year, and in no event~~
8 ~~later than July 30, the State Comptroller and the State~~
9 ~~Treasurer shall automatically transfer \$45,000,000 from~~
10 ~~the General Revenue Fund to the University of Illinois~~
11 ~~Hospital Services Fund; except that, in fiscal year 2012~~
12 ~~only, the State Comptroller and the State Treasurer shall~~
13 ~~transfer \$90,000,000 from the General Revenue Fund to the~~
14 ~~University of Illinois Hospital Services Fund under this~~
15 ~~paragraph, and, in fiscal year 2013 only, the State~~
16 ~~Comptroller and the State Treasurer shall transfer no~~
17 ~~amounts from the General Revenue Fund to the University of~~
18 ~~Illinois Hospital Services Fund under this paragraph.~~

19 (1.7) (Blank). ~~Starting in fiscal year 2018, at the~~
20 ~~direction of and upon notification from the Director of~~
21 ~~Healthcare and Family Services, the State Comptroller~~
22 ~~shall direct and the State Treasurer shall transfer an~~
23 ~~amount of at least \$20,000,000 but not exceeding a total~~
24 ~~of \$45,000,000 from the General Revenue Fund to the~~
25 ~~University of Illinois Hospital Services Fund in each~~
26 ~~fiscal year.~~

1 (1.8) Starting in fiscal year 2022, at the direction
2 of and upon notification from the Director of Healthcare
3 and Family Services, the State Comptroller shall direct
4 and the State Treasurer shall transfer an amount of at
5 least \$20,000,000 but not exceeding a total of \$55,000,000
6 from the General Revenue Fund to the University of
7 Illinois Hospital Services Fund in each fiscal year.

8 (2) All intergovernmental transfer payments to the
9 Department of Healthcare and Family Services by the
10 University of Illinois made pursuant to an
11 intergovernmental agreement under subsection (b) or (c) of
12 Section 5A-3 of the Illinois Public Aid Code.

13 (3) All federal matching funds received by the
14 Department of Healthcare and Family Services (formerly
15 Illinois Department of Public Aid) as a result of
16 expenditures made by the Department that are attributable
17 to moneys that were deposited in the Fund.

18 (4) All other moneys received for the Fund from any
19 other source, including interest earned thereon.

20 (b) Moneys in the fund may be used by the Department of
21 Healthcare and Family Services, subject to appropriation and
22 to an interagency agreement between that Department and the
23 Board of Trustees of the University of Illinois, to reimburse
24 the University of Illinois Hospital for hospital and pharmacy
25 services, to reimburse practitioners who are employed by the
26 University of Illinois, to reimburse other health care

1 facilities and health plans operated by the University of
2 Illinois, and to pass through to the University of Illinois
3 federal financial participation earned by the State as a
4 result of expenditures made by the University of Illinois.

5 (c) (Blank).

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

7 (30 ILCS 105/6z-32)

8 Sec. 6z-32. Partners for Planning and Conservation.

9 (a) The Partners for Conservation Fund (formerly known as
10 the Conservation 2000 Fund) and the Partners for Conservation
11 Projects Fund (formerly known as the Conservation 2000
12 Projects Fund) are created as special funds in the State
13 Treasury. These funds shall be used to establish a
14 comprehensive program to protect Illinois' natural resources
15 through cooperative partnerships between State government and
16 public and private landowners. Moneys in these Funds may be
17 used, subject to appropriation, by the Department of Natural
18 Resources, Environmental Protection Agency, and the Department
19 of Agriculture for purposes relating to natural resource
20 protection, planning, recreation, tourism, climate resilience,
21 and compatible agricultural and economic development
22 activities. Without limiting these general purposes, moneys in
23 these Funds may be used, subject to appropriation, for the
24 following specific purposes:

25 (1) To foster sustainable agriculture practices and

1 control soil erosion, sedimentation, and nutrient loss
2 from farmland, including grants to Soil and Water
3 Conservation Districts for conservation practice
4 cost-share grants and for personnel, educational, and
5 administrative expenses.

6 (2) To establish and protect a system of ecosystems in
7 public and private ownership through conservation
8 easements, incentives to public and private landowners,
9 natural resource restoration and preservation, water
10 quality protection and improvement, land use and watershed
11 planning, technical assistance and grants, and land
12 acquisition provided these mechanisms are all voluntary on
13 the part of the landowner and do not involve the use of
14 eminent domain.

15 (3) To develop a systematic and long-term program to
16 effectively measure and monitor natural resources and
17 ecological conditions through investments in technology
18 and involvement of scientific experts.

19 (4) To initiate strategies to enhance, use, and
20 maintain Illinois' inland lakes through education,
21 technical assistance, research, and financial incentives.

22 (5) To partner with private landowners and with units
23 of State, federal, and local government and with
24 not-for-profit organizations in order to integrate State
25 and federal programs with Illinois' natural resource
26 protection and restoration efforts and to meet

1 requirements to obtain federal and other funds for
2 conservation or protection of natural resources.

3 (6) To implement the State's Nutrient Loss Reduction
4 Strategy, including, but not limited to, funding the
5 resources needed to support the Strategy's Policy Working
6 Group, cover water quality monitoring in support of
7 Strategy implementation, prepare a biennial report on the
8 progress made on the Strategy every 2 years, and provide
9 cost share funding for nutrient capture projects.

10 (7) To provide capacity grants to support soil and
11 water conservation districts, including, but not limited
12 to, developing soil health plans, conducting soil health
13 assessments, peer-to-peer training, convening
14 producer-led dialogues, professional development and
15 travel stipends for meetings and educational events.

16 (b) The State Comptroller and State Treasurer shall
17 automatically transfer on the last day of each month,
18 beginning on September 30, 1995 and ending on June 30, 2023
19 ~~2022~~, from the General Revenue Fund to the Partners for
20 Conservation Fund, an amount equal to 1/10 of the amount set
21 forth below in fiscal year 1996 and an amount equal to 1/12 of
22 the amount set forth below in each of the other specified
23 fiscal years:

24 Fiscal Year	Amount
25 1996	\$ 3,500,000
26 1997	\$ 9,000,000

1	1998	\$10,000,000
2	1999	\$11,000,000
3	2000	\$12,500,000
4	2001 through 2004	\$14,000,000
5	2005	\$7,000,000
6	2006	\$11,000,000
7	2007	\$0
8	2008 through 2011	\$14,000,000
9	2012	\$12,200,000
10	2013 through 2017	\$14,000,000
11	2018	\$1,500,000
12	2019	\$14,000,000
13	2020	\$7,500,000
14	2021 through <u>2023</u> 2022	\$14,000,000

15 (c) The State Comptroller and State Treasurer shall
16 automatically transfer on the last day of each month beginning
17 on July 31, 2021 and ending June 30, 2022, from the
18 Environmental Protection Permit and Inspection Fund to the
19 Partners for Conservation Fund, an amount equal to 1/12 of
20 \$4,135,000.

21 (c-1) The State Comptroller and State Treasurer shall
22 automatically transfer on the last day of each month beginning
23 on July 31, 2022 and ending June 30, 2023, from the
24 Environmental Protection Permit and Inspection Fund to the
25 Partners for Conservation Fund, an amount equal to 1/12 of
26 \$5,900,000.

1 (d) There shall be deposited into the Partners for
2 Conservation Projects Fund such bond proceeds and other moneys
3 as may, from time to time, be provided by law.

4 (Source: P.A. 101-10, eff. 6-5-19; 102-16, eff. 6-17-21.)

5 (30 ILCS 105/6z-51)

6 Sec. 6z-51. Budget Stabilization Fund.

7 (a) The Budget Stabilization Fund, a special fund in the
8 State Treasury, shall consist of moneys appropriated or
9 transferred to that Fund, as provided in Section 6z-43 and as
10 otherwise provided by law. All earnings on Budget
11 Stabilization Fund investments shall be deposited into that
12 Fund.

13 (b) The State Comptroller may direct the State Treasurer
14 to transfer moneys from the Budget Stabilization Fund to the
15 General Revenue Fund in order to meet cash flow deficits
16 resulting from timing variations between disbursements and the
17 receipt of funds within a fiscal year. Any moneys so borrowed
18 in any fiscal year other than Fiscal Year 2011 shall be repaid
19 by June 30 of the fiscal year in which they were borrowed. Any
20 moneys so borrowed in Fiscal Year 2011 shall be repaid no later
21 than July 15, 2011.

22 (c) During Fiscal Year 2017 only, amounts may be expended
23 from the Budget Stabilization Fund only pursuant to specific
24 authorization by appropriation. Any moneys expended pursuant
25 to appropriation shall not be subject to repayment.

1 (d) For Fiscal Years ~~Year~~ 2020 through 2022 ~~, and beyond,~~
2 any transfers into the Fund pursuant to the Cannabis
3 Regulation and Tax Act may be transferred to the General
4 Revenue Fund in order for the Comptroller to address
5 outstanding vouchers and shall not be subject to repayment
6 back into the Budget Stabilization Fund.

7 (e) Beginning July 1, 2023, on the first day of each month,
8 or as soon thereafter as practical, the State Comptroller
9 shall direct and the State Treasurer shall transfer \$3,750,000
10 from the General Revenue Fund to the Budget Stabilization
11 Fund.

12 (Source: P.A. 101-10, eff. 6-5-19.)

13 (30 ILCS 105/6z-70)

14 Sec. 6z-70. The Secretary of State Identification Security
15 and Theft Prevention Fund.

16 (a) The Secretary of State Identification Security and
17 Theft Prevention Fund is created as a special fund in the State
18 treasury. The Fund shall consist of any fund transfers,
19 grants, fees, or moneys from other sources received for the
20 purpose of funding identification security and theft
21 prevention measures.

22 (b) All moneys in the Secretary of State Identification
23 Security and Theft Prevention Fund shall be used, subject to
24 appropriation, for any costs related to implementing
25 identification security and theft prevention measures.

- 1 (c) (Blank) .
- 2 (d) (Blank) .
- 3 (e) (Blank) .
- 4 (f) (Blank) .
- 5 (g) (Blank) .
- 6 (h) (Blank) .
- 7 (i) (Blank) .
- 8 (j) (Blank) .
- 9 (k) (Blank) .
- 10 (l) (Blank) .

11 (m) (Blank). ~~Notwithstanding any other provision of State~~
 12 ~~law to the contrary, on or after July 1, 2020, and until June~~
 13 ~~30, 2021, in addition to any other transfers that may be~~
 14 ~~provided for by law, at the direction of and upon notification~~
 15 ~~of the Secretary of State, the State Comptroller shall direct~~
 16 ~~and the State Treasurer shall transfer amounts into the~~
 17 ~~Secretary of State Identification Security and Theft~~
 18 ~~Prevention Fund from the designated funds not exceeding the~~
 19 ~~following totals:~~

20	Division of Corporations Registered Limited	
21	Liability Partnership Fund	\$287,000
22	Securities Investors Education Fund.....	\$1,500,000
23	Department of Business Services Special	
24	Operations Fund.....	\$4,500,000
25	Securities Audit and Enforcement Fund	\$5,000,000
26	Corporate Franchise Tax Refund Fund	\$3,000,000

1 (n) Notwithstanding any other provision of State law to
 2 the contrary, on or after July 1, 2021, and until June 30,
 3 2022, in addition to any other transfers that may be provided
 4 for by law, at the direction of and upon notification of the
 5 Secretary of State, the State Comptroller shall direct and the
 6 State Treasurer shall transfer amounts into the Secretary of
 7 State Identification Security and Theft Prevention Fund from
 8 the designated funds not exceeding the following totals:

9 Division of Corporations Registered Limited

10	Liability Partnership Fund	\$287,000
11	Securities Investors Education Fund.....	\$1,500,000
12	Department of Business Services Special	
13	Operations Fund.....	\$4,500,000
14	Securities Audit and Enforcement Fund.....	\$5,000,000
15	Corporate Franchise Tax Refund Fund.....	\$3,000,000

16 (o) Notwithstanding any other provision of State law to
 17 the contrary, on or after July 1, 2022, and until June 30,
 18 2023, in addition to any other transfers that may be provided
 19 for by law, at the direction of and upon notification of the
 20 Secretary of State, the State Comptroller shall direct and the
 21 State Treasurer shall transfer amounts into the Secretary of
 22 State Identification Security and Theft Prevention Fund from
 23 the designated funds not exceeding the following totals:

24 Division of Corporations Registered Limited

25	<u>Liability Partnership Fund</u>	<u>\$400,000</u>
26	<u>Department of Business Services Special</u>	

1 Operations Fund..... \$5,500,000
2 Securities Audit and Enforcement Fund..... \$4,000,000
3 Corporate Franchise Tax Refund Fund..... \$4,000,000

4 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;
5 102-16, eff. 6-17-21.)

6 (30 ILCS 105/6z-77)

7 Sec. 6z-77. The Capital Projects Fund. The Capital
8 Projects Fund is created as a special fund in the State
9 Treasury. The State Comptroller and State Treasurer shall
10 transfer from the Capital Projects Fund to the General Revenue
11 Fund \$61,294,550 on October 1, 2009, \$122,589,100 on January
12 1, 2010, and \$61,294,550 on April 1, 2010. Beginning on July 1,
13 2010, and on July 1 and January 1 of each year thereafter, the
14 State Comptroller and State Treasurer shall transfer the sum
15 of \$122,589,100 from the Capital Projects Fund to the General
16 Revenue Fund. In Fiscal Year 2022 only, the State Comptroller
17 and State Treasurer shall transfer up to \$80,000,000
18 ~~\$40,000,000~~ of sports wagering revenues from the Capital
19 Projects Fund to the Rebuild Illinois Projects Fund in one or
20 more transfers as directed by the Governor. Subject to
21 appropriation, the Capital Projects Fund may be used only for
22 capital projects and the payment of debt service on bonds
23 issued for capital projects. All interest earned on moneys in
24 the Fund shall be deposited into the Fund. The Fund shall not
25 be subject to administrative charges or chargebacks, such as

1 but not limited to those authorized under Section 8h.

2 (Source: P.A. 102-16, eff. 6-17-21.)

3 (30 ILCS 105/6z-81)

4 Sec. 6z-81. Healthcare Provider Relief Fund.

5 (a) There is created in the State treasury a special fund
6 to be known as the Healthcare Provider Relief Fund.

7 (b) The Fund is created for the purpose of receiving and
8 disbursing moneys in accordance with this Section.
9 Disbursements from the Fund shall be made only as follows:

10 (1) Subject to appropriation, for payment by the
11 Department of Healthcare and Family Services or by the
12 Department of Human Services of medical bills and related
13 expenses, including administrative expenses, for which the
14 State is responsible under Titles XIX and XXI of the
15 Social Security Act, the Illinois Public Aid Code, the
16 Children's Health Insurance Program Act, the Covering ALL
17 KIDS Health Insurance Act, and the Long Term Acute Care
18 Hospital Quality Improvement Transfer Program Act.

19 (2) For repayment of funds borrowed from other State
20 funds or from outside sources, including interest thereon.

21 (3) For making payments to the human poison control
22 center pursuant to Section 12-4.105 of the Illinois Public
23 Aid Code.

24 (4) For making necessary transfers to other State
25 funds to deposit Home and Community-Based Services federal

1 matching revenue received as a result of the enhancement
2 to the federal medical assistance percentage authorized by
3 Section 9817 of the federal American Rescue Plan Act of
4 2021.

5 (c) The Fund shall consist of the following:

6 (1) Moneys received by the State from short-term
7 borrowing pursuant to the Short Term Borrowing Act on or
8 after the effective date of Public Act 96-820.

9 (2) All federal matching funds received by the
10 Illinois Department of Healthcare and Family Services as a
11 result of expenditures made by the Department that are
12 attributable to moneys deposited in the Fund.

13 (3) All federal matching funds received by the
14 Illinois Department of Healthcare and Family Services as a
15 result of federal approval of Title XIX State plan
16 amendment transmittal number 07-09.

17 (3.5) Proceeds from the assessment authorized under
18 Article V-H of the Illinois Public Aid Code.

19 (4) All other moneys received for the Fund from any
20 other source, including interest earned thereon.

21 (5) All federal matching funds received by the
22 Illinois Department of Healthcare and Family Services as a
23 result of expenditures made by the Department for Medical
24 Assistance from the General Revenue Fund, the Tobacco
25 Settlement Recovery Fund, the Long-Term Care Provider
26 Fund, and the Drug Rebate Fund related to individuals

1 eligible for medical assistance pursuant to the Patient
2 Protection and Affordable Care Act (P.L. 111-148) and
3 Section 5-2 of the Illinois Public Aid Code.

4 (d) In addition to any other transfers that may be
5 provided for by law, on the effective date of Public Act 97-44,
6 or as soon thereafter as practical, the State Comptroller
7 shall direct and the State Treasurer shall transfer the sum of
8 \$365,000,000 from the General Revenue Fund into the Healthcare
9 Provider Relief Fund.

10 (e) In addition to any other transfers that may be
11 provided for by law, on July 1, 2011, or as soon thereafter as
12 practical, the State Comptroller shall direct and the State
13 Treasurer shall transfer the sum of \$160,000,000 from the
14 General Revenue Fund to the Healthcare Provider Relief Fund.

15 (f) Notwithstanding any other State law to the contrary,
16 and in addition to any other transfers that may be provided for
17 by law, the State Comptroller shall order transferred and the
18 State Treasurer shall transfer \$500,000,000 to the Healthcare
19 Provider Relief Fund from the General Revenue Fund in equal
20 monthly installments of \$100,000,000, with the first transfer
21 to be made on July 1, 2012, or as soon thereafter as practical,
22 and with each of the remaining transfers to be made on August
23 1, 2012, September 1, 2012, October 1, 2012, and November 1,
24 2012, or as soon thereafter as practical. This transfer may
25 assist the Department of Healthcare and Family Services in
26 improving Medical Assistance bill processing timeframes or in

1 meeting the possible requirements of Senate Bill 3397, or
2 other similar legislation, of the 97th General Assembly should
3 it become law.

4 (g) Notwithstanding any other State law to the contrary,
5 and in addition to any other transfers that may be provided for
6 by law, on July 1, 2013, or as soon thereafter as may be
7 practical, the State Comptroller shall direct and the State
8 Treasurer shall transfer the sum of \$601,000,000 from the
9 General Revenue Fund to the Healthcare Provider Relief Fund.

10 (Source: P.A. 100-587, eff. 6-4-18; 101-9, eff. 6-5-19;
11 101-650, eff. 7-7-20.)

12 (30 ILCS 105/6z-100)

13 (Section scheduled to be repealed on July 1, 2022)

14 Sec. 6z-100. Capital Development Board Revolving Fund;
15 payments into and use. All monies received by the Capital
16 Development Board for publications or copies issued by the
17 Board, and all monies received for contract administration
18 fees, charges, or reimbursements owing to the Board shall be
19 deposited into a special fund known as the Capital Development
20 Board Revolving Fund, which is hereby created in the State
21 treasury. The monies in this Fund shall be used by the Capital
22 Development Board, as appropriated, for expenditures for
23 personal services, retirement, social security, contractual
24 services, legal services, travel, commodities, printing,
25 equipment, electronic data processing, or telecommunications.

1 For fiscal year 2021 and thereafter, the monies in this Fund
2 may also be appropriated to and used by the Executive Ethics
3 Commission for oversight and administration of the Chief
4 Procurement Officer appointed under paragraph (1) of
5 subsection (a) of Section 10-20 of the Illinois Procurement
6 Code. Unexpended moneys in the Fund shall not be transferred
7 or allocated by the Comptroller or Treasurer to any other
8 fund, nor shall the Governor authorize the transfer or
9 allocation of those moneys to any other fund. This Section is
10 repealed July 1, 2023 ~~2022~~.

11 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;
12 101-645, eff. 6-26-20; 102-16, eff. 6-17-21.)

13 (30 ILCS 105/6z-121)

14 Sec. 6z-121. State Coronavirus Urgent Remediation
15 Emergency Fund.

16 (a) The State Coronavirus Urgent Remediation Emergency
17 (State CURE) Fund is created as a federal trust fund within the
18 State treasury. The State CURE Fund shall be held separate and
19 apart from all other funds in the State treasury. The State
20 CURE Fund is established: (1) to receive, directly or
21 indirectly, federal funds from the Coronavirus Relief Fund in
22 accordance with Section 5001 of the federal Coronavirus Aid,
23 Relief, and Economic Security (CARES) Act, the Coronavirus
24 State Fiscal Recovery Fund in accordance with Section 9901 of
25 the American Rescue Plan Act of 2021, or from any other federal

1 fund pursuant to any other provision of the American Rescue
2 Plan Act of 2021 or any other federal law; and (2) to provide
3 for the transfer, distribution and expenditure of such federal
4 funds as permitted in the federal Coronavirus Aid, Relief, and
5 Economic Security (CARES) Act, the American Rescue Plan Act of
6 2021, and related federal guidance or any other federal law,
7 and as authorized by this Section.

8 (b) Federal funds received by the State from the
9 Coronavirus Relief Fund in accordance with Section 5001 of the
10 federal Coronavirus Aid, Relief, and Economic Security (CARES)
11 Act, the Coronavirus State Fiscal Recovery Fund in accordance
12 with Section 9901 of the American Rescue Plan Act of 2021, or
13 any other federal funds received pursuant to the American
14 Rescue Plan Act of 2021 or any other federal law, may be
15 deposited, directly or indirectly, into the State CURE Fund.

16 (c) Funds in the State CURE Fund may be expended, subject
17 to appropriation, directly for purposes permitted under the
18 federal law and related federal guidance governing the use of
19 such funds, which may include without limitation purposes
20 permitted in Section 5001 of the CARES Act and Sections 3201,
21 3206, and 9901 of the American Rescue Plan Act of 2021. All
22 federal funds received into the State CURE Fund from the
23 Coronavirus Relief Fund, the Coronavirus State Fiscal Recovery
24 Fund, or any other source under the American Rescue Plan Act of
25 2021, may be transferred, ~~or~~ expended, or returned by the
26 Illinois Emergency Management Agency at the direction of the

1 Governor for the specific purposes permitted by the federal
2 Coronavirus Aid, Relief, and Economic Security (CARES) Act,
3 the American Rescue Plan Act of 2021, any related regulations
4 or federal guidance, and any terms and conditions of the
5 federal awards received by the State thereunder. The State
6 Comptroller shall direct and the State Treasurer shall
7 transfer, as directed by the Governor in writing, a portion of
8 the federal funds received from the Coronavirus Relief Fund or
9 from any other federal fund pursuant to any other provision of
10 federal law to the Local Coronavirus Urgent Remediation
11 Emergency (Local CURE) Fund from time to time for the
12 provision and administration of grants to units of local
13 government as permitted by the federal Coronavirus Aid,
14 Relief, and Economic Security (CARES) Act, any related federal
15 guidance, and any other additional federal law that may
16 provide authorization. The State Comptroller shall direct and
17 the State Treasurer shall transfer amounts, as directed by the
18 Governor in writing, from the State CURE Fund to the Essential
19 Government Services Support Fund to be used for the provision
20 of government services as permitted under Section 602(c)(1)(C)
21 of the Social Security Act as enacted by Section 9901 of the
22 American Rescue Plan Act and related federal guidance. Funds
23 in the State CURE Fund also may be transferred to other funds
24 in the State treasury as reimbursement for expenditures made
25 from such other funds if the expenditures are eligible for
26 federal reimbursement under Section 5001 of the federal

1 Coronavirus Aid, Relief, and Economic Security (CARES) Act,
2 the relevant provisions of the American Rescue Plan Act of
3 2021, or any related federal guidance.

4 (d) Once the General Assembly has enacted appropriations
5 from the State CURE Fund, the expenditure of funds from the
6 State CURE Fund shall be subject to appropriation by the
7 General Assembly, and shall be administered by the Illinois
8 Emergency Management Agency at the direction of the Governor.
9 The Illinois Emergency Management Agency, and other agencies
10 as named in appropriations, shall transfer, distribute or
11 expend the funds. The State Comptroller shall direct and the
12 State Treasurer shall transfer funds in the State CURE Fund to
13 other funds in the State treasury as reimbursement for
14 expenditures made from such other funds if the expenditures
15 are eligible for federal reimbursement under Section 5001 of
16 the federal Coronavirus Aid, Relief, and Economic Security
17 (CARES) Act, the relevant provisions of the American Rescue
18 Plan Act of 2021, or any related federal guidance, as directed
19 in writing by the Governor. Additional funds that may be
20 received from the federal government from legislation enacted
21 in response to the impact of Coronavirus Disease 2019,
22 including fiscal stabilization payments that replace revenues
23 lost due to Coronavirus Disease 2019, The State Comptroller
24 may direct and the State Treasurer shall transfer in the
25 manner authorized or required by any related federal guidance,
26 as directed in writing by the Governor.

1 (e) The Illinois Emergency Management Agency, in
2 coordination with the Governor's Office of Management and
3 Budget, shall identify amounts derived from the State's
4 Coronavirus Relief Fund allocation and transferred from the
5 State CURE Fund as directed by the Governor under this Section
6 that remain unobligated and unexpended for the period that
7 ended on December 31, 2021. The Agency shall certify to the
8 State Comptroller and the State Treasurer the amounts
9 identified as unobligated and unexpended. The State
10 Comptroller shall direct and the State Treasurer shall
11 transfer the unobligated and unexpended funds identified by
12 the Agency and held in other funds of the State Treasury under
13 this Section to the State CURE Fund. Unexpended funds in the
14 State CURE Fund shall be paid back to the federal government at
15 the direction of the Governor.

16 (f) In addition to any other transfers that may be
17 provided for by law, at the direction of the Governor, the
18 State Comptroller shall direct and the State Treasurer shall
19 transfer the sum of \$24,523,000 from the State CURE Fund to the
20 Chicago Travel Industry Promotion Fund.

21 (g) In addition to any other transfers that may be
22 provided for by law, at the direction of the Governor, the
23 State Comptroller shall direct and the State Treasurer shall
24 transfer the sum of \$30,000,000 from the State CURE Fund to the
25 Metropolitan Pier and Exposition Authority Incentive Fund.

26 (h) In addition to any other transfers that may be

1 provided for by law, at the direction of the Governor, the
2 State Comptroller shall direct and the State Treasurer shall
3 transfer the sum of \$45,180,000 from the State CURE Fund to the
4 Local Tourism Fund.

5 (Source: P.A. 101-636, eff. 6-10-20; 102-16, eff. 6-17-21.)

6 (30 ILCS 105/6z-130 new)

7 Sec. 6z-130. Statewide 9-8-8 Trust Fund.

8 (a) The Statewide 9-8-8 Trust Fund is created as a special
9 fund in the State treasury. Moneys in the Fund shall be used by
10 the Department of Human Services for the purposes of
11 establishing and maintaining a statewide 9-8-8 suicide
12 prevention and mental health crisis system pursuant to the
13 National Suicide Hotline Designation Act of 2020, the Federal
14 Communication Commission's rules adopted on July 16, 2020, and
15 national guidelines for crisis care. The Fund shall consist
16 of:

17 (1) appropriations by the General Assembly;

18 (2) grants and gifts intended for deposit in the Fund;

19 (3) interest, premiums, gains, or other earnings on
20 the Fund;

21 (4) moneys received from any other source that are
22 deposited in or transferred into the Fund.

23 (b) Moneys in the Fund:

24 (1) do not revert at the end of any State fiscal year
25 but remain available for the purposes of the Fund in

1 subsequent State fiscal years; and

2 (2) are not subject to transfer to any other Fund or to
3 transfer, assignment, or reassignment for any other use or
4 purpose outside of those specified in this Section.

5 (c) An annual report of Fund deposits and expenditures
6 shall be made to the General Assembly and the Federal
7 Communications Commission.

8 (d) In addition to any other transfers that may be
9 provided for by law, on July 1, 2022, or as soon thereafter as
10 practical, the State Comptroller shall direct and the State
11 Treasurer shall transfer the sum of \$5,000,000 from the
12 Statewide 9-1-1 Fund to the Statewide 9-8-8 Trust Fund.

13 (30 ILCS 105/6z-131 new)

14 Sec. 6z-131. Agriculture Federal Projects Fund. The
15 Agriculture Federal Projects Fund is established as a federal
16 trust fund in the State treasury. This Fund is established to
17 receive funds from all federal departments and agencies,
18 including grants and awards. In addition, the Fund may also
19 receive interagency receipts from other State agencies and
20 funds from other public and private sources. Moneys in the
21 Agriculture Federal Projects Fund shall be held by the State
22 Treasurer as ex officio custodian and shall be used for the
23 specific purposes established by the terms and conditions of
24 the federal grant or award and for other authorized expenses
25 in accordance with federal requirements. Other moneys

1 deposited into the Fund may be used for purposes associated
2 with the federally financed projects.

3 (30 ILCS 105/6z-132 new)

4 Sec. 6z-132. DNR Federal Projects Fund. The DNR Federal
5 Projects Fund is established as a federal trust fund in the
6 State treasury. This Fund is established to receive funds from
7 all federal departments and agencies, including grants and
8 awards. In addition, the Fund may also receive interagency
9 receipts from other State agencies and agencies from other
10 states. Moneys in the DNR Federal Projects Fund shall be held
11 by the State Treasurer as ex officio custodian and shall be
12 used for the specific purposes established by the terms and
13 conditions of the federal grant or award and for other
14 authorized expenses in accordance with federal requirements.
15 Other moneys deposited into the Fund may be used for purposes
16 associated with the federally financed projects.

17 (30 ILCS 105/6z-133 new)

18 Sec. 6z-133. Illinois Opioid Remediation State Trust Fund.

19 (a) As used in this Section:

20 (1) "Approved abatement programs" means the list of
21 programs included in Exhibit B of the Illinois Opioid
22 Allocation Agreement, effective December 30, 2021.

23 (2) "National multistate opioid settlement" has the
24 meaning provided in Section 13-226 of the Code of Civil

1 Procedure.

2 (3) "Opioid-related settlement" means current or
3 future settlements reached by the Attorney General,
4 including judgments entered that are subject to the
5 Illinois Opioid Allocation Agreement, effective December
6 30, 2021.

7 (b) The Illinois Opioid Remediation State Trust Fund is
8 created as a trust fund in the State treasury to receive
9 proceeds from opioid-related settlements and judgments that
10 are directed by the Attorney General into the fund pursuant to
11 Section 3 of the Illinois Opioid Allocation Agreement,
12 effective December 30, 2021. The fund shall be administered by
13 the Department of Human Services.

14 (c) The Illinois Opioid Remediation State Trust Fund may
15 also receive gifts, grants, bequests, donations and monies
16 from any other source, public or private, to be used for the
17 purposes of such gifts, grants, bequests, donations or awards.

18 (d) All funds directed into the Illinois Opioid
19 Remediation State Trust Fund shall be used in accordance with
20 the Illinois Opioid Allocation Agreement, effective December
21 30, 2021, and exclusively for approved abatement programs.

22 (e) The Attorney General may use a portion of the proceeds
23 in the Illinois Opioid Remediation State Trust Fund for
24 administrative costs associated with opioid-related
25 litigation, demands, or settlements.

26 (f) In addition to proceeds directed by the Attorney

1 General into the Illinois Opioid Remediation State Trust Fund,
2 the Attorney General may, at his or her discretion, direct
3 additional funds received from any opioid-related settlement
4 into the DHS State Projects Fund.

5 (30 ILCS 105/8.3) (from Ch. 127, par. 144.3)

6 Sec. 8.3. Money in the Road Fund shall, if and when the
7 State of Illinois incurs any bonded indebtedness for the
8 construction of permanent highways, be set aside and used for
9 the purpose of paying and discharging annually the principal
10 and interest on that bonded indebtedness then due and payable,
11 and for no other purpose. The surplus, if any, in the Road Fund
12 after the payment of principal and interest on that bonded
13 indebtedness then annually due shall be used as follows:

14 first -- to pay the cost of administration of Chapters
15 2 through 10 of the Illinois Vehicle Code, except the cost
16 of administration of Articles I and II of Chapter 3 of that
17 Code, and to pay the costs of the Executive Ethics
18 Commission for oversight and administration of the Chief
19 Procurement Officer appointed under paragraph (2) of
20 subsection (a) of Section 10-20 of the Illinois
21 Procurement Code for transportation; and

22 secondly -- for expenses of the Department of
23 Transportation for construction, reconstruction,
24 improvement, repair, maintenance, operation, and
25 administration of highways in accordance with the

1 provisions of laws relating thereto, or for any purpose
2 related or incident to and connected therewith, including
3 the separation of grades of those highways with railroads
4 and with highways and including the payment of awards made
5 by the Illinois Workers' Compensation Commission under the
6 terms of the Workers' Compensation Act or Workers'
7 Occupational Diseases Act for injury or death of an
8 employee of the Division of Highways in the Department of
9 Transportation; or for the acquisition of land and the
10 erection of buildings for highway purposes, including the
11 acquisition of highway right-of-way or for investigations
12 to determine the reasonably anticipated future highway
13 needs; or for making of surveys, plans, specifications and
14 estimates for and in the construction and maintenance of
15 flight strips and of highways necessary to provide access
16 to military and naval reservations, to defense industries
17 and defense-industry sites, and to the sources of raw
18 materials and for replacing existing highways and highway
19 connections shut off from general public use at military
20 and naval reservations and defense-industry sites, or for
21 the purchase of right-of-way, except that the State shall
22 be reimbursed in full for any expense incurred in building
23 the flight strips; or for the operating and maintaining of
24 highway garages; or for patrolling and policing the public
25 highways and conserving the peace; or for the operating
26 expenses of the Department relating to the administration

1 of public transportation programs; ~~or, during fiscal year~~
2 ~~2021 only, for the purposes of a grant not to exceed~~
3 ~~\$8,394,800 to the Regional Transportation Authority on~~
4 ~~behalf of PACE for the purpose of ADA/Para-transit~~
5 ~~expenses;~~ or, during fiscal year 2022 ~~only~~, for the
6 purposes of a grant not to exceed \$8,394,800 to the
7 Regional Transportation Authority on behalf of PACE for
8 the purpose of ADA/Para-transit expenses; or, during
9 fiscal year 2023, for the purposes of a grant not to exceed
10 \$8,394,800 to the Regional Transportation Authority on
11 behalf of PACE for the purpose of ADA/Para-transit
12 expenses; or for any of those purposes or any other
13 purpose that may be provided by law.

14 Appropriations for any of those purposes are payable from
15 the Road Fund. Appropriations may also be made from the Road
16 Fund for the administrative expenses of any State agency that
17 are related to motor vehicles or arise from the use of motor
18 vehicles.

19 Beginning with fiscal year 1980 and thereafter, no Road
20 Fund monies shall be appropriated to the following Departments
21 or agencies of State government for administration, grants, or
22 operations; but this limitation is not a restriction upon
23 appropriating for those purposes any Road Fund monies that are
24 eligible for federal reimbursement:

- 25 1. Department of Public Health;
- 26 2. Department of Transportation, only with respect to

1 subsidies for one-half fare Student Transportation and
2 Reduced Fare for Elderly, ~~except fiscal year 2021 only~~
3 ~~when no more than \$17,570,000 may be expended and except~~
4 fiscal year 2022 ~~only~~ when no more than \$17,570,000 may be
5 expended and except fiscal year 2023 when no more than
6 \$17,570,000 may be expended;

7 3. Department of Central Management Services, except
8 for expenditures incurred for group insurance premiums of
9 appropriate personnel;

10 4. Judicial Systems and Agencies.

11 Beginning with fiscal year 1981 and thereafter, no Road
12 Fund monies shall be appropriated to the following Departments
13 or agencies of State government for administration, grants, or
14 operations; but this limitation is not a restriction upon
15 appropriating for those purposes any Road Fund monies that are
16 eligible for federal reimbursement:

17 1. Illinois State Police, except for expenditures with
18 respect to the Division of Patrol Operations and Division
19 of Criminal Investigation;

20 2. Department of Transportation, only with respect to
21 Intercity Rail Subsidies, ~~except fiscal year 2021 only~~
22 ~~when no more than \$50,000,000 may be expended and except~~
23 fiscal year 2022 ~~only~~ when no more than \$50,000,000 may be
24 expended and except fiscal year 2023 when no more than
25 \$55,000,000 may be expended, and Rail Freight Services.

26 Beginning with fiscal year 1982 and thereafter, no Road

1 Fund monies shall be appropriated to the following Departments
2 or agencies of State government for administration, grants, or
3 operations; but this limitation is not a restriction upon
4 appropriating for those purposes any Road Fund monies that are
5 eligible for federal reimbursement: Department of Central
6 Management Services, except for awards made by the Illinois
7 Workers' Compensation Commission under the terms of the
8 Workers' Compensation Act or Workers' Occupational Diseases
9 Act for injury or death of an employee of the Division of
10 Highways in the Department of Transportation.

11 Beginning with fiscal year 1984 and thereafter, no Road
12 Fund monies shall be appropriated to the following Departments
13 or agencies of State government for administration, grants, or
14 operations; but this limitation is not a restriction upon
15 appropriating for those purposes any Road Fund monies that are
16 eligible for federal reimbursement:

17 1. Illinois State Police, except not more than 40% of
18 the funds appropriated for the Division of Patrol
19 Operations and Division of Criminal Investigation;

20 2. State Officers.

21 Beginning with fiscal year 1984 and thereafter, no Road
22 Fund monies shall be appropriated to any Department or agency
23 of State government for administration, grants, or operations
24 except as provided hereafter; but this limitation is not a
25 restriction upon appropriating for those purposes any Road
26 Fund monies that are eligible for federal reimbursement. It

1 shall not be lawful to circumvent the above appropriation
2 limitations by governmental reorganization or other methods.
3 Appropriations shall be made from the Road Fund only in
4 accordance with the provisions of this Section.

5 Money in the Road Fund shall, if and when the State of
6 Illinois incurs any bonded indebtedness for the construction
7 of permanent highways, be set aside and used for the purpose of
8 paying and discharging during each fiscal year the principal
9 and interest on that bonded indebtedness as it becomes due and
10 payable as provided in the Transportation Bond Act, and for no
11 other purpose. The surplus, if any, in the Road Fund after the
12 payment of principal and interest on that bonded indebtedness
13 then annually due shall be used as follows:

14 first -- to pay the cost of administration of Chapters
15 2 through 10 of the Illinois Vehicle Code; and

16 secondly -- no Road Fund monies derived from fees,
17 excises, or license taxes relating to registration,
18 operation and use of vehicles on public highways or to
19 fuels used for the propulsion of those vehicles, shall be
20 appropriated or expended other than for costs of
21 administering the laws imposing those fees, excises, and
22 license taxes, statutory refunds and adjustments allowed
23 thereunder, administrative costs of the Department of
24 Transportation, including, but not limited to, the
25 operating expenses of the Department relating to the
26 administration of public transportation programs, payment

1 of debts and liabilities incurred in construction and
2 reconstruction of public highways and bridges, acquisition
3 of rights-of-way for and the cost of construction,
4 reconstruction, maintenance, repair, and operation of
5 public highways and bridges under the direction and
6 supervision of the State, political subdivision, or
7 municipality collecting those monies, ~~or during fiscal~~
8 ~~year 2021 only for the purposes of a grant not to exceed~~
9 ~~\$8,394,800 to the Regional Transportation Authority on~~
10 ~~behalf of PACE for the purpose of ADA/Para-transit~~
11 ~~expenses,~~ or during fiscal year 2022 ~~only~~ for the purposes
12 of a grant not to exceed \$8,394,800 to the Regional
13 Transportation Authority on behalf of PACE for the purpose
14 of ADA/Para-transit expenses, or during fiscal year 2023
15 for the purposes of a grant not to exceed \$8,394,800 to the
16 Regional Transportation Authority on behalf of PACE for
17 the purpose of ADA/Para-transit expenses, and the costs
18 for patrolling and policing the public highways (by the
19 State, political subdivision, or municipality collecting
20 that money) for enforcement of traffic laws. The
21 separation of grades of such highways with railroads and
22 costs associated with protection of at-grade highway and
23 railroad crossing shall also be permissible.

24 Appropriations for any of such purposes are payable from
25 the Road Fund or the Grade Crossing Protection Fund as
26 provided in Section 8 of the Motor Fuel Tax Law.

1 Except as provided in this paragraph, beginning with
2 fiscal year 1991 and thereafter, no Road Fund monies shall be
3 appropriated to the Illinois State Police for the purposes of
4 this Section in excess of its total fiscal year 1990 Road Fund
5 appropriations for those purposes unless otherwise provided in
6 Section 5g of this Act. For fiscal years 2003, 2004, 2005,
7 2006, and 2007 only, no Road Fund monies shall be appropriated
8 to the Department of State Police for the purposes of this
9 Section in excess of \$97,310,000. For fiscal year 2008 only,
10 no Road Fund monies shall be appropriated to the Department of
11 State Police for the purposes of this Section in excess of
12 \$106,100,000. For fiscal year 2009 only, no Road Fund monies
13 shall be appropriated to the Department of State Police for
14 the purposes of this Section in excess of \$114,700,000.
15 Beginning in fiscal year 2010, no road fund moneys shall be
16 appropriated to the Illinois State Police. It shall not be
17 lawful to circumvent this limitation on appropriations by
18 governmental reorganization or other methods unless otherwise
19 provided in Section 5g of this Act.

20 In fiscal year 1994, no Road Fund monies shall be
21 appropriated to the Secretary of State for the purposes of
22 this Section in excess of the total fiscal year 1991 Road Fund
23 appropriations to the Secretary of State for those purposes,
24 plus \$9,800,000. It shall not be lawful to circumvent this
25 limitation on appropriations by governmental reorganization or
26 other method.

1 Beginning with fiscal year 1995 and thereafter, no Road
2 Fund monies shall be appropriated to the Secretary of State
3 for the purposes of this Section in excess of the total fiscal
4 year 1994 Road Fund appropriations to the Secretary of State
5 for those purposes. It shall not be lawful to circumvent this
6 limitation on appropriations by governmental reorganization or
7 other methods.

8 Beginning with fiscal year 2000, total Road Fund
9 appropriations to the Secretary of State for the purposes of
10 this Section shall not exceed the amounts specified for the
11 following fiscal years:

12 Fiscal Year 2000	\$80,500,000;
13 Fiscal Year 2001	\$80,500,000;
14 Fiscal Year 2002	\$80,500,000;
15 Fiscal Year 2003	\$130,500,000;
16 Fiscal Year 2004	\$130,500,000;
17 Fiscal Year 2005	\$130,500,000;
18 Fiscal Year 2006	\$130,500,000;
19 Fiscal Year 2007	\$130,500,000;
20 Fiscal Year 2008	\$130,500,000;
21 Fiscal Year 2009	\$130,500,000.

22 For fiscal year 2010, no road fund moneys shall be
23 appropriated to the Secretary of State.

24 Beginning in fiscal year 2011, moneys in the Road Fund
25 shall be appropriated to the Secretary of State for the
26 exclusive purpose of paying refunds due to overpayment of fees

1 related to Chapter 3 of the Illinois Vehicle Code unless
2 otherwise provided for by law.

3 It shall not be lawful to circumvent this limitation on
4 appropriations by governmental reorganization or other
5 methods.

6 No new program may be initiated in fiscal year 1991 and
7 thereafter that is not consistent with the limitations imposed
8 by this Section for fiscal year 1984 and thereafter, insofar
9 as appropriation of Road Fund monies is concerned.

10 Nothing in this Section prohibits transfers from the Road
11 Fund to the State Construction Account Fund under Section 5e
12 of this Act; nor to the General Revenue Fund, as authorized by
13 Public Act 93-25.

14 The additional amounts authorized for expenditure in this
15 Section by Public Acts 92-0600, 93-0025, 93-0839, and 94-91
16 shall be repaid to the Road Fund from the General Revenue Fund
17 in the next succeeding fiscal year that the General Revenue
18 Fund has a positive budgetary balance, as determined by
19 generally accepted accounting principles applicable to
20 government.

21 The additional amounts authorized for expenditure by the
22 Secretary of State and the Department of State Police in this
23 Section by Public Act 94-91 shall be repaid to the Road Fund
24 from the General Revenue Fund in the next succeeding fiscal
25 year that the General Revenue Fund has a positive budgetary
26 balance, as determined by generally accepted accounting

1 principles applicable to government.

2 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;
3 102-16, eff. 6-17-21; 102-538, eff. 8-20-21; revised
4 10-15-21.)

5 (30 ILCS 105/8.6) (from Ch. 127, par. 144.6)

6 Sec. 8.6. Appropriations for the operation and maintenance
7 of State garages including the servicing and repair of all
8 automotive equipment owned or controlled by the State of
9 Illinois, the purchase of necessary supplies, equipment and
10 accessories for automotive use, the purchase of public
11 liability insurance covering drivers of motor vehicles owned
12 or controlled by the State of Illinois, the design, purchase,
13 installation, operation, and maintenance of electric vehicle
14 charging infrastructure and associated improvements to any
15 property owned or controlled by the State of Illinois, and all
16 other expenses incident to the operation and maintenance of
17 the State garages are payable from the State Garage Revolving
18 Fund. Any money received by a State agency from a third party
19 as payment for damages to or destruction of a State vehicle and
20 deposited into the State Garage Revolving Fund shall be
21 utilized by the Department of Central Management Services for
22 the benefit of that agency to repair or replace, in whole or in
23 part, the damaged vehicle. All contracts let under the
24 provisions of this Act shall be awarded in accordance with the
25 applicable requirements of the Illinois Purchasing Act.

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

2 (30 ILCS 105/8.12) (from Ch. 127, par. 144.12)

3 Sec. 8.12. State Pensions Fund.

4 (a) The moneys in the State Pensions Fund shall be used
5 exclusively for the administration of the Revised Uniform
6 Unclaimed Property Act and for the expenses incurred by the
7 Auditor General for administering the provisions of Section
8 2-8.1 of the Illinois State Auditing Act and for operational
9 expenses of the Office of the State Treasurer and for the
10 funding of the unfunded liabilities of the designated
11 retirement systems. For the purposes of this Section,
12 "operational expenses of the Office of the State Treasurer"
13 includes the acquisition of land and buildings in State fiscal
14 years 2019 and 2020 for use by the Office of the State
15 Treasurer, as well as construction, reconstruction,
16 improvement, repair, and maintenance, in accordance with the
17 provisions of laws relating thereto, of such lands and
18 buildings beginning in State fiscal year 2019 and thereafter.
19 Beginning in State fiscal year 2024 ~~2023~~, payments to the
20 designated retirement systems under this Section shall be in
21 addition to, and not in lieu of, any State contributions
22 required under the Illinois Pension Code.

23 "Designated retirement systems" means:

24 (1) the State Employees' Retirement System of
25 Illinois;

1 (2) the Teachers' Retirement System of the State of
2 Illinois;

3 (3) the State Universities Retirement System;

4 (4) the Judges Retirement System of Illinois; and

5 (5) the General Assembly Retirement System.

6 (b) Each year the General Assembly may make appropriations
7 from the State Pensions Fund for the administration of the
8 Revised Uniform Unclaimed Property Act.

9 (c) As soon as possible after July 30, 2004 (the effective
10 date of Public Act 93-839), the General Assembly shall
11 appropriate from the State Pensions Fund (1) to the State
12 Universities Retirement System the amount certified under
13 Section 15-165 during the prior year, (2) to the Judges
14 Retirement System of Illinois the amount certified under
15 Section 18-140 during the prior year, and (3) to the General
16 Assembly Retirement System the amount certified under Section
17 2-134 during the prior year as part of the required State
18 contributions to each of those designated retirement systems.
19 If the amount in the State Pensions Fund does not exceed the
20 sum of the amounts certified in Sections 15-165, 18-140, and
21 2-134 by at least \$5,000,000, the amount paid to each
22 designated retirement system under this subsection shall be
23 reduced in proportion to the amount certified by each of those
24 designated retirement systems.

25 (c-5) For fiscal years 2006 through 2023 ~~2022~~, the General
26 Assembly shall appropriate from the State Pensions Fund to the

1 State Universities Retirement System the amount estimated to
2 be available during the fiscal year in the State Pensions
3 Fund; provided, however, that the amounts appropriated under
4 this subsection (c-5) shall not reduce the amount in the State
5 Pensions Fund below \$5,000,000.

6 (c-6) For fiscal year 2024 ~~2023~~ and each fiscal year
7 thereafter, as soon as may be practical after any money is
8 deposited into the State Pensions Fund from the Unclaimed
9 Property Trust Fund, the State Treasurer shall apportion the
10 deposited amount among the designated retirement systems as
11 defined in subsection (a) to reduce their actuarial reserve
12 deficiencies. The State Comptroller and State Treasurer shall
13 pay the apportioned amounts to the designated retirement
14 systems to fund the unfunded liabilities of the designated
15 retirement systems. The amount apportioned to each designated
16 retirement system shall constitute a portion of the amount
17 estimated to be available for appropriation from the State
18 Pensions Fund that is the same as that retirement system's
19 portion of the total actual reserve deficiency of the systems,
20 as determined annually by the Governor's Office of Management
21 and Budget at the request of the State Treasurer. The amounts
22 apportioned under this subsection shall not reduce the amount
23 in the State Pensions Fund below \$5,000,000.

24 (d) The Governor's Office of Management and Budget shall
25 determine the individual and total reserve deficiencies of the
26 designated retirement systems. For this purpose, the

1 Governor's Office of Management and Budget shall utilize the
2 latest available audit and actuarial reports of each of the
3 retirement systems and the relevant reports and statistics of
4 the Public Employee Pension Fund Division of the Department of
5 Insurance.

6 (d-1) (Blank).

7 (e) The changes to this Section made by Public Act 88-593
8 shall first apply to distributions from the Fund for State
9 fiscal year 1996.

10 (Source: P.A. 101-10, eff. 6-5-19; 101-487, eff. 8-23-19;
11 101-636, eff. 6-10-20; 102-16, eff. 6-17-21.)

12 (30 ILCS 105/8g-1)

13 Sec. 8g-1. Fund transfers.

14 (a) (Blank).

15 (b) (Blank).

16 (c) (Blank).

17 (d) (Blank).

18 (e) (Blank).

19 (f) (Blank).

20 (g) (Blank).

21 (h) (Blank).

22 (i) (Blank).

23 (j) (Blank).

24 (k) (Blank).

25 (l) (Blank).

1 (m) (Blank).

2 (n) (Blank).

3 (o) (Blank).

4 (p) (Blank).

5 (q) (Blank).

6 (r) (Blank).

7 (s) (Blank).

8 (t) (Blank).

9 (u) In addition to any other transfers that may be
10 provided for by law, on July 1, 2021, or as soon thereafter as
11 practical, only as directed by the Director of the Governor's
12 Office of Management and Budget, the State Comptroller shall
13 direct and the State Treasurer shall transfer the sum of
14 \$5,000,000 from the General Revenue Fund to the DoIT Special
15 Projects Fund, and on June 1, 2022, or as soon thereafter as
16 practical, but no later than June 30, 2022, the State
17 Comptroller shall direct and the State Treasurer shall
18 transfer the sum so transferred from the DoIT Special Projects
19 Fund to the General Revenue Fund.

20 (v) In addition to any other transfers that may be
21 provided for by law, on July 1, 2021, or as soon thereafter as
22 practical, the State Comptroller shall direct and the State
23 Treasurer shall transfer the sum of \$500,000 from the General
24 Revenue Fund to the Governor's Administrative Fund.

25 (w) In addition to any other transfers that may be
26 provided for by law, on July 1, 2021, or as soon thereafter as

1 practical, the State Comptroller shall direct and the State
2 Treasurer shall transfer the sum of \$500,000 from the General
3 Revenue Fund to the Grant Accountability and Transparency
4 Fund.

5 (x) In addition to any other transfers that may be
6 provided for by law, at a time or times during Fiscal Year 2022
7 as directed by the Governor, the State Comptroller shall
8 direct and the State Treasurer shall transfer up to a total of
9 \$20,000,000 from the General Revenue Fund to the Illinois
10 Sports Facilities Fund to be credited to the Advance Account
11 within the Fund.

12 (y) In addition to any other transfers that may be
13 provided for by law, on June 15, 2021, or as soon thereafter as
14 practical, but no later than June 30, 2021, the State
15 Comptroller shall direct and the State Treasurer shall
16 transfer the sum of \$100,000,000 from the General Revenue Fund
17 to the Technology Management Revolving Fund.

18 (z) In addition to any other transfers that may be
19 provided for by law, on the effective date of this amendatory
20 Act of the 102nd General Assembly, or as soon thereafter as
21 practical, but no later than June 30, 2022, the State
22 Comptroller shall direct and the State Treasurer shall
23 transfer the sum of \$148,000,000 from the General Revenue Fund
24 to the Build Illinois Bond Fund.

25 (aa) In addition to any other transfers that may be
26 provided for by law, on the effective date of this amendatory

1 Act of the 102nd General Assembly, or as soon thereafter as
2 practical, but no later than June 30, 2022, the State
3 Comptroller shall direct and the State Treasurer shall
4 transfer the sum of \$180,000,000 from the General Revenue Fund
5 to the Rebuild Illinois Projects Fund.

6 (bb) In addition to any other transfers that may be
7 provided for by law, on July 1, 2022, or as soon thereafter as
8 practical, the State Comptroller shall direct and the State
9 Treasurer shall transfer the sum of \$500,000 from the General
10 Revenue Fund to the Governor's Administrative Fund.

11 (cc) In addition to any other transfers that may be
12 provided for by law, on July 1, 2022, or as soon thereafter as
13 practical, the State Comptroller shall direct and the State
14 Treasurer shall transfer the sum of \$500,000 from the General
15 Revenue Fund to the Grant Accountability and Transparency
16 Fund.

17 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;
18 102-16, eff. 6-17-21.)

19 (30 ILCS 105/13.2) (from Ch. 127, par. 149.2)

20 Sec. 13.2. Transfers among line item appropriations.

21 (a) Transfers among line item appropriations from the same
22 treasury fund for the objects specified in this Section may be
23 made in the manner provided in this Section when the balance
24 remaining in one or more such line item appropriations is
25 insufficient for the purpose for which the appropriation was

1 made.

2 (a-1) No transfers may be made from one agency to another
3 agency, nor may transfers be made from one institution of
4 higher education to another institution of higher education
5 except as provided by subsection (a-4).

6 (a-2) Except as otherwise provided in this Section,
7 transfers may be made only among the objects of expenditure
8 enumerated in this Section, except that no funds may be
9 transferred from any appropriation for personal services, from
10 any appropriation for State contributions to the State
11 Employees' Retirement System, from any separate appropriation
12 for employee retirement contributions paid by the employer,
13 nor from any appropriation for State contribution for employee
14 group insurance.

15 (a-2.5) (Blank).

16 (a-3) Further, if an agency receives a separate
17 appropriation for employee retirement contributions paid by
18 the employer, any transfer by that agency into an
19 appropriation for personal services must be accompanied by a
20 corresponding transfer into the appropriation for employee
21 retirement contributions paid by the employer, in an amount
22 sufficient to meet the employer share of the employee
23 contributions required to be remitted to the retirement
24 system.

25 (a-4) Long-Term Care Rebalancing. The Governor may
26 designate amounts set aside for institutional services

1 appropriated from the General Revenue Fund or any other State
2 fund that receives monies for long-term care services to be
3 transferred to all State agencies responsible for the
4 administration of community-based long-term care programs,
5 including, but not limited to, community-based long-term care
6 programs administered by the Department of Healthcare and
7 Family Services, the Department of Human Services, and the
8 Department on Aging, provided that the Director of Healthcare
9 and Family Services first certifies that the amounts being
10 transferred are necessary for the purpose of assisting persons
11 in or at risk of being in institutional care to transition to
12 community-based settings, including the financial data needed
13 to prove the need for the transfer of funds. The total amounts
14 transferred shall not exceed 4% in total of the amounts
15 appropriated from the General Revenue Fund or any other State
16 fund that receives monies for long-term care services for each
17 fiscal year. A notice of the fund transfer must be made to the
18 General Assembly and posted at a minimum on the Department of
19 Healthcare and Family Services website, the Governor's Office
20 of Management and Budget website, and any other website the
21 Governor sees fit. These postings shall serve as notice to the
22 General Assembly of the amounts to be transferred. Notice
23 shall be given at least 30 days prior to transfer.

24 (b) In addition to the general transfer authority provided
25 under subsection (c), the following agencies have the specific
26 transfer authority granted in this subsection:

1 The Department of Healthcare and Family Services is
2 authorized to make transfers representing savings attributable
3 to not increasing grants due to the births of additional
4 children from line items for payments of cash grants to line
5 items for payments for employment and social services for the
6 purposes outlined in subsection (f) of Section 4-2 of the
7 Illinois Public Aid Code.

8 The Department of Children and Family Services is
9 authorized to make transfers not exceeding 2% of the aggregate
10 amount appropriated to it within the same treasury fund for
11 the following line items among these same line items: Foster
12 Home and Specialized Foster Care and Prevention, Institutions
13 and Group Homes and Prevention, and Purchase of Adoption and
14 Guardianship Services.

15 The Department on Aging is authorized to make transfers
16 not exceeding 10% of the aggregate amount appropriated to it
17 within the same treasury fund for the following Community Care
18 Program line items among these same line items: purchase of
19 services covered by the Community Care Program and
20 Comprehensive Case Coordination.

21 The State Board of Education is authorized to make
22 transfers from line item appropriations within the same
23 treasury fund for General State Aid, General State Aid - Hold
24 Harmless, and Evidence-Based Funding, provided that no such
25 transfer may be made unless the amount transferred is no
26 longer required for the purpose for which that appropriation

1 was made, to the line item appropriation for Transitional
2 Assistance when the balance remaining in such line item
3 appropriation is insufficient for the purpose for which the
4 appropriation was made.

5 The State Board of Education is authorized to make
6 transfers between the following line item appropriations
7 within the same treasury fund: Disabled Student
8 Services/Materials (Section 14-13.01 of the School Code),
9 Disabled Student Transportation Reimbursement (Section
10 14-13.01 of the School Code), Disabled Student Tuition -
11 Private Tuition (Section 14-7.02 of the School Code),
12 Extraordinary Special Education (Section 14-7.02b of the
13 School Code), Reimbursement for Free Lunch/Breakfast Program,
14 Summer School Payments (Section 18-4.3 of the School Code),
15 and Transportation - Regular/Vocational Reimbursement (Section
16 29-5 of the School Code). Such transfers shall be made only
17 when the balance remaining in one or more such line item
18 appropriations is insufficient for the purpose for which the
19 appropriation was made and provided that no such transfer may
20 be made unless the amount transferred is no longer required
21 for the purpose for which that appropriation was made.

22 The Department of Healthcare and Family Services is
23 authorized to make transfers not exceeding 4% of the aggregate
24 amount appropriated to it, within the same treasury fund,
25 among the various line items appropriated for Medical
26 Assistance.

1 The Department of Central Management Services is
2 authorized to make transfers not exceeding 2% of the aggregate
3 amount appropriated to it, within the same treasury fund, from
4 the various line items appropriated to the Department, into
5 the following line item appropriations: auto liability claims
6 and related expenses and payment of claims under the State
7 Employee Indemnification Act.

8 (c) The sum of such transfers for an agency in a fiscal
9 year shall not exceed 2% of the aggregate amount appropriated
10 to it within the same treasury fund for the following objects:
11 Personal Services; Extra Help; Student and Inmate
12 Compensation; State Contributions to Retirement Systems; State
13 Contributions to Social Security; State Contribution for
14 Employee Group Insurance; Contractual Services; Travel;
15 Commodities; Printing; Equipment; Electronic Data Processing;
16 Operation of Automotive Equipment; Telecommunications
17 Services; Travel and Allowance for Committed, Paroled and
18 Discharged Prisoners; Library Books; Federal Matching Grants
19 for Student Loans; Refunds; Workers' Compensation,
20 Occupational Disease, and Tort Claims; Late Interest Penalties
21 under the State Prompt Payment Act and Sections 368a and 370a
22 of the Illinois Insurance Code; and, in appropriations to
23 institutions of higher education, Awards and Grants.
24 Notwithstanding the above, any amounts appropriated for
25 payment of workers' compensation claims to an agency to which
26 the authority to evaluate, administer and pay such claims has

1 been delegated by the Department of Central Management
2 Services may be transferred to any other expenditure object
3 where such amounts exceed the amount necessary for the payment
4 of such claims.

5 (c-1) (Blank).

6 (c-2) (Blank).

7 (c-3) (Blank).

8 (c-4) (Blank).

9 (c-5) (Blank).

10 (c-6) (Blank).

11 (c-7) (Blank). ~~Special provisions for State fiscal year~~
12 ~~2021. Notwithstanding any other provision of this Section, for~~
13 ~~State fiscal year 2021, transfers among line item~~
14 ~~appropriations to a State agency from the same State treasury~~
15 ~~fund may be made for operational or lump sum expenses only,~~
16 ~~provided that the sum of such transfers for a State agency in~~
17 ~~State fiscal year 2021 shall not exceed 8% of the aggregate~~
18 ~~amount appropriated to that State agency for operational or~~
19 ~~lump sum expenses for State fiscal year 2021. For the purpose~~
20 ~~of this subsection, "operational or lump sum expenses"~~
21 ~~includes the following objects: personal services; extra help;~~
22 ~~student and inmate compensation; State contributions to~~
23 ~~retirement systems; State contributions to social security;~~
24 ~~State contributions for employee group insurance; contractual~~
25 ~~services; travel; commodities; printing; equipment; electronic~~
26 ~~data processing; operation of automotive equipment;~~

1 ~~telecommunications services; travel and allowance for~~
2 ~~committed, paroled, and discharged prisoners; library books;~~
3 ~~federal matching grants for student loans; refunds; workers'~~
4 ~~compensation, occupational disease, and tort claims; Late~~
5 ~~Interest Penalties under the State Prompt Payment Act and~~
6 ~~Sections 368a and 370a of the Illinois Insurance Code; lump~~
7 ~~sum and other purposes; and lump sum operations. For the~~
8 ~~purpose of this subsection, "State agency" does not include~~
9 ~~the Attorney General, the Secretary of State, the Comptroller,~~
10 ~~the Treasurer, or the judicial or legislative branches.~~

11 (c-8) Special provisions for State fiscal year 2022.
12 Notwithstanding any other provision of this Section, for State
13 fiscal year 2022, transfers among line item appropriations to
14 a State agency from the same State treasury fund may be made
15 for operational or lump sum expenses only, provided that the
16 sum of such transfers for a State agency in State fiscal year
17 2022 shall not exceed 4% of the aggregate amount appropriated
18 to that State agency for operational or lump sum expenses for
19 State fiscal year 2022. For the purpose of this subsection,
20 "operational or lump sum expenses" includes the following
21 objects: personal services; extra help; student and inmate
22 compensation; State contributions to retirement systems; State
23 contributions to social security; State contributions for
24 employee group insurance; contractual services; travel;
25 commodities; printing; equipment; electronic data processing;
26 operation of automotive equipment; telecommunications

1 services; travel and allowance for committed, paroled, and
2 discharged prisoners; library books; federal matching grants
3 for student loans; refunds; workers' compensation,
4 occupational disease, and tort claims; Late Interest Penalties
5 under the State Prompt Payment Act and Sections 368a and 370a
6 of the Illinois Insurance Code; lump sum and other purposes;
7 and lump sum operations. For the purpose of this subsection,
8 "State agency" does not include the Attorney General, the
9 Secretary of State, the Comptroller, the Treasurer, or the
10 judicial or legislative branches.

11 (c-9) Special provisions for State fiscal year 2023.
12 Notwithstanding any other provision of this Section, for State
13 fiscal year 2023, transfers among line item appropriations to
14 a State agency from the same State treasury fund may be made
15 for operational or lump sum expenses only, provided that the
16 sum of such transfers for a State agency in State fiscal year
17 2023 shall not exceed 4% of the aggregate amount appropriated
18 to that State agency for operational or lump sum expenses for
19 State fiscal year 2023. For the purpose of this subsection,
20 "operational or lump sum expenses" includes the following
21 objects: personal services; extra help; student and inmate
22 compensation; State contributions to retirement systems; State
23 contributions to social security; State contributions for
24 employee group insurance; contractual services; travel;
25 commodities; printing; equipment; electronic data processing;
26 operation of automotive equipment; telecommunications

1 services; travel and allowance for committed, paroled, and
2 discharged prisoners; library books; federal matching grants
3 for student loans; refunds; workers' compensation,
4 occupational disease, and tort claims; late interest penalties
5 under the State Prompt Payment Act and Sections 368a and 370a
6 of the Illinois Insurance Code; lump sum and other purposes;
7 and lump sum operations. For the purpose of this subsection,
8 "State agency" does not include the Attorney General, the
9 Secretary of State, the Comptroller, the Treasurer, or the
10 judicial or legislative branches.

11 (d) Transfers among appropriations made to agencies of the
12 Legislative and Judicial departments and to the
13 constitutionally elected officers in the Executive branch
14 require the approval of the officer authorized in Section 10
15 of this Act to approve and certify vouchers. Transfers among
16 appropriations made to the University of Illinois, Southern
17 Illinois University, Chicago State University, Eastern
18 Illinois University, Governors State University, Illinois
19 State University, Northeastern Illinois University, Northern
20 Illinois University, Western Illinois University, the Illinois
21 Mathematics and Science Academy and the Board of Higher
22 Education require the approval of the Board of Higher
23 Education and the Governor. Transfers among appropriations to
24 all other agencies require the approval of the Governor.

25 The officer responsible for approval shall certify that
26 the transfer is necessary to carry out the programs and

1 purposes for which the appropriations were made by the General
2 Assembly and shall transmit to the State Comptroller a
3 certified copy of the approval which shall set forth the
4 specific amounts transferred so that the Comptroller may
5 change his records accordingly. The Comptroller shall furnish
6 the Governor with information copies of all transfers approved
7 for agencies of the Legislative and Judicial departments and
8 transfers approved by the constitutionally elected officials
9 of the Executive branch other than the Governor, showing the
10 amounts transferred and indicating the dates such changes were
11 entered on the Comptroller's records.

12 (e) The State Board of Education, in consultation with the
13 State Comptroller, may transfer line item appropriations for
14 General State Aid or Evidence-Based Funding among the Common
15 School Fund and the Education Assistance Fund, and, for State
16 fiscal year 2020 and each fiscal year thereafter, the Fund for
17 the Advancement of Education. With the advice and consent of
18 the Governor's Office of Management and Budget, the State
19 Board of Education, in consultation with the State
20 Comptroller, may transfer line item appropriations between the
21 General Revenue Fund and the Education Assistance Fund for the
22 following programs:

23 (1) Disabled Student Personnel Reimbursement (Section
24 14-13.01 of the School Code);

25 (2) Disabled Student Transportation Reimbursement
26 (subsection (b) of Section 14-13.01 of the School Code);

1 (3) Disabled Student Tuition - Private Tuition
2 (Section 14-7.02 of the School Code);

3 (4) Extraordinary Special Education (Section 14-7.02b
4 of the School Code);

5 (5) Reimbursement for Free Lunch/Breakfast Programs;

6 (6) Summer School Payments (Section 18-4.3 of the
7 School Code);

8 (7) Transportation - Regular/Vocational Reimbursement
9 (Section 29-5 of the School Code);

10 (8) Regular Education Reimbursement (Section 18-3 of
11 the School Code); and

12 (9) Special Education Reimbursement (Section 14-7.03
13 of the School Code).

14 (f) For State fiscal year 2020 and each fiscal year
15 thereafter, the Department on Aging, in consultation with the
16 State Comptroller, with the advice and consent of the
17 Governor's Office of Management and Budget, may transfer line
18 item appropriations for purchase of services covered by the
19 Community Care Program between the General Revenue Fund and
20 the Commitment to Human Services Fund.

21 (Source: P.A. 101-10, eff. 6-5-19; 101-81, eff. 7-12-19;
22 101-275, eff. 8-9-19; 101-636, eff. 6-10-20; 102-16, eff.
23 6-17-21.)

24 (30 ILCS 105/24.2) (from Ch. 127, par. 160.2)

25 Sec. 24.2. The item "operation of automotive equipment",

1 when used in an appropriation act, means and includes all
2 expenditures incurred in the operation, maintenance and repair
3 of automotive equipment, including expenditures for motor
4 fuel, tires, oil, electric vehicle batteries, electric vehicle
5 components, electric vehicle diagnostic tools, repair parts,
6 and other articles which, except for the operation of this
7 Section ~~section~~, would be classified as "commodities" or
8 "contractual services", but not including expenditures for the
9 purchase or rental of equipment.

10 (Source: P.A. 84-428.)

11 (30 ILCS 105/25) (from Ch. 127, par. 161)

12 Sec. 25. Fiscal year limitations.

13 (a) All appropriations shall be available for expenditure
14 for the fiscal year or for a lesser period if the Act making
15 that appropriation so specifies. A deficiency or emergency
16 appropriation shall be available for expenditure only through
17 June 30 of the year when the Act making that appropriation is
18 enacted unless that Act otherwise provides.

19 (b) Outstanding liabilities as of June 30, payable from
20 appropriations which have otherwise expired, may be paid out
21 of the expiring appropriations during the 2-month period
22 ending at the close of business on August 31. Any service
23 involving professional or artistic skills or any personal
24 services by an employee whose compensation is subject to
25 income tax withholding must be performed as of June 30 of the

1 fiscal year in order to be considered an "outstanding
2 liability as of June 30" that is thereby eligible for payment
3 out of the expiring appropriation.

4 (b-1) However, payment of tuition reimbursement claims
5 under Section 14-7.03 or 18-3 of the School Code may be made by
6 the State Board of Education from its appropriations for those
7 respective purposes for any fiscal year, even though the
8 claims reimbursed by the payment may be claims attributable to
9 a prior fiscal year, and payments may be made at the direction
10 of the State Superintendent of Education from the fund from
11 which the appropriation is made without regard to any fiscal
12 year limitations, except as required by subsection (j) of this
13 Section. Beginning on June 30, 2021, payment of tuition
14 reimbursement claims under Section 14-7.03 or 18-3 of the
15 School Code as of June 30, payable from appropriations that
16 have otherwise expired, may be paid out of the expiring
17 appropriation during the 4-month period ending at the close of
18 business on October 31.

19 (b-2) (Blank).

20 (b-2.5) (Blank).

21 (b-2.6) (Blank).

22 (b-2.6a) (Blank).

23 (b-2.6b) (Blank).

24 (b-2.6c) (Blank).

25 (b-2.6d) All outstanding liabilities as of June 30, 2020,
26 payable from appropriations that would otherwise expire at the

1 conclusion of the lapse period for fiscal year 2020, and
2 interest penalties payable on those liabilities under the
3 State Prompt Payment Act, may be paid out of the expiring
4 appropriations until December 31, 2020, without regard to the
5 fiscal year in which the payment is made, as long as vouchers
6 for the liabilities are received by the Comptroller no later
7 than September 30, 2020.

8 (b-2.6e) All outstanding liabilities as of June 30, 2021,
9 payable from appropriations that would otherwise expire at the
10 conclusion of the lapse period for fiscal year 2021, and
11 interest penalties payable on those liabilities under the
12 State Prompt Payment Act, may be paid out of the expiring
13 appropriations until September 30, 2021, without regard to the
14 fiscal year in which the payment is made.

15 (b-2.7) For fiscal years 2012, 2013, 2014, 2018, 2019,
16 2020, 2021, ~~and~~ 2022, and 2023, interest penalties payable
17 under the State Prompt Payment Act associated with a voucher
18 for which payment is issued after June 30 may be paid out of
19 the next fiscal year's appropriation. The future year
20 appropriation must be for the same purpose and from the same
21 fund as the original payment. An interest penalty voucher
22 submitted against a future year appropriation must be
23 submitted within 60 days after the issuance of the associated
24 voucher, except that, for fiscal year 2018 only, an interest
25 penalty voucher submitted against a future year appropriation
26 must be submitted within 60 days of June 5, 2019 (the effective

1 date of Public Act 101-10). The Comptroller must issue the
2 interest payment within 60 days after acceptance of the
3 interest voucher.

4 (b-3) Medical payments may be made by the Department of
5 Veterans' Affairs from its appropriations for those purposes
6 for any fiscal year, without regard to the fact that the
7 medical services being compensated for by such payment may
8 have been rendered in a prior fiscal year, except as required
9 by subsection (j) of this Section. Beginning on June 30, 2021,
10 medical payments payable from appropriations that have
11 otherwise expired may be paid out of the expiring
12 appropriation during the 4-month period ending at the close of
13 business on October 31.

14 (b-4) Medical payments and child care payments may be made
15 by the Department of Human Services (as successor to the
16 Department of Public Aid) from appropriations for those
17 purposes for any fiscal year, without regard to the fact that
18 the medical or child care services being compensated for by
19 such payment may have been rendered in a prior fiscal year; and
20 payments may be made at the direction of the Department of
21 Healthcare and Family Services (or successor agency) from the
22 Health Insurance Reserve Fund without regard to any fiscal
23 year limitations, except as required by subsection (j) of this
24 Section. Beginning on June 30, 2021, medical and child care
25 payments made by the Department of Human Services and payments
26 made at the discretion of the Department of Healthcare and

1 Family Services (or successor agency) from the Health
2 Insurance Reserve Fund and payable from appropriations that
3 have otherwise expired may be paid out of the expiring
4 appropriation during the 4-month period ending at the close of
5 business on October 31.

6 (b-5) Medical payments may be made by the Department of
7 Human Services from its appropriations relating to substance
8 abuse treatment services for any fiscal year, without regard
9 to the fact that the medical services being compensated for by
10 such payment may have been rendered in a prior fiscal year,
11 provided the payments are made on a fee-for-service basis
12 consistent with requirements established for Medicaid
13 reimbursement by the Department of Healthcare and Family
14 Services, except as required by subsection (j) of this
15 Section. Beginning on June 30, 2021, medical payments made by
16 the Department of Human Services relating to substance abuse
17 treatment services payable from appropriations that have
18 otherwise expired may be paid out of the expiring
19 appropriation during the 4-month period ending at the close of
20 business on October 31.

21 (b-6) (Blank).

22 (b-7) Payments may be made in accordance with a plan
23 authorized by paragraph (11) or (12) of Section 405-105 of the
24 Department of Central Management Services Law from
25 appropriations for those payments without regard to fiscal
26 year limitations.

1 (b-8) Reimbursements to eligible airport sponsors for the
2 construction or upgrading of Automated Weather Observation
3 Systems may be made by the Department of Transportation from
4 appropriations for those purposes for any fiscal year, without
5 regard to the fact that the qualification or obligation may
6 have occurred in a prior fiscal year, provided that at the time
7 the expenditure was made the project had been approved by the
8 Department of Transportation prior to June 1, 2012 and, as a
9 result of recent changes in federal funding formulas, can no
10 longer receive federal reimbursement.

11 (b-9) (Blank).

12 (c) Further, payments may be made by the Department of
13 Public Health and the Department of Human Services (acting as
14 successor to the Department of Public Health under the
15 Department of Human Services Act) from their respective
16 appropriations for grants for medical care to or on behalf of
17 premature and high-mortality risk infants and their mothers
18 and for grants for supplemental food supplies provided under
19 the United States Department of Agriculture Women, Infants and
20 Children Nutrition Program, for any fiscal year without regard
21 to the fact that the services being compensated for by such
22 payment may have been rendered in a prior fiscal year, except
23 as required by subsection (j) of this Section. Beginning on
24 June 30, 2021, payments made by the Department of Public
25 Health and the Department of Human Services from their
26 respective appropriations for grants for medical care to or on

1 behalf of premature and high-mortality risk infants and their
2 mothers and for grants for supplemental food supplies provided
3 under the United States Department of Agriculture Women,
4 Infants and Children Nutrition Program payable from
5 appropriations that have otherwise expired may be paid out of
6 the expiring appropriations during the 4-month period ending
7 at the close of business on October 31.

8 (d) The Department of Public Health and the Department of
9 Human Services (acting as successor to the Department of
10 Public Health under the Department of Human Services Act)
11 shall each annually submit to the State Comptroller, Senate
12 President, Senate Minority Leader, Speaker of the House, House
13 Minority Leader, and the respective Chairmen and Minority
14 Spokesmen of the Appropriations Committees of the Senate and
15 the House, on or before December 31, a report of fiscal year
16 funds used to pay for services provided in any prior fiscal
17 year. This report shall document by program or service
18 category those expenditures from the most recently completed
19 fiscal year used to pay for services provided in prior fiscal
20 years.

21 (e) The Department of Healthcare and Family Services, the
22 Department of Human Services (acting as successor to the
23 Department of Public Aid), and the Department of Human
24 Services making fee-for-service payments relating to substance
25 abuse treatment services provided during a previous fiscal
26 year shall each annually submit to the State Comptroller,

1 Senate President, Senate Minority Leader, Speaker of the
2 House, House Minority Leader, the respective Chairmen and
3 Minority Spokesmen of the Appropriations Committees of the
4 Senate and the House, on or before November 30, a report that
5 shall document by program or service category those
6 expenditures from the most recently completed fiscal year used
7 to pay for (i) services provided in prior fiscal years and (ii)
8 services for which claims were received in prior fiscal years.

9 (f) The Department of Human Services (as successor to the
10 Department of Public Aid) shall annually submit to the State
11 Comptroller, Senate President, Senate Minority Leader, Speaker
12 of the House, House Minority Leader, and the respective
13 Chairmen and Minority Spokesmen of the Appropriations
14 Committees of the Senate and the House, on or before December
15 31, a report of fiscal year funds used to pay for services
16 (other than medical care) provided in any prior fiscal year.
17 This report shall document by program or service category
18 those expenditures from the most recently completed fiscal
19 year used to pay for services provided in prior fiscal years.

20 (g) In addition, each annual report required to be
21 submitted by the Department of Healthcare and Family Services
22 under subsection (e) shall include the following information
23 with respect to the State's Medicaid program:

24 (1) Explanations of the exact causes of the variance
25 between the previous year's estimated and actual
26 liabilities.

1 (2) Factors affecting the Department of Healthcare and
2 Family Services' liabilities, including, but not limited
3 to, numbers of aid recipients, levels of medical service
4 utilization by aid recipients, and inflation in the cost
5 of medical services.

6 (3) The results of the Department's efforts to combat
7 fraud and abuse.

8 (h) As provided in Section 4 of the General Assembly
9 Compensation Act, any utility bill for service provided to a
10 General Assembly member's district office for a period
11 including portions of 2 consecutive fiscal years may be paid
12 from funds appropriated for such expenditure in either fiscal
13 year.

14 (i) An agency which administers a fund classified by the
15 Comptroller as an internal service fund may issue rules for:

16 (1) billing user agencies in advance for payments or
17 authorized inter-fund transfers based on estimated charges
18 for goods or services;

19 (2) issuing credits, refunding through inter-fund
20 transfers, or reducing future inter-fund transfers during
21 the subsequent fiscal year for all user agency payments or
22 authorized inter-fund transfers received during the prior
23 fiscal year which were in excess of the final amounts owed
24 by the user agency for that period; and

25 (3) issuing catch-up billings to user agencies during
26 the subsequent fiscal year for amounts remaining due when

1 payments or authorized inter-fund transfers received from
2 the user agency during the prior fiscal year were less
3 than the total amount owed for that period.

4 User agencies are authorized to reimburse internal service
5 funds for catch-up billings by vouchers drawn against their
6 respective appropriations for the fiscal year in which the
7 catch-up billing was issued or by increasing an authorized
8 inter-fund transfer during the current fiscal year. For the
9 purposes of this Act, "inter-fund transfers" means transfers
10 without the use of the voucher-warrant process, as authorized
11 by Section 9.01 of the State Comptroller Act.

12 (i-1) Beginning on July 1, 2021, all outstanding
13 liabilities, not payable during the 4-month lapse period as
14 described in subsections (b-1), (b-3), (b-4), (b-5), and (c)
15 of this Section, that are made from appropriations for that
16 purpose for any fiscal year, without regard to the fact that
17 the services being compensated for by those payments may have
18 been rendered in a prior fiscal year, are limited to only those
19 claims that have been incurred but for which a proper bill or
20 invoice as defined by the State Prompt Payment Act has not been
21 received by September 30th following the end of the fiscal
22 year in which the service was rendered.

23 (j) Notwithstanding any other provision of this Act, the
24 aggregate amount of payments to be made without regard for
25 fiscal year limitations as contained in subsections (b-1),
26 (b-3), (b-4), (b-5), and (c) of this Section, and determined

1 by using Generally Accepted Accounting Principles, shall not
2 exceed the following amounts:

3 (1) \$6,000,000,000 for outstanding liabilities related
4 to fiscal year 2012;

5 (2) \$5,300,000,000 for outstanding liabilities related
6 to fiscal year 2013;

7 (3) \$4,600,000,000 for outstanding liabilities related
8 to fiscal year 2014;

9 (4) \$4,000,000,000 for outstanding liabilities related
10 to fiscal year 2015;

11 (5) \$3,300,000,000 for outstanding liabilities related
12 to fiscal year 2016;

13 (6) \$2,600,000,000 for outstanding liabilities related
14 to fiscal year 2017;

15 (7) \$2,000,000,000 for outstanding liabilities related
16 to fiscal year 2018;

17 (8) \$1,300,000,000 for outstanding liabilities related
18 to fiscal year 2019;

19 (9) \$600,000,000 for outstanding liabilities related
20 to fiscal year 2020; and

21 (10) \$0 for outstanding liabilities related to fiscal
22 year 2021 and fiscal years thereafter.

23 (k) Department of Healthcare and Family Services Medical
24 Assistance Payments.

25 (1) Definition of Medical Assistance.

26 For purposes of this subsection, the term "Medical

1 Assistance" shall include, but not necessarily be
2 limited to, medical programs and services authorized
3 under Titles XIX and XXI of the Social Security Act,
4 the Illinois Public Aid Code, the Children's Health
5 Insurance Program Act, the Covering ALL KIDS Health
6 Insurance Act, the Long Term Acute Care Hospital
7 Quality Improvement Transfer Program Act, and medical
8 care to or on behalf of persons suffering from chronic
9 renal disease, persons suffering from hemophilia, and
10 victims of sexual assault.

11 (2) Limitations on Medical Assistance payments that
12 may be paid from future fiscal year appropriations.

13 (A) The maximum amounts of annual unpaid Medical
14 Assistance bills received and recorded by the
15 Department of Healthcare and Family Services on or
16 before June 30th of a particular fiscal year
17 attributable in aggregate to the General Revenue Fund,
18 Healthcare Provider Relief Fund, Tobacco Settlement
19 Recovery Fund, Long-Term Care Provider Fund, and the
20 Drug Rebate Fund that may be paid in total by the
21 Department from future fiscal year Medical Assistance
22 appropriations to those funds are: \$700,000,000 for
23 fiscal year 2013 and \$100,000,000 for fiscal year 2014
24 and each fiscal year thereafter.

25 (B) Bills for Medical Assistance services rendered
26 in a particular fiscal year, but received and recorded

1 by the Department of Healthcare and Family Services
2 after June 30th of that fiscal year, may be paid from
3 either appropriations for that fiscal year or future
4 fiscal year appropriations for Medical Assistance.
5 Such payments shall not be subject to the requirements
6 of subparagraph (A).

7 (C) Medical Assistance bills received by the
8 Department of Healthcare and Family Services in a
9 particular fiscal year, but subject to payment amount
10 adjustments in a future fiscal year may be paid from a
11 future fiscal year's appropriation for Medical
12 Assistance. Such payments shall not be subject to the
13 requirements of subparagraph (A).

14 (D) Medical Assistance payments made by the
15 Department of Healthcare and Family Services from
16 funds other than those specifically referenced in
17 subparagraph (A) may be made from appropriations for
18 those purposes for any fiscal year without regard to
19 the fact that the Medical Assistance services being
20 compensated for by such payment may have been rendered
21 in a prior fiscal year. Such payments shall not be
22 subject to the requirements of subparagraph (A).

23 (3) Extended lapse period for Department of Healthcare
24 and Family Services Medical Assistance payments.
25 Notwithstanding any other State law to the contrary,
26 outstanding Department of Healthcare and Family Services

1 Medical Assistance liabilities, as of June 30th, payable
2 from appropriations which have otherwise expired, may be
3 paid out of the expiring appropriations during the 4-month
4 period ending at the close of business on October 31st.

5 (l) The changes to this Section made by Public Act 97-691
6 shall be effective for payment of Medical Assistance bills
7 incurred in fiscal year 2013 and future fiscal years. The
8 changes to this Section made by Public Act 97-691 shall not be
9 applied to Medical Assistance bills incurred in fiscal year
10 2012 or prior fiscal years.

11 (m) The Comptroller must issue payments against
12 outstanding liabilities that were received prior to the lapse
13 period deadlines set forth in this Section as soon thereafter
14 as practical, but no payment may be issued after the 4 months
15 following the lapse period deadline without the signed
16 authorization of the Comptroller and the Governor.

17 (Source: P.A. 101-10, eff. 6-5-19; 101-275, eff. 8-9-19;
18 101-636, eff. 6-10-20; 102-16, eff. 6-17-21; 102-291, eff.
19 8-6-21; revised 9-28-21.)

20 Section 5-40. The State Revenue Sharing Act is amended by
21 changing Section 12 as follows:

22 (30 ILCS 115/12) (from Ch. 85, par. 616)

23 Sec. 12. Personal Property Tax Replacement Fund. There is
24 hereby created the Personal Property Tax Replacement Fund, a

1 special fund in the State Treasury into which shall be paid all
2 revenue realized:

3 (a) all amounts realized from the additional personal
4 property tax replacement income tax imposed by subsections
5 (c) and (d) of Section 201 of the Illinois Income Tax Act,
6 except for those amounts deposited into the Income Tax
7 Refund Fund pursuant to subsection (c) of Section 901 of
8 the Illinois Income Tax Act; and

9 (b) all amounts realized from the additional personal
10 property replacement invested capital taxes imposed by
11 Section 2a.1 of the Messages Tax Act, Section 2a.1 of the
12 Gas Revenue Tax Act, Section 2a.1 of the Public Utilities
13 Revenue Act, and Section 3 of the Water Company Invested
14 Capital Tax Act, and amounts payable to the Department of
15 Revenue under the Telecommunications Infrastructure
16 Maintenance Fee Act.

17 As soon as may be after the end of each month, the
18 Department of Revenue shall certify to the Treasurer and the
19 Comptroller the amount of all refunds paid out of the General
20 Revenue Fund through the preceding month on account of
21 overpayment of liability on taxes paid into the Personal
22 Property Tax Replacement Fund. Upon receipt of such
23 certification, the Treasurer and the Comptroller shall
24 transfer the amount so certified from the Personal Property
25 Tax Replacement Fund into the General Revenue Fund.

26 The payments of revenue into the Personal Property Tax

1 Replacement Fund shall be used exclusively for distribution to
2 taxing districts, regional offices and officials, and local
3 officials as provided in this Section and in the School Code,
4 payment of the ordinary and contingent expenses of the
5 Property Tax Appeal Board, payment of the expenses of the
6 Department of Revenue incurred in administering the collection
7 and distribution of monies paid into the Personal Property Tax
8 Replacement Fund and transfers due to refunds to taxpayers for
9 overpayment of liability for taxes paid into the Personal
10 Property Tax Replacement Fund.

11 In addition, moneys in the Personal Property Tax
12 Replacement Fund may be used to pay any of the following: (i)
13 salary, stipends, and additional compensation as provided by
14 law for chief election clerks, county clerks, and county
15 recorders; (ii) costs associated with regional offices of
16 education and educational service centers; (iii)
17 reimbursements payable by the State Board of Elections under
18 Section 4-25, 5-35, 6-71, 13-10, 13-10a, or 13-11 of the
19 Election Code; (iv) expenses of the Illinois Educational Labor
20 Relations Board; and (v) salary, personal services, and
21 additional compensation as provided by law for court reporters
22 under the Court Reporters Act.

23 As soon as may be after June 26, 1980 (the effective date
24 of Public Act 81-1255), the Department of Revenue shall
25 certify to the Treasurer the amount of net replacement revenue
26 paid into the General Revenue Fund prior to that effective

1 date from the additional tax imposed by Section 2a.1 of the
2 Messages Tax Act; Section 2a.1 of the Gas Revenue Tax Act;
3 Section 2a.1 of the Public Utilities Revenue Act; Section 3 of
4 the Water Company Invested Capital Tax Act; amounts collected
5 by the Department of Revenue under the Telecommunications
6 Infrastructure Maintenance Fee Act; and the additional
7 personal property tax replacement income tax imposed by the
8 Illinois Income Tax Act, as amended by Public Act 81-1st
9 Special Session-1. Net replacement revenue shall be defined as
10 the total amount paid into and remaining in the General
11 Revenue Fund as a result of those Acts minus the amount
12 outstanding and obligated from the General Revenue Fund in
13 state vouchers or warrants prior to June 26, 1980 (the
14 effective date of Public Act 81-1255) as refunds to taxpayers
15 for overpayment of liability under those Acts.

16 All interest earned by monies accumulated in the Personal
17 Property Tax Replacement Fund shall be deposited in such Fund.
18 All amounts allocated pursuant to this Section are
19 appropriated on a continuing basis.

20 Prior to December 31, 1980, as soon as may be after the end
21 of each quarter beginning with the quarter ending December 31,
22 1979, and on and after December 31, 1980, as soon as may be
23 after January 1, March 1, April 1, May 1, July 1, August 1,
24 October 1 and December 1 of each year, the Department of
25 Revenue shall allocate to each taxing district as defined in
26 Section 1-150 of the Property Tax Code, in accordance with the

1 provisions of paragraph (2) of this Section the portion of the
2 funds held in the Personal Property Tax Replacement Fund which
3 is required to be distributed, as provided in paragraph (1),
4 for each quarter. Provided, however, under no circumstances
5 shall any taxing district during each of the first two years of
6 distribution of the taxes imposed by Public Act 81-1st Special
7 Session-1 be entitled to an annual allocation which is less
8 than the funds such taxing district collected from the 1978
9 personal property tax. Provided further that under no
10 circumstances shall any taxing district during the third year
11 of distribution of the taxes imposed by Public Act 81-1st
12 Special Session-1 receive less than 60% of the funds such
13 taxing district collected from the 1978 personal property tax.
14 In the event that the total of the allocations made as above
15 provided for all taxing districts, during either of such 3
16 years, exceeds the amount available for distribution the
17 allocation of each taxing district shall be proportionately
18 reduced. Except as provided in Section 13 of this Act, the
19 Department shall then certify, pursuant to appropriation, such
20 allocations to the State Comptroller who shall pay over to the
21 several taxing districts the respective amounts allocated to
22 them.

23 Any township which receives an allocation based in whole
24 or in part upon personal property taxes which it levied
25 pursuant to Section 6-507 or 6-512 of the Illinois Highway
26 Code and which was previously required to be paid over to a

1 municipality shall immediately pay over to that municipality a
2 proportionate share of the personal property replacement funds
3 which such township receives.

4 Any municipality or township, other than a municipality
5 with a population in excess of 500,000, which receives an
6 allocation based in whole or in part on personal property
7 taxes which it levied pursuant to Sections 3-1, 3-4 and 3-6 of
8 the Illinois Local Library Act and which was previously
9 required to be paid over to a public library shall immediately
10 pay over to that library a proportionate share of the personal
11 property tax replacement funds which such municipality or
12 township receives; provided that if such a public library has
13 converted to a library organized under the Illinois Public
14 Library District Act, regardless of whether such conversion
15 has occurred on, after or before January 1, 1988, such
16 proportionate share shall be immediately paid over to the
17 library district which maintains and operates the library.
18 However, any library that has converted prior to January 1,
19 1988, and which hitherto has not received the personal
20 property tax replacement funds, shall receive such funds
21 commencing on January 1, 1988.

22 Any township which receives an allocation based in whole
23 or in part on personal property taxes which it levied pursuant
24 to Section 1c of the Public Graveyards Act and which taxes were
25 previously required to be paid over to or used for such public
26 cemetery or cemeteries shall immediately pay over to or use

1 for such public cemetery or cemeteries a proportionate share
2 of the personal property tax replacement funds which the
3 township receives.

4 Any taxing district which receives an allocation based in
5 whole or in part upon personal property taxes which it levied
6 for another governmental body or school district in Cook
7 County in 1976 or for another governmental body or school
8 district in the remainder of the State in 1977 shall
9 immediately pay over to that governmental body or school
10 district the amount of personal property replacement funds
11 which such governmental body or school district would receive
12 directly under the provisions of paragraph (2) of this
13 Section, had it levied its own taxes.

14 (1) The portion of the Personal Property Tax
15 Replacement Fund required to be distributed as of the time
16 allocation is required to be made shall be the amount
17 available in such Fund as of the time allocation is
18 required to be made.

19 The amount available for distribution shall be the
20 total amount in the fund at such time minus the necessary
21 administrative and other authorized expenses as limited by
22 the appropriation and the amount determined by: (a) \$2.8
23 million for fiscal year 1981; (b) for fiscal year 1982,
24 .54% of the funds distributed from the fund during the
25 preceding fiscal year; (c) for fiscal year 1983 through
26 fiscal year 1988, .54% of the funds distributed from the

1 fund during the preceding fiscal year less .02% of such
2 fund for fiscal year 1983 and less .02% of such funds for
3 each fiscal year thereafter; (d) for fiscal year 1989
4 through fiscal year 2011 no more than 105% of the actual
5 administrative expenses of the prior fiscal year; (e) for
6 fiscal year 2012 and beyond, a sufficient amount to pay
7 (i) stipends, additional compensation, salary
8 reimbursements, and other amounts directed to be paid out
9 of this Fund for local officials as authorized or required
10 by statute and (ii) the ordinary and contingent expenses
11 of the Property Tax Appeal Board and the expenses of the
12 Department of Revenue incurred in administering the
13 collection and distribution of moneys paid into the Fund;
14 (f) for fiscal years 2012 and 2013 only, a sufficient
15 amount to pay stipends, additional compensation, salary
16 reimbursements, and other amounts directed to be paid out
17 of this Fund for regional offices and officials as
18 authorized or required by statute; or (g) for fiscal years
19 2018 through 2023 ~~2022~~ only, a sufficient amount to pay
20 amounts directed to be paid out of this Fund for public
21 community college base operating grants and local health
22 protection grants to certified local health departments as
23 authorized or required by appropriation or statute. Such
24 portion of the fund shall be determined after the transfer
25 into the General Revenue Fund due to refunds, if any, paid
26 from the General Revenue Fund during the preceding

1 quarter. If at any time, for any reason, there is
2 insufficient amount in the Personal Property Tax
3 Replacement Fund for payments for regional offices and
4 officials or local officials or payment of costs of
5 administration or for transfers due to refunds at the end
6 of any particular month, the amount of such insufficiency
7 shall be carried over for the purposes of payments for
8 regional offices and officials, local officials, transfers
9 into the General Revenue Fund, and costs of administration
10 to the following month or months. Net replacement revenue
11 held, and defined above, shall be transferred by the
12 Treasurer and Comptroller to the Personal Property Tax
13 Replacement Fund within 10 days of such certification.

14 (2) Each quarterly allocation shall first be
15 apportioned in the following manner: 51.65% for taxing
16 districts in Cook County and 48.35% for taxing districts
17 in the remainder of the State.

18 The Personal Property Replacement Ratio of each taxing
19 district outside Cook County shall be the ratio which the Tax
20 Base of that taxing district bears to the Downstate Tax Base.
21 The Tax Base of each taxing district outside of Cook County is
22 the personal property tax collections for that taxing district
23 for the 1977 tax year. The Downstate Tax Base is the personal
24 property tax collections for all taxing districts in the State
25 outside of Cook County for the 1977 tax year. The Department of
26 Revenue shall have authority to review for accuracy and

1 completeness the personal property tax collections for each
2 taxing district outside Cook County for the 1977 tax year.

3 The Personal Property Replacement Ratio of each Cook
4 County taxing district shall be the ratio which the Tax Base of
5 that taxing district bears to the Cook County Tax Base. The Tax
6 Base of each Cook County taxing district is the personal
7 property tax collections for that taxing district for the 1976
8 tax year. The Cook County Tax Base is the personal property tax
9 collections for all taxing districts in Cook County for the
10 1976 tax year. The Department of Revenue shall have authority
11 to review for accuracy and completeness the personal property
12 tax collections for each taxing district within Cook County
13 for the 1976 tax year.

14 For all purposes of this Section 12, amounts paid to a
15 taxing district for such tax years as may be applicable by a
16 foreign corporation under the provisions of Section 7-202 of
17 the Public Utilities Act, as amended, shall be deemed to be
18 personal property taxes collected by such taxing district for
19 such tax years as may be applicable. The Director shall
20 determine from the Illinois Commerce Commission, for any tax
21 year as may be applicable, the amounts so paid by any such
22 foreign corporation to any and all taxing districts. The
23 Illinois Commerce Commission shall furnish such information to
24 the Director. For all purposes of this Section 12, the
25 Director shall deem such amounts to be collected personal
26 property taxes of each such taxing district for the applicable

1 tax year or years.

2 Taxing districts located both in Cook County and in one or
3 more other counties shall receive both a Cook County
4 allocation and a Downstate allocation determined in the same
5 way as all other taxing districts.

6 If any taxing district in existence on July 1, 1979 ceases
7 to exist, or discontinues its operations, its Tax Base shall
8 thereafter be deemed to be zero. If the powers, duties and
9 obligations of the discontinued taxing district are assumed by
10 another taxing district, the Tax Base of the discontinued
11 taxing district shall be added to the Tax Base of the taxing
12 district assuming such powers, duties and obligations.

13 If two or more taxing districts in existence on July 1,
14 1979, or a successor or successors thereto shall consolidate
15 into one taxing district, the Tax Base of such consolidated
16 taxing district shall be the sum of the Tax Bases of each of
17 the taxing districts which have consolidated.

18 If a single taxing district in existence on July 1, 1979,
19 or a successor or successors thereto shall be divided into two
20 or more separate taxing districts, the tax base of the taxing
21 district so divided shall be allocated to each of the
22 resulting taxing districts in proportion to the then current
23 equalized assessed value of each resulting taxing district.

24 If a portion of the territory of a taxing district is
25 disconnected and annexed to another taxing district of the
26 same type, the Tax Base of the taxing district from which

1 disconnection was made shall be reduced in proportion to the
2 then current equalized assessed value of the disconnected
3 territory as compared with the then current equalized assessed
4 value within the entire territory of the taxing district prior
5 to disconnection, and the amount of such reduction shall be
6 added to the Tax Base of the taxing district to which
7 annexation is made.

8 If a community college district is created after July 1,
9 1979, beginning on January 1, 1996 (the effective date of
10 Public Act 89-327), its Tax Base shall be 3.5% of the sum of
11 the personal property tax collected for the 1977 tax year
12 within the territorial jurisdiction of the district.

13 The amounts allocated and paid to taxing districts
14 pursuant to the provisions of Public Act 81-1st Special
15 Session-1 shall be deemed to be substitute revenues for the
16 revenues derived from taxes imposed on personal property
17 pursuant to the provisions of the "Revenue Act of 1939" or "An
18 Act for the assessment and taxation of private car line
19 companies", approved July 22, 1943, as amended, or Section 414
20 of the Illinois Insurance Code, prior to the abolition of such
21 taxes and shall be used for the same purposes as the revenues
22 derived from ad valorem taxes on real estate.

23 Monies received by any taxing districts from the Personal
24 Property Tax Replacement Fund shall be first applied toward
25 payment of the proportionate amount of debt service which was
26 previously levied and collected from extensions against

1 personal property on bonds outstanding as of December 31, 1978
2 and next applied toward payment of the proportionate share of
3 the pension or retirement obligations of the taxing district
4 which were previously levied and collected from extensions
5 against personal property. For each such outstanding bond
6 issue, the County Clerk shall determine the percentage of the
7 debt service which was collected from extensions against real
8 estate in the taxing district for 1978 taxes payable in 1979,
9 as related to the total amount of such levies and collections
10 from extensions against both real and personal property. For
11 1979 and subsequent years' taxes, the County Clerk shall levy
12 and extend taxes against the real estate of each taxing
13 district which will yield the said percentage or percentages
14 of the debt service on such outstanding bonds. The balance of
15 the amount necessary to fully pay such debt service shall
16 constitute a first and prior lien upon the monies received by
17 each such taxing district through the Personal Property Tax
18 Replacement Fund and shall be first applied or set aside for
19 such purpose. In counties having fewer than 3,000,000
20 inhabitants, the amendments to this paragraph as made by
21 Public Act 81-1255 shall be first applicable to 1980 taxes to
22 be collected in 1981.

23 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;
24 102-16, eff. 6-17-21.)

25 Section 5-47. The Agricultural Fair Act is amended by

1 changing Sections 5, 6, 10, and 13 as follows:

2 (30 ILCS 120/5) (from Ch. 85, par. 655)

3 Sec. 5. To qualify for disbursements made by the
4 Department from an appropriation made under provisions of this
5 Act, each county fair should notify the Department in writing
6 of its declaration of intent to participate by December 31 of
7 the year preceding the year in which such distribution shall
8 be made. The DeWitt County Fair shall qualify for
9 disbursements made by the Department from an appropriation
10 made under the provisions of this Act in fiscal years 2022 and
11 2023, subject to appropriation, and provided the DeWitt County
12 Fair notifies the Department in writing of its declaration of
13 intent to participate within 30 days after the effective date
14 of this amendatory Act of the 102nd General Assembly. The
15 notification shall state the following: facts of its
16 organization, location, officers, dates of exhibitions and
17 approximate amount of premiums to be offered.

18 (Source: P.A. 91-934, eff. 6-1-01.)

19 (30 ILCS 120/6) (from Ch. 85, par. 656)

20 Sec. 6. After August 20, 1971, the General Assembly and
21 the Director shall approve the organization of new county
22 fairs that shall be established for the purpose of holding
23 annual fairs, provided that an element of such approval shall
24 be an appropriation ~~in a separate bill~~ authorizing such fairs'

1 participation in the disbursements provided for in this Act.

2 (Source: P.A. 81-159.)

3 (30 ILCS 120/10) (from Ch. 85, par. 660)

4 Sec. 10. (a) Effective with fiscal year 1987, each county
5 fair's authorized base shall be set at 66 2/3% of the approved
6 amount of premium paid in either fiscal year 1984 or 1985,
7 whichever year has the largest approved amount. The authorized
8 base of the Gallatin, Montgomery and Massac county fairs for
9 fiscal years 1987 and 1988 shall be \$15,000 each. Subject to
10 appropriation, the authorized base of the DeWitt County Fair
11 for fiscal years 2022 and 2023 shall be \$20,000 each. If there
12 is a change in the appropriation, the Director shall allocate
13 to each fair the same percentages of that appropriation as it
14 received of the authorized bases for all fairs.

15 (b) The Department shall reimburse each eligible county
16 fair as follows:

17 100% of the first \$2,000 of approved premiums awarded at
18 each eligible county fair;

19 85% of the next \$2,000;

20 75% of the next \$3,000;

21 65% of the next \$3,000;

22 55% of the next \$4,000; and

23 50% of the remaining premiums paid until the total
24 reimbursement equals the authorized base amount for each fair.

25 (c) If, after all approved state aid claims are paid for

1 the current year pursuant to subsection (b) of this Section,
2 any amount remains in the appropriations for state aid, that
3 remaining amount shall be distributed on a grant basis. If the
4 total amount of excess approved state aid claims over the
5 authorized base is equal to or less than the remaining amount
6 appropriated for state aid, then each participating fair shall
7 receive a grant equivalent to the excess of its approved claim
8 over its authorized base. If the total amount of excess
9 approved state aid claims exceeds the remaining monies
10 appropriated for state aid, the grants shall be distributed to
11 the participating fairs in proportion to the total amounts of
12 their respective excess approved claims. If, after all
13 approved claims are paid, any amount remains, that amount
14 shall be distributed to all county fairs eligible under this
15 Section in proportion to their total state aid claims. Fairs
16 filing approved claims exceeding both their authorized base
17 and the grant provided for in this subsection shall
18 participate in the Growth Incentive Program set forth in
19 Section 10.1.

20 Grant monies received by a county fair shall be used only
21 for premiums, awards, judge's fees, and other expenses
22 incurred by the fair which are directly related to the
23 operation of the fair and approved by regulation of the
24 Department. Each fair shall file with the Department a fiscal
25 accounting of the expenditure of the grant monies received
26 under this subsection each year at the same time it files its

1 report under Section 12 in relation to the fair held in the
2 next succeeding year.

3 Effective with fiscal year 1989 and each odd numbered
4 fiscal year thereafter, the authorized base of all
5 participating county fairs shall be adjusted by applying 66
6 2/3% to the amount of approved premiums paid in the highest of
7 the previous 2 fiscal years.

8 (Source: P.A. 91-934, eff. 6-1-01.)

9 (30 ILCS 120/13) (from Ch. 85, par. 663)

10 Sec. 13. Rehabilitation. Except as otherwise allowed by
11 the Director, to qualify for disbursements made by the
12 Department from an appropriation made under the provisions of
13 this Section, the land on which the fair is held must be owned
14 by the county fair board participating in this disbursement or
15 by a State, city, village, or county government body, or be
16 held under a lease that is at least 20 years in duration, the
17 terms of which require the lessee to have continuous
18 possession of the land during every day of the lease period. No
19 county fair shall qualify for disbursements made by the
20 Department from an appropriation made under the provisions of
21 this Section unless it shall have notified the Department in
22 writing of its intent to participate prior to obligating any
23 funds for which reimbursement will be requested. Each county
24 fair shall be reimbursed annually for that part of the amount
25 expended by the fair during the year for liability and

1 casualty insurance, as provided in this Section, and the
2 rehabilitation of its grounds, including major construction
3 projects and minor maintenance and repair projects; as
4 follows:

5 100% of the first \$5,000 or any part thereof;

6 75% of the next \$20,000 or any part thereof;

7 50% of the next \$20,000 or any part thereof.

8 The lesser of either \$20,000 or 50% of the amount received
9 by a county fair pursuant to this Section may be expended for
10 liability and casualty insurance.

11 The maximum amount the DeWitt County Fair may be
12 reimbursed in each of fiscal years 2022 and 2023, subject to
13 appropriation, is \$13,250.

14 If a county fair expends more than is needed in any year
15 for approved projects to maximize State reimbursement under
16 this Section and provides itemized receipts and other evidence
17 of expenditures for that year, any excess may be carried over
18 to the succeeding year. The amount carried over shall
19 constitute a claim for reimbursement for a subsequent period
20 not to exceed 7 years as long as funds are available.

21 Before June 30 of each year, the president and secretary
22 of each county fair which has participated in this program
23 shall file with the Department a sworn statement of the amount
24 expended during the period July 1 to June 30 of the State's
25 fiscal year, accompanied by itemized receipted bills and other
26 evidence of expenditures. If the Department approves the

1 claim, the State Comptroller is authorized and directed to
2 draw a warrant payable from the Agricultural Premium Fund on
3 the State Treasurer for the amount of the rehabilitation
4 claims.

5 If after all claims are paid, there remains any amount of
6 the appropriation for rehabilitation, the remaining amount
7 shall be distributed as a grant to the participating fairs
8 qualifying for the maximum reimbursement and shall be
9 distributed to the eligible fairs on an equal basis not to
10 exceed each eligible fair's pro rata share granted in this
11 paragraph. A sworn statement of the amount expended
12 accompanied by the itemized receipted bills as evidence of
13 expenditure must be filed with the Department by June 30 of
14 each year.

15 (Source: P.A. 94-261, eff. 1-1-06.)

16 Section 5-48. The General Obligation Bond Act is amended
17 by changing Section 15 as follows:

18 (30 ILCS 330/15) (from Ch. 127, par. 665)

19 Sec. 15. Computation of principal and interest; transfers.

20 (a) Upon each delivery of Bonds authorized to be issued
21 under this Act, the Comptroller shall compute and certify to
22 the Treasurer the total amount of principal of, interest on,
23 and premium, if any, on Bonds issued that will be payable in
24 order to retire such Bonds, the amount of principal of,

1 interest on and premium, if any, on such Bonds that will be
2 payable on each payment date according to the tenor of such
3 Bonds during the then current and each succeeding fiscal year,
4 and the amount of sinking fund payments needed to be deposited
5 in connection with Qualified School Construction Bonds
6 authorized by subsection (e) of Section 9. With respect to the
7 interest payable on variable rate bonds, such certifications
8 shall be calculated at the maximum rate of interest that may be
9 payable during the fiscal year, after taking into account any
10 credits permitted in the related indenture or other instrument
11 against the amount of such interest required to be
12 appropriated for such period pursuant to subsection (c) of
13 Section 14 of this Act. With respect to the interest payable,
14 such certifications shall include the amounts certified by the
15 Director of the Governor's Office of Management and Budget
16 under subsection (b) of Section 9 of this Act.

17 On or before the last day of each month the State Treasurer
18 and Comptroller shall transfer from (1) the Road Fund with
19 respect to Bonds issued under paragraphs (a) and (e) of
20 Section 4 of this Act, or Bonds issued under authorization in
21 Public Act 98-781, or Bonds issued for the purpose of
22 refunding such bonds, and from (2) the General Revenue Fund,
23 with respect to all other Bonds issued under this Act, to the
24 General Obligation Bond Retirement and Interest Fund an amount
25 sufficient to pay the aggregate of the principal of, interest
26 on, and premium, if any, on Bonds payable, by their terms on

1 the next payment date divided by the number of full calendar
2 months between the date of such Bonds and the first such
3 payment date, and thereafter, divided by the number of months
4 between each succeeding payment date after the first. Such
5 computations and transfers shall be made for each series of
6 Bonds issued and delivered. Interest payable on variable rate
7 bonds shall be calculated at the maximum rate of interest that
8 may be payable for the relevant period, after taking into
9 account any credits permitted in the related indenture or
10 other instrument against the amount of such interest required
11 to be appropriated for such period pursuant to subsection (c)
12 of Section 14 of this Act. Computations of interest shall
13 include the amounts certified by the Director of the
14 Governor's Office of Management and Budget under subsection
15 (b) of Section 9 of this Act. Interest for which moneys have
16 already been deposited into the capitalized interest account
17 within the General Obligation Bond Retirement and Interest
18 Fund shall not be included in the calculation of the amounts to
19 be transferred under this subsection. Notwithstanding any
20 other provision in this Section, the transfer provisions
21 provided in this paragraph shall not apply to transfers made
22 in fiscal year 2010 or fiscal year 2011 with respect to Bonds
23 issued in fiscal year 2010 or fiscal year 2011 pursuant to
24 Section 7.2 of this Act. In the case of transfers made in
25 fiscal year 2010 or fiscal year 2011 with respect to the Bonds
26 issued in fiscal year 2010 or fiscal year 2011 pursuant to

1 Section 7.2 of this Act, on or before the 15th day of the month
2 prior to the required debt service payment, the State
3 Treasurer and Comptroller shall transfer from the General
4 Revenue Fund to the General Obligation Bond Retirement and
5 Interest Fund an amount sufficient to pay the aggregate of the
6 principal of, interest on, and premium, if any, on the Bonds
7 payable in that next month.

8 The transfer of monies herein and above directed is not
9 required if monies in the General Obligation Bond Retirement
10 and Interest Fund are more than the amount otherwise to be
11 transferred as herein above provided, and if the Governor or
12 his authorized representative notifies the State Treasurer and
13 Comptroller of such fact in writing.

14 (b) After the effective date of this Act, the balance of,
15 and monies directed to be included in the Capital Development
16 Bond Retirement and Interest Fund, Anti-Pollution Bond
17 Retirement and Interest Fund, Transportation Bond, Series A
18 Retirement and Interest Fund, Transportation Bond, Series B
19 Retirement and Interest Fund, and Coal Development Bond
20 Retirement and Interest Fund shall be transferred to and
21 deposited in the General Obligation Bond Retirement and
22 Interest Fund. This Fund shall be used to make debt service
23 payments on the State's general obligation Bonds heretofore
24 issued which are now outstanding and payable from the Funds
25 herein listed as well as on Bonds issued under this Act.

26 (c) The unused portion of federal funds received for or as

1 reimbursement for a capital facilities project, as authorized
2 by Section 3 of this Act, for which monies from the Capital
3 Development Fund have been expended shall remain in the
4 Capital Development Board Contributory Trust Fund and shall be
5 used for capital projects and for no other purpose, subject to
6 appropriation and as directed by the Capital Development
7 Board. Any federal funds received as reimbursement for the
8 completed construction of a capital facilities project, as
9 authorized by Section 3 of this Act, for which monies from the
10 Capital Development Fund have been expended may be used for
11 any expense or project necessary for implementation of the
12 Quincy Veterans' Home Rehabilitation and Rebuilding Act for a
13 period of 5 years from July 17, 2018 (the effective date of
14 Public Act 100-610) ~~this amendatory Act of the 100th General~~
15 ~~Assembly, and any remaining funds shall be deposited in the~~
16 ~~General Obligation Bond Retirement and Interest Fund.~~

17 (Source: P.A. 100-23, eff. 7-6-17; 100-610, eff. 7-17-18;
18 101-30, eff. 6-28-19.)

19 Section 5-49. The Capital Development Bond Act of 1972 is
20 amended by changing Section 9a as follows:

21 (30 ILCS 420/9a) (from Ch. 127, par. 759a)

22 Sec. 9a. The unused portion of federal funds received for
23 or as reimbursement for a capital improvement project for
24 which moneys from the Capital Development Fund have been

1 expended shall remain in the Capital Development Board
2 Contributory Trust Fund and shall be used for capital projects
3 and for no other purpose, subject to appropriation and as
4 directed by the Capital Development Board. Any federal funds
5 received as reimbursement for the completed construction of a
6 capital improvement project for which moneys from the Capital
7 Development Fund have been expended may be used for any
8 expense or project necessary for implementation of the Quincy
9 Veterans' Home Rehabilitation and Rebuilding Act for a period
10 of 5 years from July 17, 2018 (the effective date of Public Act
11 100-610) ~~this amendatory Act of the 100th General Assembly,~~
12 ~~and any remaining funds shall be deposited in the Capital~~
13 ~~Development Bond Retirement and Interest Fund.~~

14 (Source: P.A. 100-610, eff. 7-17-18.)

15 Section 5-55. The Illinois Grant Funds Recovery Act is
16 amended by adding Section 5.1 as follows:

17 (30 ILCS 705/5.1 new)

18 Sec. 5.1. Restoration of grant award.

19 (a) A grantee who received an award pursuant to the Open
20 Space Lands Acquisition and Development Act who was unable to
21 complete the project within the 2 years required by Section 5
22 due to the COVID-19 public health emergency, and whose grant
23 agreement expired between January 1, 2021 and July 29, 2021,
24 shall be eligible for an award under the same terms as the

1 expired grant agreement, subject to the availability of
2 appropriated moneys in the fund from which the original
3 disbursement to the grantee was made. The grantee must
4 demonstrate prior compliance with the terms and conditions of
5 the expired award to be eligible for funding under this
6 Section.

7 (b) Any grant funds not expended or legally obligated by
8 the expiration of the newly executed agreement must be
9 returned to the grantor agency within 45 days, if the funds are
10 not already on deposit with the grantor agency or the State
11 Treasurer. Such returned funds shall be deposited into the
12 fund from which the original grant disbursement to the grantee
13 was made.

14 (c) This Section is repealed on July 31, 2024.

15 Section 5-57. The Charitable Trust Stabilization Act is
16 amended by changing Section 5 as follows:

17 (30 ILCS 790/5)

18 Sec. 5. The Charitable Trust Stabilization Fund.

19 (a) The Charitable Trust Stabilization Fund is created as
20 a special fund in the State treasury. From appropriations from
21 the Fund, upon recommendation from the Charitable Trust
22 Stabilization Committee, the State Treasurer may make grants
23 to public and private entities in the State for the purposes
24 set forth under subsection (b). Special attention shall be

1 given to public and private entities with operating budgets of
2 less than \$1,000,000 that are located within a depressed area,
3 as defined under Section 3 of the Illinois Enterprise Zone
4 Act, and preferences for recommending grants to the State
5 Treasurer may be given to these entities by the Committee.
6 Moneys received for the purposes of this Section, including,
7 without limitation, fees collected under subsection (m) of
8 Section 115.10 of the General Not For Profit Corporation Act
9 of 1986 and appropriations, gifts, grants, and awards from any
10 public or private entity, must be deposited into the Fund. Any
11 interest earnings that are attributable to moneys in the Fund
12 must be deposited into the Fund.

13 (b) Moneys in the Fund may be used only for the following
14 purposes:

15 ~~(1) (blank);~~

16 ~~(2) (blank);~~

17 (1) ~~(3)~~ grants for the ~~start-up or~~ operational
18 purposes of participating organizations; and

19 (2) ~~(4)~~ the administration of the Fund and this Act.

20 (c) Moneys deposited into ~~in~~ the Fund must be allocated as
21 follows:

22 ~~(1) 20% of the amount deposited into the Fund in the~~
23 ~~fiscal year must be set aside for the operating budget of~~
24 ~~the Fund for the next fiscal year, but the operating~~
25 ~~budget of the Fund may not exceed \$4,000,000 in any fiscal~~
26 ~~year;~~

1 (1) 80% ~~(2) 50%~~ must be available for the purposes set
2 forth under subsection (b); and

3 (2) 20% ~~(3) 30%~~ must be invested for the purpose of
4 earning interest or other investment income.

5 ~~(d) As soon as practical after the effective date of this~~
6 ~~Act, the State Treasurer must transfer the amount of~~
7 ~~\$1,000,000 from the General Revenue Fund to the Charitable~~
8 ~~Trust Stabilization Fund. On the June 30 that occurs in the~~
9 ~~third year after the transfer to the Charitable Trust~~
10 ~~Stabilization Fund, the Treasurer must transfer the amount of~~
11 ~~\$1,000,000 from the Charitable Trust Stabilization Fund to the~~
12 ~~General Revenue Fund. If, on that date, less than \$1,000,000~~
13 ~~is available for transfer, then the Treasurer must transfer~~
14 ~~the remaining balance of the Charitable Trust Stabilization~~
15 ~~Fund to the General Revenue Fund, and on each June 30~~
16 ~~thereafter must transfer any balance in the Charitable Trust~~
17 ~~Stabilization Fund to the General Revenue Fund until the~~
18 ~~aggregate amount of \$1,000,000 has been transferred.~~

19 (Source: P.A. 97-274, eff. 8-8-11.)

20 Section 5-60. The Illinois Income Tax Act is amended by
21 changing Sections 224 and 901 as follows:

22 (35 ILCS 5/224)

23 Sec. 224. Invest in Kids credit.

24 (a) For taxable years beginning on or after January 1,

1 2018 and ending before January 1, 2024 ~~2023~~, each taxpayer for
2 whom a tax credit has been awarded by the Department under the
3 Invest in Kids Act is entitled to a credit against the tax
4 imposed under subsections (a) and (b) of Section 201 of this
5 Act in an amount equal to the amount awarded under the Invest
6 in Kids Act.

7 (b) For partners, shareholders of subchapter S
8 corporations, and owners of limited liability companies, if
9 the liability company is treated as a partnership for purposes
10 of federal and State income taxation, the credit under this
11 Section shall be determined in accordance with the
12 determination of income and distributive share of income under
13 Sections 702 and 704 and subchapter S of the Internal Revenue
14 Code.

15 (c) The credit may not be carried back and may not reduce
16 the taxpayer's liability to less than zero. If the amount of
17 the credit exceeds the tax liability for the year, the excess
18 may be carried forward and applied to the tax liability of the
19 5 taxable years following the excess credit year. The tax
20 credit shall be applied to the earliest year for which there is
21 a tax liability. If there are credits for more than one year
22 that are available to offset the liability, the earlier credit
23 shall be applied first.

24 (d) A tax credit awarded by the Department under the
25 Invest in Kids Act may not be claimed for any qualified
26 contribution for which the taxpayer claims a federal income

1 tax deduction.

2 (Source: P.A. 100-465, eff. 8-31-17.)

3 (35 ILCS 5/901)

4 Sec. 901. Collection authority.

5 (a) In general. The Department shall collect the taxes
6 imposed by this Act. The Department shall collect certified
7 past due child support amounts under Section 2505-650 of the
8 Department of Revenue Law of the Civil Administrative Code of
9 Illinois. Except as provided in subsections (b), (c), (e),
10 (f), (g), and (h) of this Section, money collected pursuant to
11 subsections (a) and (b) of Section 201 of this Act shall be
12 paid into the General Revenue Fund in the State treasury;
13 money collected pursuant to subsections (c) and (d) of Section
14 201 of this Act shall be paid into the Personal Property Tax
15 Replacement Fund, a special fund in the State Treasury; and
16 money collected under Section 2505-650 of the Department of
17 Revenue Law of the Civil Administrative Code of Illinois shall
18 be paid into the Child Support Enforcement Trust Fund, a
19 special fund outside the State Treasury, or to the State
20 Disbursement Unit established under Section 10-26 of the
21 Illinois Public Aid Code, as directed by the Department of
22 Healthcare and Family Services.

23 (b) Local Government Distributive Fund. Beginning August
24 1, 2017 and continuing through July 31, 2022, the Treasurer
25 shall transfer each month from the General Revenue Fund to the

1 Local Government Distributive Fund an amount equal to the sum
2 of: (i) 6.06% (10% of the ratio of the 3% individual income tax
3 rate prior to 2011 to the 4.95% individual income tax rate
4 after July 1, 2017) of the net revenue realized from the tax
5 imposed by subsections (a) and (b) of Section 201 of this Act
6 upon individuals, trusts, and estates during the preceding
7 month; (ii) 6.85% (10% of the ratio of the 4.8% corporate
8 income tax rate prior to 2011 to the 7% corporate income tax
9 rate after July 1, 2017) of the net revenue realized from the
10 tax imposed by subsections (a) and (b) of Section 201 of this
11 Act upon corporations during the preceding month; and (iii)
12 beginning February 1, 2022, 6.06% of the net revenue realized
13 from the tax imposed by subsection (p) of Section 201 of this
14 Act upon electing pass-through entities. Beginning August 1,
15 2022, the Treasurer shall transfer each month from the General
16 Revenue Fund to the Local Government Distributive Fund an
17 amount equal to the sum of: (i) 6.16% of the net revenue
18 realized from the tax imposed by subsections (a) and (b) of
19 Section 201 of this Act upon individuals, trusts, and estates
20 during the preceding month; (ii) 6.85% of the net revenue
21 realized from the tax imposed by subsections (a) and (b) of
22 Section 201 of this Act upon corporations during the preceding
23 month; and (iii) 6.16% of the net revenue realized from the tax
24 imposed by subsection (p) of Section 201 of this Act upon
25 electing pass-through entities. Net revenue realized for a
26 month shall be defined as the revenue from the tax imposed by

1 subsections (a) and (b) of Section 201 of this Act which is
2 deposited in the General Revenue Fund, the Education
3 Assistance Fund, the Income Tax Surcharge Local Government
4 Distributive Fund, the Fund for the Advancement of Education,
5 and the Commitment to Human Services Fund during the month
6 minus the amount paid out of the General Revenue Fund in State
7 warrants during that same month as refunds to taxpayers for
8 overpayment of liability under the tax imposed by subsections
9 (a) and (b) of Section 201 of this Act.

10 Notwithstanding any provision of law to the contrary,
11 beginning on July 6, 2017 (the effective date of Public Act
12 100-23), those amounts required under this subsection (b) to
13 be transferred by the Treasurer into the Local Government
14 Distributive Fund from the General Revenue Fund shall be
15 directly deposited into the Local Government Distributive Fund
16 as the revenue is realized from the tax imposed by subsections
17 (a) and (b) of Section 201 of this Act.

18 (c) Deposits Into Income Tax Refund Fund.

19 (1) Beginning on January 1, 1989 and thereafter, the
20 Department shall deposit a percentage of the amounts
21 collected pursuant to subsections (a) and (b)(1), (2), and
22 (3) of Section 201 of this Act into a fund in the State
23 treasury known as the Income Tax Refund Fund. Beginning
24 with State fiscal year 1990 and for each fiscal year
25 thereafter, the percentage deposited into the Income Tax
26 Refund Fund during a fiscal year shall be the Annual

1 Percentage. For fiscal year 2011, the Annual Percentage
2 shall be 8.75%. For fiscal year 2012, the Annual
3 Percentage shall be 8.75%. For fiscal year 2013, the
4 Annual Percentage shall be 9.75%. For fiscal year 2014,
5 the Annual Percentage shall be 9.5%. For fiscal year 2015,
6 the Annual Percentage shall be 10%. For fiscal year 2018,
7 the Annual Percentage shall be 9.8%. For fiscal year 2019,
8 the Annual Percentage shall be 9.7%. For fiscal year 2020,
9 the Annual Percentage shall be 9.5%. For fiscal year 2021,
10 the Annual Percentage shall be 9%. For fiscal year 2022,
11 the Annual Percentage shall be 9.25%. For fiscal year
12 2023, the Annual Percentage shall be 9.25%. For all other
13 fiscal years, the Annual Percentage shall be calculated as
14 a fraction, the numerator of which shall be the amount of
15 refunds approved for payment by the Department during the
16 preceding fiscal year as a result of overpayment of tax
17 liability under subsections (a) and (b) (1), (2), and (3)
18 of Section 201 of this Act plus the amount of such refunds
19 remaining approved but unpaid at the end of the preceding
20 fiscal year, minus the amounts transferred into the Income
21 Tax Refund Fund from the Tobacco Settlement Recovery Fund,
22 and the denominator of which shall be the amounts which
23 will be collected pursuant to subsections (a) and (b) (1),
24 (2), and (3) of Section 201 of this Act during the
25 preceding fiscal year; except that in State fiscal year
26 2002, the Annual Percentage shall in no event exceed 7.6%.

1 The Director of Revenue shall certify the Annual
2 Percentage to the Comptroller on the last business day of
3 the fiscal year immediately preceding the fiscal year for
4 which it is to be effective.

5 (2) Beginning on January 1, 1989 and thereafter, the
6 Department shall deposit a percentage of the amounts
7 collected pursuant to subsections (a) and (b) (6), (7), and
8 (8), (c) and (d) of Section 201 of this Act into a fund in
9 the State treasury known as the Income Tax Refund Fund.

10 Beginning with State fiscal year 1990 and for each fiscal
11 year thereafter, the percentage deposited into the Income
12 Tax Refund Fund during a fiscal year shall be the Annual
13 Percentage. For fiscal year 2011, the Annual Percentage
14 shall be 17.5%. For fiscal year 2012, the Annual
15 Percentage shall be 17.5%. For fiscal year 2013, the
16 Annual Percentage shall be 14%. For fiscal year 2014, the
17 Annual Percentage shall be 13.4%. For fiscal year 2015,
18 the Annual Percentage shall be 14%. For fiscal year 2018,
19 the Annual Percentage shall be 17.5%. For fiscal year
20 2019, the Annual Percentage shall be 15.5%. For fiscal
21 year 2020, the Annual Percentage shall be 14.25%. For
22 fiscal year 2021, the Annual Percentage shall be 14%. For
23 fiscal year 2022, the Annual Percentage shall be 15%. For
24 fiscal year 2023, the Annual Percentage shall be 14.5%.

25 For all other fiscal years, the Annual Percentage shall be
26 calculated as a fraction, the numerator of which shall be

1 the amount of refunds approved for payment by the
2 Department during the preceding fiscal year as a result of
3 overpayment of tax liability under subsections (a) and
4 (b) (6), (7), and (8), (c) and (d) of Section 201 of this
5 Act plus the amount of such refunds remaining approved but
6 unpaid at the end of the preceding fiscal year, and the
7 denominator of which shall be the amounts which will be
8 collected pursuant to subsections (a) and (b) (6), (7), and
9 (8), (c) and (d) of Section 201 of this Act during the
10 preceding fiscal year; except that in State fiscal year
11 2002, the Annual Percentage shall in no event exceed 23%.
12 The Director of Revenue shall certify the Annual
13 Percentage to the Comptroller on the last business day of
14 the fiscal year immediately preceding the fiscal year for
15 which it is to be effective.

16 (3) The Comptroller shall order transferred and the
17 Treasurer shall transfer from the Tobacco Settlement
18 Recovery Fund to the Income Tax Refund Fund (i)
19 \$35,000,000 in January, 2001, (ii) \$35,000,000 in January,
20 2002, and (iii) \$35,000,000 in January, 2003.

21 (d) Expenditures from Income Tax Refund Fund.

22 (1) Beginning January 1, 1989, money in the Income Tax
23 Refund Fund shall be expended exclusively for the purpose
24 of paying refunds resulting from overpayment of tax
25 liability under Section 201 of this Act and for making
26 transfers pursuant to this subsection (d).

1 (2) The Director shall order payment of refunds
2 resulting from overpayment of tax liability under Section
3 201 of this Act from the Income Tax Refund Fund only to the
4 extent that amounts collected pursuant to Section 201 of
5 this Act and transfers pursuant to this subsection (d) and
6 item (3) of subsection (c) have been deposited and
7 retained in the Fund.

8 (3) As soon as possible after the end of each fiscal
9 year, the Director shall order transferred and the State
10 Treasurer and State Comptroller shall transfer from the
11 Income Tax Refund Fund to the Personal Property Tax
12 Replacement Fund an amount, certified by the Director to
13 the Comptroller, equal to the excess of the amount
14 collected pursuant to subsections (c) and (d) of Section
15 201 of this Act deposited into the Income Tax Refund Fund
16 during the fiscal year over the amount of refunds
17 resulting from overpayment of tax liability under
18 subsections (c) and (d) of Section 201 of this Act paid
19 from the Income Tax Refund Fund during the fiscal year.

20 (4) As soon as possible after the end of each fiscal
21 year, the Director shall order transferred and the State
22 Treasurer and State Comptroller shall transfer from the
23 Personal Property Tax Replacement Fund to the Income Tax
24 Refund Fund an amount, certified by the Director to the
25 Comptroller, equal to the excess of the amount of refunds
26 resulting from overpayment of tax liability under

1 subsections (c) and (d) of Section 201 of this Act paid
2 from the Income Tax Refund Fund during the fiscal year
3 over the amount collected pursuant to subsections (c) and
4 (d) of Section 201 of this Act deposited into the Income
5 Tax Refund Fund during the fiscal year.

6 (4.5) As soon as possible after the end of fiscal year
7 1999 and of each fiscal year thereafter, the Director
8 shall order transferred and the State Treasurer and State
9 Comptroller shall transfer from the Income Tax Refund Fund
10 to the General Revenue Fund any surplus remaining in the
11 Income Tax Refund Fund as of the end of such fiscal year;
12 excluding for fiscal years 2000, 2001, and 2002 amounts
13 attributable to transfers under item (3) of subsection (c)
14 less refunds resulting from the earned income tax credit.

15 (5) This Act shall constitute an irrevocable and
16 continuing appropriation from the Income Tax Refund Fund
17 for the purpose of paying refunds upon the order of the
18 Director in accordance with the provisions of this
19 Section.

20 (e) Deposits into the Education Assistance Fund and the
21 Income Tax Surcharge Local Government Distributive Fund. On
22 July 1, 1991, and thereafter, of the amounts collected
23 pursuant to subsections (a) and (b) of Section 201 of this Act,
24 minus deposits into the Income Tax Refund Fund, the Department
25 shall deposit 7.3% into the Education Assistance Fund in the
26 State Treasury. Beginning July 1, 1991, and continuing through

1 January 31, 1993, of the amounts collected pursuant to
2 subsections (a) and (b) of Section 201 of the Illinois Income
3 Tax Act, minus deposits into the Income Tax Refund Fund, the
4 Department shall deposit 3.0% into the Income Tax Surcharge
5 Local Government Distributive Fund in the State Treasury.
6 Beginning February 1, 1993 and continuing through June 30,
7 1993, of the amounts collected pursuant to subsections (a) and
8 (b) of Section 201 of the Illinois Income Tax Act, minus
9 deposits into the Income Tax Refund Fund, the Department shall
10 deposit 4.4% into the Income Tax Surcharge Local Government
11 Distributive Fund in the State Treasury. Beginning July 1,
12 1993, and continuing through June 30, 1994, of the amounts
13 collected under subsections (a) and (b) of Section 201 of this
14 Act, minus deposits into the Income Tax Refund Fund, the
15 Department shall deposit 1.475% into the Income Tax Surcharge
16 Local Government Distributive Fund in the State Treasury.

17 (f) Deposits into the Fund for the Advancement of
18 Education. Beginning February 1, 2015, the Department shall
19 deposit the following portions of the revenue realized from
20 the tax imposed upon individuals, trusts, and estates by
21 subsections (a) and (b) of Section 201 of this Act, minus
22 deposits into the Income Tax Refund Fund, into the Fund for the
23 Advancement of Education:

24 (1) beginning February 1, 2015, and prior to February
25 1, 2025, 1/30; and

26 (2) beginning February 1, 2025, 1/26.

1 If the rate of tax imposed by subsection (a) and (b) of
2 Section 201 is reduced pursuant to Section 201.5 of this Act,
3 the Department shall not make the deposits required by this
4 subsection (f) on or after the effective date of the
5 reduction.

6 (g) Deposits into the Commitment to Human Services Fund.
7 Beginning February 1, 2015, the Department shall deposit the
8 following portions of the revenue realized from the tax
9 imposed upon individuals, trusts, and estates by subsections
10 (a) and (b) of Section 201 of this Act, minus deposits into the
11 Income Tax Refund Fund, into the Commitment to Human Services
12 Fund:

13 (1) beginning February 1, 2015, and prior to February
14 1, 2025, 1/30; and

15 (2) beginning February 1, 2025, 1/26.

16 If the rate of tax imposed by subsection (a) and (b) of
17 Section 201 is reduced pursuant to Section 201.5 of this Act,
18 the Department shall not make the deposits required by this
19 subsection (g) on or after the effective date of the
20 reduction.

21 (h) Deposits into the Tax Compliance and Administration
22 Fund. Beginning on the first day of the first calendar month to
23 occur on or after August 26, 2014 (the effective date of Public
24 Act 98-1098), each month the Department shall pay into the Tax
25 Compliance and Administration Fund, to be used, subject to
26 appropriation, to fund additional auditors and compliance

1 personnel at the Department, an amount equal to 1/12 of 5% of
2 the cash receipts collected during the preceding fiscal year
3 by the Audit Bureau of the Department from the tax imposed by
4 subsections (a), (b), (c), and (d) of Section 201 of this Act,
5 net of deposits into the Income Tax Refund Fund made from those
6 cash receipts.

7 (Source: P.A. 101-8, see Section 99 for effective date;
8 101-10, eff. 6-5-19; 101-81, eff. 7-12-19; 101-636, eff.
9 6-10-20; 102-16, eff. 6-17-21; 102-558, eff. 8-20-21; 102-658,
10 eff. 8-27-21; revised 10-19-21.)

11 Section 5-62. The Invest in Kids Act is amended by
12 changing Section 40 as follows:

13 (35 ILCS 40/40)

14 (Section scheduled to be repealed on January 1, 2025)

15 Sec. 40. Scholarship granting organization
16 responsibilities.

17 (a) Before granting a scholarship for an academic year,
18 all scholarship granting organizations shall assess and
19 document each student's eligibility for the academic year.

20 (b) A scholarship granting organization shall grant
21 scholarships only to eligible students.

22 (c) A scholarship granting organization shall allow an
23 eligible student to attend any qualified school of the
24 student's choosing, subject to the availability of funds.

1 (d) In granting scholarships, a scholarship granting
2 organization shall give priority to the following priority
3 groups:

4 (1) eligible students who received a scholarship from
5 a scholarship granting organization during the previous
6 school year;

7 (2) eligible students who are members of a household
8 whose previous year's total annual income does not exceed
9 185% of the federal poverty level;

10 (3) eligible students who reside within a focus
11 district; and

12 (4) eligible students who are siblings of students
13 currently receiving a scholarship.

14 (d-5) A scholarship granting organization shall begin
15 granting scholarships no later than February 1 preceding the
16 school year for which the scholarship is sought. The priority
17 groups identified in subsection (d) of this Section shall be
18 eligible to receive scholarships on a first-come, first-served
19 basis until the April 1 immediately preceding the school year
20 for which the scholarship is sought. Applications for
21 scholarships for eligible students meeting the qualifications
22 of one or more priority groups that are received before April 1
23 must be either approved or denied within 10 business days
24 after receipt. Beginning April 1, all eligible students shall
25 be eligible to receive scholarships without regard to the
26 priority groups identified in subsection (d) of this Section.

1 (e) Except as provided in subsection (e-5) of this
2 Section, scholarships shall not exceed the lesser of (i) the
3 statewide average operational expense per student among public
4 schools or (ii) the necessary costs and fees for attendance at
5 the qualified school. Scholarships shall be prorated as
6 follows:

7 (1) for eligible students whose household income is
8 less than 185% of the federal poverty level, the
9 scholarship shall be 100% of the amount determined
10 pursuant to this subsection (e) and subsection (e-5) of
11 this Section;

12 (2) for eligible students whose household income is
13 185% or more of the federal poverty level but less than
14 250% of the federal poverty level, the average of
15 scholarships shall be 75% of the amount determined
16 pursuant to this subsection (e) and subsection (e-5) of
17 this Section; and

18 (3) for eligible students whose household income is
19 250% or more of the federal poverty level, the average of
20 scholarships shall be 50% of the amount determined
21 pursuant to this subsection (e) and subsection (e-5) of
22 this Section.

23 (e-5) The statewide average operational expense per
24 student among public schools shall be multiplied by the
25 following factors:

26 (1) for students determined eligible to receive

1 services under the federal Individuals with Disabilities
2 Education Act, 2;

3 (2) for students who are English learners, as defined
4 in subsection (d) of Section 14C-2 of the School Code,
5 1.2; and

6 (3) for students who are gifted and talented children,
7 as defined in Section 14A-20 of the School Code, 1.1.

8 (f) A scholarship granting organization shall distribute
9 scholarship payments to the participating school where the
10 student is enrolled.

11 (g) For the 2018-2019 school year through the 2022-2023
12 ~~2021-2022~~ school year, each scholarship granting organization
13 shall expend no less than 75% of the qualified contributions
14 received during the calendar year in which the qualified
15 contributions were received. No more than 25% of the qualified
16 contributions may be carried forward to the following calendar
17 year.

18 (h) For the 2023-2024 ~~2022-2023~~ school year, each
19 scholarship granting organization shall expend all qualified
20 contributions received during the calendar year in which the
21 qualified contributions were received. No qualified
22 contributions may be carried forward to the following calendar
23 year.

24 (i) A scholarship granting organization shall allow an
25 eligible student to transfer a scholarship during a school
26 year to any other participating school of the custodian's

1 choice. Such scholarships shall be prorated.

2 (j) With the prior approval of the Department, a
3 scholarship granting organization may transfer funds to
4 another scholarship granting organization if additional funds
5 are required to meet scholarship demands at the receiving
6 scholarship granting organization. All transferred funds must
7 be deposited by the receiving scholarship granting
8 organization into its scholarship accounts. All transferred
9 amounts received by any scholarship granting organization must
10 be separately disclosed to the Department.

11 (k) If the approval of a scholarship granting organization
12 is revoked as provided in Section 20 of this Act or the
13 scholarship granting organization is dissolved, all remaining
14 qualified contributions of the scholarship granting
15 organization shall be transferred to another scholarship
16 granting organization. All transferred funds must be deposited
17 by the receiving scholarship granting organization into its
18 scholarship accounts.

19 (l) Scholarship granting organizations shall make
20 reasonable efforts to advertise the availability of
21 scholarships to eligible students.

22 (Source: P.A. 100-465, eff. 8-31-17.)

23 Section 5-65. The Motor Fuel Tax Law is amended by
24 changing Section 8 as follows:

1 (35 ILCS 505/8) (from Ch. 120, par. 424)

2 Sec. 8. Except as provided in subsection (a-1) of this
3 Section, Section 8a, subdivision (h)(1) of Section 12a,
4 Section 13a.6, and items 13, 14, 15, and 16 of Section 15, all
5 money received by the Department under this Act, including
6 payments made to the Department by member jurisdictions
7 participating in the International Fuel Tax Agreement, shall
8 be deposited in a special fund in the State treasury, to be
9 known as the "Motor Fuel Tax Fund", and shall be used as
10 follows:

11 (a) 2 1/2 cents per gallon of the tax collected on special
12 fuel under paragraph (b) of Section 2 and Section 13a of this
13 Act shall be transferred to the State Construction Account
14 Fund in the State Treasury; the remainder of the tax collected
15 on special fuel under paragraph (b) of Section 2 and Section
16 13a of this Act shall be deposited into the Road Fund;

17 (a-1) Beginning on July 1, 2019, an amount equal to the
18 amount of tax collected under subsection (a) of Section 2 as a
19 result of the increase in the tax rate under Public Act 101-32
20 shall be transferred each month into the Transportation
21 Renewal Fund;

22 (b) \$420,000 shall be transferred each month to the State
23 Boating Act Fund to be used by the Department of Natural
24 Resources for the purposes specified in Article X of the Boat
25 Registration and Safety Act;

26 (c) \$3,500,000 shall be transferred each month to the

1 Grade Crossing Protection Fund to be used as follows: not less
2 than \$12,000,000 each fiscal year shall be used for the
3 construction or reconstruction of rail highway grade
4 separation structures; \$5,500,000 in fiscal year 2022
5 ~~\$2,250,000 in fiscal years 2004 through 2009 and \$3,000,000 in~~
6 ~~fiscal year 2010~~ and each fiscal year thereafter shall be
7 transferred to the Transportation Regulatory Fund ~~and shall be~~
8 ~~accounted for as part of the rail carrier portion of such funds~~
9 and shall be used to pay the cost of administration of the
10 Illinois Commerce Commission's railroad safety program in
11 connection with its duties under subsection (3) of Section
12 18c-7401 of the Illinois Vehicle Code, with the remainder to
13 be used by the Department of Transportation upon order of the
14 Illinois Commerce Commission, to pay that part of the cost
15 apportioned by such Commission to the State to cover the
16 interest of the public in the use of highways, roads, streets,
17 or pedestrian walkways in the county highway system, township
18 and district road system, or municipal street system as
19 defined in the Illinois Highway Code, as the same may from time
20 to time be amended, for separation of grades, for
21 installation, construction or reconstruction of crossing
22 protection or reconstruction, alteration, relocation including
23 construction or improvement of any existing highway necessary
24 for access to property or improvement of any grade crossing
25 and grade crossing surface including the necessary highway
26 approaches thereto of any railroad across the highway or

1 public road, or for the installation, construction,
2 reconstruction, or maintenance of safety treatments to deter
3 trespassing or a pedestrian walkway over or under a railroad
4 right-of-way, as provided for in and in accordance with
5 Section 18c-7401 of the Illinois Vehicle Code. The Commission
6 may order up to \$2,000,000 per year in Grade Crossing
7 Protection Fund moneys for the improvement of grade crossing
8 surfaces and up to \$300,000 per year for the maintenance and
9 renewal of 4-quadrant gate vehicle detection systems located
10 at non-high speed rail grade crossings. In entering orders for
11 projects for which payments from the Grade Crossing Protection
12 Fund will be made, the Commission shall account for
13 expenditures authorized by the orders on a cash rather than an
14 accrual basis. For purposes of this requirement an "accrual
15 basis" assumes that the total cost of the project is expended
16 in the fiscal year in which the order is entered, while a "cash
17 basis" allocates the cost of the project among fiscal years as
18 expenditures are actually made. To meet the requirements of
19 this subsection, the Illinois Commerce Commission shall
20 develop annual and 5-year project plans of rail crossing
21 capital improvements that will be paid for with moneys from
22 the Grade Crossing Protection Fund. The annual project plan
23 shall identify projects for the succeeding fiscal year and the
24 5-year project plan shall identify projects for the 5 directly
25 succeeding fiscal years. The Commission shall submit the
26 annual and 5-year project plans for this Fund to the Governor,

1 the President of the Senate, the Senate Minority Leader, the
2 Speaker of the House of Representatives, and the Minority
3 Leader of the House of Representatives on the first Wednesday
4 in April of each year;

5 (d) of the amount remaining after allocations provided for
6 in subsections (a), (a-1), (b), and (c), a sufficient amount
7 shall be reserved to pay all of the following:

8 (1) the costs of the Department of Revenue in
9 administering this Act;

10 (2) the costs of the Department of Transportation in
11 performing its duties imposed by the Illinois Highway Code
12 for supervising the use of motor fuel tax funds
13 apportioned to municipalities, counties and road
14 districts;

15 (3) refunds provided for in Section 13, refunds for
16 overpayment of decal fees paid under Section 13a.4 of this
17 Act, and refunds provided for under the terms of the
18 International Fuel Tax Agreement referenced in Section
19 14a;

20 (4) from October 1, 1985 until June 30, 1994, the
21 administration of the Vehicle Emissions Inspection Law,
22 which amount shall be certified monthly by the
23 Environmental Protection Agency to the State Comptroller
24 and shall promptly be transferred by the State Comptroller
25 and Treasurer from the Motor Fuel Tax Fund to the Vehicle
26 Inspection Fund, and for the period July 1, 1994 through

1 June 30, 2000, one-twelfth of \$25,000,000 each month, for
2 the period July 1, 2000 through June 30, 2003, one-twelfth
3 of \$30,000,000 each month, and \$15,000,000 on July 1,
4 2003, and \$15,000,000 on January 1, 2004, and \$15,000,000
5 on each July 1 and October 1, or as soon thereafter as may
6 be practical, during the period July 1, 2004 through June
7 30, 2012, and \$30,000,000 on June 1, 2013, or as soon
8 thereafter as may be practical, and \$15,000,000 on July 1
9 and October 1, or as soon thereafter as may be practical,
10 during the period of July 1, 2013 through June 30, 2015,
11 for the administration of the Vehicle Emissions Inspection
12 Law of 2005, to be transferred by the State Comptroller
13 and Treasurer from the Motor Fuel Tax Fund into the
14 Vehicle Inspection Fund;

15 (4.5) beginning on July 1, 2019, the costs of the
16 Environmental Protection Agency for the administration of
17 the Vehicle Emissions Inspection Law of 2005 shall be
18 paid, subject to appropriation, from the Motor Fuel Tax
19 Fund into the Vehicle Inspection Fund; beginning in 2019,
20 no later than December 31 of each year, or as soon
21 thereafter as practical, the State Comptroller shall
22 direct and the State Treasurer shall transfer from the
23 Vehicle Inspection Fund to the Motor Fuel Tax Fund any
24 balance remaining in the Vehicle Inspection Fund in excess
25 of \$2,000,000;

26 (5) amounts ordered paid by the Court of Claims; and

1 (6) payment of motor fuel use taxes due to member
2 jurisdictions under the terms of the International Fuel
3 Tax Agreement. The Department shall certify these amounts
4 to the Comptroller by the 15th day of each month; the
5 Comptroller shall cause orders to be drawn for such
6 amounts, and the Treasurer shall administer those amounts
7 on or before the last day of each month;

8 (e) after allocations for the purposes set forth in
9 subsections (a), (a-1), (b), (c), and (d), the remaining
10 amount shall be apportioned as follows:

11 (1) Until January 1, 2000, 58.4%, and beginning
12 January 1, 2000, 45.6% shall be deposited as follows:

13 (A) 37% into the State Construction Account Fund,
14 and

15 (B) 63% into the Road Fund, \$1,250,000 of which
16 shall be reserved each month for the Department of
17 Transportation to be used in accordance with the
18 provisions of Sections 6-901 through 6-906 of the
19 Illinois Highway Code;

20 (2) Until January 1, 2000, 41.6%, and beginning
21 January 1, 2000, 54.4% shall be transferred to the
22 Department of Transportation to be distributed as follows:

23 (A) 49.10% to the municipalities of the State,

24 (B) 16.74% to the counties of the State having
25 1,000,000 or more inhabitants,

26 (C) 18.27% to the counties of the State having

1 less than 1,000,000 inhabitants,

2 (D) 15.89% to the road districts of the State.

3 If a township is dissolved under Article 24 of the
4 Township Code, McHenry County shall receive any moneys
5 that would have been distributed to the township under
6 this subparagraph, except that a municipality that assumes
7 the powers and responsibilities of a road district under
8 paragraph (6) of Section 24-35 of the Township Code shall
9 receive any moneys that would have been distributed to the
10 township in a percent equal to the area of the dissolved
11 road district or portion of the dissolved road district
12 over which the municipality assumed the powers and
13 responsibilities compared to the total area of the
14 dissolved township. The moneys received under this
15 subparagraph shall be used in the geographic area of the
16 dissolved township. If a township is reconstituted as
17 provided under Section 24-45 of the Township Code, McHenry
18 County or a municipality shall no longer be distributed
19 moneys under this subparagraph.

20 As soon as may be after the first day of each month, the
21 Department of Transportation shall allot to each municipality
22 its share of the amount apportioned to the several
23 municipalities which shall be in proportion to the population
24 of such municipalities as determined by the last preceding
25 municipal census if conducted by the Federal Government or
26 Federal census. If territory is annexed to any municipality

1 subsequent to the time of the last preceding census the
2 corporate authorities of such municipality may cause a census
3 to be taken of such annexed territory and the population so
4 ascertained for such territory shall be added to the
5 population of the municipality as determined by the last
6 preceding census for the purpose of determining the allotment
7 for that municipality. If the population of any municipality
8 was not determined by the last Federal census preceding any
9 apportionment, the apportionment to such municipality shall be
10 in accordance with any census taken by such municipality. Any
11 municipal census used in accordance with this Section shall be
12 certified to the Department of Transportation by the clerk of
13 such municipality, and the accuracy thereof shall be subject
14 to approval of the Department which may make such corrections
15 as it ascertains to be necessary.

16 As soon as may be after the first day of each month, the
17 Department of Transportation shall allot to each county its
18 share of the amount apportioned to the several counties of the
19 State as herein provided. Each allotment to the several
20 counties having less than 1,000,000 inhabitants shall be in
21 proportion to the amount of motor vehicle license fees
22 received from the residents of such counties, respectively,
23 during the preceding calendar year. The Secretary of State
24 shall, on or before April 15 of each year, transmit to the
25 Department of Transportation a full and complete report
26 showing the amount of motor vehicle license fees received from

1 the residents of each county, respectively, during the
2 preceding calendar year. The Department of Transportation
3 shall, each month, use for allotment purposes the last such
4 report received from the Secretary of State.

5 As soon as may be after the first day of each month, the
6 Department of Transportation shall allot to the several
7 counties their share of the amount apportioned for the use of
8 road districts. The allotment shall be apportioned among the
9 several counties in the State in the proportion which the
10 total mileage of township or district roads in the respective
11 counties bears to the total mileage of all township and
12 district roads in the State. Funds allotted to the respective
13 counties for the use of road districts therein shall be
14 allocated to the several road districts in the county in the
15 proportion which the total mileage of such township or
16 district roads in the respective road districts bears to the
17 total mileage of all such township or district roads in the
18 county. After July 1 of any year prior to 2011, no allocation
19 shall be made for any road district unless it levied a tax for
20 road and bridge purposes in an amount which will require the
21 extension of such tax against the taxable property in any such
22 road district at a rate of not less than either .08% of the
23 value thereof, based upon the assessment for the year
24 immediately prior to the year in which such tax was levied and
25 as equalized by the Department of Revenue or, in DuPage
26 County, an amount equal to or greater than \$12,000 per mile of

1 road under the jurisdiction of the road district, whichever is
2 less. Beginning July 1, 2011 and each July 1 thereafter, an
3 allocation shall be made for any road district if it levied a
4 tax for road and bridge purposes. In counties other than
5 DuPage County, if the amount of the tax levy requires the
6 extension of the tax against the taxable property in the road
7 district at a rate that is less than 0.08% of the value
8 thereof, based upon the assessment for the year immediately
9 prior to the year in which the tax was levied and as equalized
10 by the Department of Revenue, then the amount of the
11 allocation for that road district shall be a percentage of the
12 maximum allocation equal to the percentage obtained by
13 dividing the rate extended by the district by 0.08%. In DuPage
14 County, if the amount of the tax levy requires the extension of
15 the tax against the taxable property in the road district at a
16 rate that is less than the lesser of (i) 0.08% of the value of
17 the taxable property in the road district, based upon the
18 assessment for the year immediately prior to the year in which
19 such tax was levied and as equalized by the Department of
20 Revenue, or (ii) a rate that will yield an amount equal to
21 \$12,000 per mile of road under the jurisdiction of the road
22 district, then the amount of the allocation for the road
23 district shall be a percentage of the maximum allocation equal
24 to the percentage obtained by dividing the rate extended by
25 the district by the lesser of (i) 0.08% or (ii) the rate that
26 will yield an amount equal to \$12,000 per mile of road under

1 the jurisdiction of the road district.

2 Prior to 2011, if any road district has levied a special
3 tax for road purposes pursuant to Sections 6-601, 6-602, and
4 6-603 of the Illinois Highway Code, and such tax was levied in
5 an amount which would require extension at a rate of not less
6 than .08% of the value of the taxable property thereof, as
7 equalized or assessed by the Department of Revenue, or, in
8 DuPage County, an amount equal to or greater than \$12,000 per
9 mile of road under the jurisdiction of the road district,
10 whichever is less, such levy shall, however, be deemed a
11 proper compliance with this Section and shall qualify such
12 road district for an allotment under this Section. Beginning
13 in 2011 and thereafter, if any road district has levied a
14 special tax for road purposes under Sections 6-601, 6-602, and
15 6-603 of the Illinois Highway Code, and the tax was levied in
16 an amount that would require extension at a rate of not less
17 than 0.08% of the value of the taxable property of that road
18 district, as equalized or assessed by the Department of
19 Revenue or, in DuPage County, an amount equal to or greater
20 than \$12,000 per mile of road under the jurisdiction of the
21 road district, whichever is less, that levy shall be deemed a
22 proper compliance with this Section and shall qualify such
23 road district for a full, rather than proportionate, allotment
24 under this Section. If the levy for the special tax is less
25 than 0.08% of the value of the taxable property, or, in DuPage
26 County if the levy for the special tax is less than the lesser

1 of (i) 0.08% or (ii) \$12,000 per mile of road under the
2 jurisdiction of the road district, and if the levy for the
3 special tax is more than any other levy for road and bridge
4 purposes, then the levy for the special tax qualifies the road
5 district for a proportionate, rather than full, allotment
6 under this Section. If the levy for the special tax is equal to
7 or less than any other levy for road and bridge purposes, then
8 any allotment under this Section shall be determined by the
9 other levy for road and bridge purposes.

10 Prior to 2011, if a township has transferred to the road
11 and bridge fund money which, when added to the amount of any
12 tax levy of the road district would be the equivalent of a tax
13 levy requiring extension at a rate of at least .08%, or, in
14 DuPage County, an amount equal to or greater than \$12,000 per
15 mile of road under the jurisdiction of the road district,
16 whichever is less, such transfer, together with any such tax
17 levy, shall be deemed a proper compliance with this Section
18 and shall qualify the road district for an allotment under
19 this Section.

20 In counties in which a property tax extension limitation
21 is imposed under the Property Tax Extension Limitation Law,
22 road districts may retain their entitlement to a motor fuel
23 tax allotment or, beginning in 2011, their entitlement to a
24 full allotment if, at the time the property tax extension
25 limitation was imposed, the road district was levying a road
26 and bridge tax at a rate sufficient to entitle it to a motor

1 fuel tax allotment and continues to levy the maximum allowable
2 amount after the imposition of the property tax extension
3 limitation. Any road district may in all circumstances retain
4 its entitlement to a motor fuel tax allotment or, beginning in
5 2011, its entitlement to a full allotment if it levied a road
6 and bridge tax in an amount that will require the extension of
7 the tax against the taxable property in the road district at a
8 rate of not less than 0.08% of the assessed value of the
9 property, based upon the assessment for the year immediately
10 preceding the year in which the tax was levied and as equalized
11 by the Department of Revenue or, in DuPage County, an amount
12 equal to or greater than \$12,000 per mile of road under the
13 jurisdiction of the road district, whichever is less.

14 As used in this Section, the term "road district" means
15 any road district, including a county unit road district,
16 provided for by the Illinois Highway Code; and the term
17 "township or district road" means any road in the township and
18 district road system as defined in the Illinois Highway Code.
19 For the purposes of this Section, "township or district road"
20 also includes such roads as are maintained by park districts,
21 forest preserve districts and conservation districts. The
22 Department of Transportation shall determine the mileage of
23 all township and district roads for the purposes of making
24 allotments and allocations of motor fuel tax funds for use in
25 road districts.

26 Payment of motor fuel tax moneys to municipalities and

1 counties shall be made as soon as possible after the allotment
2 is made. The treasurer of the municipality or county may
3 invest these funds until their use is required and the
4 interest earned by these investments shall be limited to the
5 same uses as the principal funds.

6 (Source: P.A. 101-32, eff. 6-28-19; 101-230, eff. 8-9-19;
7 101-493, eff. 8-23-19; 102-16, eff. 6-17-21; 102-558, eff.
8 8-20-21.)

9 Section 5-66. The Illinois Pension Code is amended by
10 changing Section 1-110.16 as follows:

11 (40 ILCS 5/1-110.16)

12 Sec. 1-110.16. Transactions prohibited by retirement
13 systems; companies that boycott Israel, for-profit companies
14 that contract to shelter migrant children, Iran-restricted
15 companies, Sudan-restricted companies, and expatriated
16 entities.

17 (a) As used in this Section:

18 "Boycott Israel" means engaging in actions that are
19 politically motivated and are intended to penalize,
20 inflict economic harm on, or otherwise limit commercial
21 relations with the State of Israel or companies based in
22 the State of Israel or in territories controlled by the
23 State of Israel.

24 "Company" means any sole proprietorship, organization,

1 association, corporation, partnership, joint venture,
2 limited partnership, limited liability partnership,
3 limited liability company, or other entity or business
4 association, including all wholly owned subsidiaries,
5 majority-owned subsidiaries, parent companies, or
6 affiliates of those entities or business associations,
7 that exist for the purpose of making profit.

8 "Contract to shelter migrant children" means entering
9 into a contract with the federal government to shelter
10 migrant children under the federal Unaccompanied Alien
11 Children Program or a substantially similar federal
12 program.

13 "Illinois Investment Policy Board" means the board
14 established under subsection (b) of this Section.

15 "Direct holdings" in a company means all publicly
16 traded securities of that company that are held directly
17 by the retirement system in an actively managed account or
18 fund in which the retirement system owns all shares or
19 interests.

20 "Expatriated entity" has the meaning ascribed to it in
21 Section 1-15.120 of the Illinois Procurement Code.

22 "Indirect holdings" in a company means all securities
23 of that company that are held in an account or fund, such
24 as a mutual fund, managed by one or more persons not
25 employed by the retirement system, in which the retirement
26 system owns shares or interests together with other

1 investors not subject to the provisions of this Section or
2 that are held in an index fund.

3 "Iran-restricted company" means a company that meets
4 the qualifications under Section 1-110.15 of this Code.

5 "Private market fund" means any private equity fund,
6 private equity funds of funds, venture capital fund, hedge
7 fund, hedge fund of funds, real estate fund, or other
8 investment vehicle that is not publicly traded.

9 "Restricted companies" means companies that boycott
10 Israel, for-profit companies that contract to shelter
11 migrant children, Iran-restricted companies,
12 Sudan-restricted companies, and expatriated entities.

13 "Retirement system" means a retirement system
14 established under Article 2, 14, 15, 16, or 18 of this Code
15 or the Illinois State Board of Investment.

16 "Sudan-restricted company" means a company that meets
17 the qualifications under Section 1-110.6 of this Code.

18 (b) There shall be established an Illinois Investment
19 Policy Board. The Illinois Investment Policy Board shall
20 consist of 7 members. Each board of a pension fund or
21 investment board created under Article 15, 16, or 22A of this
22 Code shall appoint one member, and the Governor shall appoint
23 4 members. The Governor shall designate one member of the
24 Board as the Chairperson.

25 (b-5) The term of office of each member appointed by the
26 Governor, who is serving on the Board on June 30, 2022, is

1 abolished on that date. The terms of office of members
2 appointed by the Governor after June 30, 2022 shall be as
3 follows: 2 initial members shall be appointed for terms of 2
4 years, and 2 initial members shall be appointed for terms of 4
5 years. Thereafter, the members appointed by the Governor shall
6 hold office for 4 years, except that any member chosen to fill
7 a vacancy occurring otherwise than by expiration of a term
8 shall be appointed only for the unexpired term of the member
9 whom he or she shall succeed. Board members may be
10 reappointed. The Governor may remove a Governor's appointee to
11 the Board for incompetence, neglect of duty, malfeasance, or
12 inability to serve.

13 (c) Notwithstanding any provision of law to the contrary,
14 beginning January 1, 2016, Sections 110.15 and 1-110.6 of this
15 Code shall be administered in accordance with this Section.

16 (d) By April 1, 2016, the Illinois Investment Policy Board
17 shall make its best efforts to identify all Iran-restricted
18 companies, Sudan-restricted companies, and companies that
19 boycott Israel and assemble those identified companies into a
20 list of restricted companies, to be distributed to each
21 retirement system.

22 These efforts shall include the following, as appropriate
23 in the Illinois Investment Policy Board's judgment:

- 24 (1) reviewing and relying on publicly available
25 information regarding Iran-restricted companies,
26 Sudan-restricted companies, and companies that boycott

1 Israel, including information provided by nonprofit
2 organizations, research firms, and government entities;

3 (2) contacting asset managers contracted by the
4 retirement systems that invest in Iran-restricted
5 companies, Sudan-restricted companies, and companies that
6 boycott Israel;

7 (3) contacting other institutional investors that have
8 divested from or engaged with Iran-restricted companies,
9 Sudan-restricted companies, and companies that boycott
10 Israel; and

11 (4) retaining an independent research firm to identify
12 Iran-restricted companies, Sudan-restricted companies,
13 and companies that boycott Israel.

14 The Illinois Investment Policy Board shall review the list
15 of restricted companies on a quarterly basis based on evolving
16 information from, among other sources, those listed in this
17 subsection (d) and distribute any updates to the list of
18 restricted companies to the retirement systems and the State
19 Treasurer.

20 By April 1, 2018, the Illinois Investment Policy Board
21 shall make its best efforts to identify all expatriated
22 entities and include those companies in the list of restricted
23 companies distributed to each retirement system and the State
24 Treasurer. These efforts shall include the following, as
25 appropriate in the Illinois Investment Policy Board's
26 judgment:

1 (1) reviewing and relying on publicly available
2 information regarding expatriated entities, including
3 information provided by nonprofit organizations, research
4 firms, and government entities;

5 (2) contacting asset managers contracted by the
6 retirement systems that invest in expatriated entities;

7 (3) contacting other institutional investors that have
8 divested from or engaged with expatriated entities; and

9 (4) retaining an independent research firm to identify
10 expatriated entities.

11 By July 1, 2022, the Illinois Investment Policy Board
12 shall make its best efforts to identify all for-profit
13 companies that contract to shelter migrant children and
14 include those companies in the list of restricted companies
15 distributed to each retirement system. These efforts shall
16 include the following, as appropriate in the Illinois
17 Investment Policy Board's judgment:

18 (1) reviewing and relying on publicly available
19 information regarding for-profit companies that contract
20 to shelter migrant children, including information
21 provided by nonprofit organizations, research firms, and
22 government entities;

23 (2) contacting asset managers contracted by the
24 retirement systems that invest in for-profit companies
25 that contract to shelter migrant children;

26 (3) contacting other institutional investors that have

1 divested from or engaged with for-profit companies that
2 contract to shelter migrant children; and

3 (4) retaining an independent research firm to identify
4 for-profit companies that contract to shelter migrant
5 children.

6 (e) The Illinois Investment Policy Board shall adhere to
7 the following procedures for companies on the list of
8 restricted companies:

9 (1) For each company newly identified in subsection
10 (d), the Illinois Investment Policy Board shall send a
11 written notice informing the company of its status and
12 that it may become subject to divestment or shareholder
13 activism by the retirement systems.

14 (2) If, following the Illinois Investment Policy
15 Board's engagement pursuant to this subsection (e) with a
16 restricted company, that company ceases activity that
17 designates the company to be an Iran-restricted company, a
18 Sudan-restricted company, a company that boycotts Israel,
19 an expatriated entity, or a for-profit company that
20 contracts to shelter migrant children, the company shall
21 be removed from the list of restricted companies and the
22 provisions of this Section shall cease to apply to it
23 unless it resumes such activities.

24 (f) Except as provided in subsection (f-1) of this Section
25 the retirement system shall adhere to the following procedures
26 for companies on the list of restricted companies:

1 (1) The retirement system shall identify those
2 companies on the list of restricted companies in which the
3 retirement system owns direct holdings and indirect
4 holdings.

5 (2) The retirement system shall instruct its
6 investment advisors to sell, redeem, divest, or withdraw
7 all direct holdings of restricted companies from the
8 retirement system's assets under management in an orderly
9 and fiduciarily responsible manner within 12 months after
10 the company's most recent appearance on the list of
11 restricted companies.

12 (3) The retirement system may not acquire securities
13 of restricted companies.

14 (4) The provisions of this subsection (f) do not apply
15 to the retirement system's indirect holdings or private
16 market funds. The Illinois Investment Policy Board shall
17 submit letters to the managers of those investment funds
18 containing restricted companies requesting that they
19 consider removing the companies from the fund or create a
20 similar actively managed fund having indirect holdings
21 devoid of the companies. If the manager creates a similar
22 fund, the retirement system shall replace all applicable
23 investments with investments in the similar fund in an
24 expedited timeframe consistent with prudent investing
25 standards.

26 (f-1) The retirement system shall adhere to the following

1 procedures for restricted companies that are expatriated
2 entities or for-profit companies that contract to shelter
3 migrant children:

4 (1) To the extent that the retirement system believes
5 that shareholder activism would be more impactful than
6 divestment, the retirement system shall have the authority
7 to engage with a restricted company prior to divesting.

8 (2) Subject to any applicable State or Federal laws,
9 methods of shareholder activism utilized by the retirement
10 system may include, but are not limited to, bringing
11 shareholder resolutions and proxy voting on shareholder
12 resolutions.

13 (3) The retirement system shall report on its
14 shareholder activism and the outcome of such efforts to
15 the Illinois Investment Policy Board by April 1 of each
16 year.

17 (4) If the engagement efforts of the retirement system
18 are unsuccessful, then it shall adhere to the procedures
19 under subsection (f) of this Section.

20 (g) Upon request, and by April 1 of each year, each
21 retirement system shall provide the Illinois Investment Policy
22 Board with information regarding investments sold, redeemed,
23 divested, or withdrawn in compliance with this Section.

24 (h) Notwithstanding any provision of this Section to the
25 contrary, a retirement system may cease divesting from
26 companies pursuant to subsection (f) if clear and convincing

1 evidence shows that the value of investments in such companies
2 becomes equal to or less than 0.5% of the market value of all
3 assets under management by the retirement system. For any
4 cessation of divestment authorized by this subsection (h), the
5 retirement system shall provide a written notice to the
6 Illinois Investment Policy Board in advance of the cessation
7 of divestment, setting forth the reasons and justification,
8 supported by clear and convincing evidence, for its decision
9 to cease divestment under subsection (f).

10 (i) The cost associated with the activities of the
11 Illinois Investment Policy Board shall be borne by the boards
12 of each pension fund or investment board created under Article
13 15, 16, or 22A of this Code.

14 (j) With respect to actions taken in compliance with this
15 Section, including all good-faith determinations regarding
16 companies as required by this Section, the retirement system
17 and Illinois Investment Policy Board are exempt from any
18 conflicting statutory or common law obligations, including any
19 fiduciary duties under this Article and any obligations with
20 respect to choice of asset managers, investment funds, or
21 investments for the retirement system's securities portfolios.

22 (k) It is not the intent of the General Assembly in
23 enacting this amendatory Act of the 99th General Assembly to
24 cause divestiture from any company based in the United States
25 of America. The Illinois Investment Policy Board shall
26 consider this intent when developing or reviewing the list of

1 restricted companies.

2 (1) If any provision of this amendatory Act of the 99th
3 General Assembly or its application to any person or
4 circumstance is held invalid, the invalidity of that provision
5 or application does not affect other provisions or
6 applications of this amendatory Act of the 99th General
7 Assembly that can be given effect without the invalid
8 provision or application.

9 If any provision of Public Act 100-551 or its application
10 to any person or circumstance is held invalid, the invalidity
11 of that provision or application does not affect other
12 provisions or applications of Public Act 100-551 that can be
13 given effect without the invalid provision or application.

14 If any provision of this amendatory Act of the 102nd
15 General Assembly or its application to any person or
16 circumstance is held invalid, the invalidity of that provision
17 or application does not affect other provisions or
18 applications of this amendatory Act of the 102nd General
19 Assembly that can be given effect without the invalid
20 provision or application.

21 (Source: P.A. 102-118, eff. 7-23-21.)

22 Section 5-67. The Law Enforcement Camera Grant Act is
23 amended by changing Section 5 as follows:

24 (50 ILCS 707/5)

1 Sec. 5. Definitions. As used in this Act:

2 "Board" means the Illinois Law Enforcement Training
3 Standards Board created by the Illinois Police Training Act.

4 "In-car video camera" means a video camera located in a
5 law enforcement patrol vehicle.

6 "In-car video camera recording equipment" means a video
7 camera recording system located in a law enforcement patrol
8 vehicle consisting of a camera assembly, recording mechanism,
9 and an in-car video recording medium.

10 "In uniform" means a law enforcement officer who is
11 wearing any officially authorized uniform designated by a law
12 enforcement agency, or a law enforcement officer who is
13 visibly wearing articles of clothing, badge, tactical gear,
14 gun belt, a patch, or other insignia indicating that he or she
15 is a law enforcement officer acting in the course of his or her
16 duties.

17 "Law enforcement officer" or "officer" means any person
18 employed by a unit of local government ~~county, municipality,~~
19 ~~township,~~ or an Illinois public university as a policeman,
20 peace officer or in some like position involving the
21 enforcement of the law and protection of the public interest
22 at the risk of that person's life.

23 "Officer-worn body camera" means an electronic camera
24 system for creating, generating, sending, receiving, storing,
25 displaying, and processing audiovisual recordings that may be
26 worn about the person of a law enforcement officer.

1 "Recording" means the process of capturing data or
2 information stored on a recording medium as required under
3 this Act.

4 "Recording medium" means any recording medium authorized
5 by the Board for the retention and playback of recorded audio
6 and video including, but not limited to, VHS, DVD, hard drive,
7 cloud storage, solid state, digital, flash memory technology,
8 or any other electronic medium.

9 "Unit of local government" has the meaning ascribed to it
10 in Section 1 of Article VII of the Illinois Constitution.

11 (Source: P.A. 102-16, eff. 6-17-21.)

12 Section 5-69. The Illinois Municipal Code is amended by
13 changing Sections 8-3-14b and 8-3-14c as follows:

14 (65 ILCS 5/8-3-14b)

15 (Section scheduled to be repealed on January 1, 2023)

16 Sec. 8-3-14b. Municipal hotel operators' tax in DuPage
17 County. For any municipality located within DuPage County that
18 belongs to a not-for-profit organization headquartered in
19 DuPage County that is recognized by the Department of Commerce
20 and Economic Opportunity as a certified local tourism and
21 convention bureau entitled to receive State tourism grant
22 funds, not less than 75% of the amounts collected pursuant to
23 Section 8-3-14 shall be expended by the municipality to
24 promote tourism and conventions within that municipality or

1 otherwise to attract nonresident overnight visitors to the
2 municipality, and the remainder of the amounts collected by a
3 municipality within DuPage County pursuant to Section 8-3-14
4 may be expended by the municipality for economic development
5 or capital infrastructure.

6 This Section is repealed on January 1, 2025 ~~January 1,~~
7 ~~2023~~.

8 (Source: P.A. 101-204, eff. 8-2-19.)

9 (65 ILCS 5/8-3-14c)

10 (Section scheduled to be repealed on January 1, 2023)

11 Sec. 8-3-14c. Municipal hotel use tax in DuPage County.
12 For any municipality located within DuPage County that belongs
13 to a not-for-profit organization headquartered in DuPage
14 County that is recognized by the Department of Commerce and
15 Economic Opportunity as a certified local tourism and
16 convention bureau entitled to receive State tourism grant
17 funds, not less than 75% of the amounts collected pursuant to
18 Section 8-3-14a shall be expended by the municipality to
19 promote tourism and conventions within that municipality or
20 otherwise to attract nonresident overnight visitors to the
21 municipality, and the remainder of the amounts collected by a
22 municipality within DuPage County pursuant to Section 8-3-14a
23 may be expended by the municipality for economic development
24 or capital infrastructure.

25 This Section is repealed on January 1, 2025 ~~January 1,~~

1 ~~2023~~.

2 (Source: P.A. 101-204, eff. 8-2-19.)

3 Section 5-70. The Metropolitan Pier and Exposition
4 Authority Act is amended by changing Sections 5 and 14 as
5 follows:

6 (70 ILCS 210/5) (from Ch. 85, par. 1225)

7 Sec. 5. The Metropolitan Pier and Exposition Authority
8 shall also have the following rights and powers:

9 (a) To accept from Chicago Park Fair, a corporation,
10 an assignment of whatever sums of money it may have
11 received from the Fair and Exposition Fund, allocated by
12 the Department of Agriculture of the State of Illinois,
13 and Chicago Park Fair is hereby authorized to assign, set
14 over and transfer any of those funds to the Metropolitan
15 Pier and Exposition Authority. The Authority has the right
16 and power hereafter to receive sums as may be distributed
17 to it by the Department of Agriculture of the State of
18 Illinois from the Fair and Exposition Fund pursuant to the
19 provisions of Sections 5, 6i, and 28 of the State Finance
20 Act. All sums received by the Authority shall be held in
21 the sole custody of the secretary-treasurer of the
22 Metropolitan Pier and Exposition Board.

23 (b) To accept the assignment of, assume and execute
24 any contracts heretofore entered into by Chicago Park

1 Fair.

2 (c) To acquire, own, construct, equip, lease, operate
3 and maintain grounds, buildings and facilities to carry
4 out its corporate purposes and duties, and to carry out or
5 otherwise provide for the recreational, cultural,
6 commercial or residential development of Navy Pier, and to
7 fix and collect just, reasonable and nondiscriminatory
8 charges for the use thereof. The charges so collected
9 shall be made available to defray the reasonable expenses
10 of the Authority and to pay the principal of and the
11 interest upon any revenue bonds issued by the Authority.
12 The Authority shall be subject to and comply with the Lake
13 Michigan and Chicago Lakefront Protection Ordinance, the
14 Chicago Building Code, the Chicago Zoning Ordinance, and
15 all ordinances and regulations of the City of Chicago
16 contained in the following Titles of the Municipal Code of
17 Chicago: Businesses, Occupations and Consumer Protection;
18 Health and Safety; Fire Prevention; Public Peace, Morals
19 and Welfare; Utilities and Environmental Protection;
20 Streets, Public Ways, Parks, Airports and Harbors;
21 Electrical Equipment and Installation; Housing and
22 Economic Development (only Chapter 5-4 thereof); and
23 Revenue and Finance (only so far as such Title pertains to
24 the Authority's duty to collect taxes on behalf of the
25 City of Chicago).

26 (d) To enter into contracts treating in any manner

1 with the objects and purposes of this Act.

2 (e) To lease any buildings to the Adjutant General of
3 the State of Illinois for the use of the Illinois National
4 Guard or the Illinois Naval Militia.

5 (f) To exercise the right of eminent domain by
6 condemnation proceedings in the manner provided by the
7 Eminent Domain Act, including, with respect to Site B
8 only, the authority to exercise quick take condemnation by
9 immediate vesting of title under Article 20 of the Eminent
10 Domain Act, to acquire any privately owned real or
11 personal property and, with respect to Site B only, public
12 property used for rail transportation purposes (but no
13 such taking of such public property shall, in the
14 reasonable judgment of the owner, interfere with such rail
15 transportation) for the lawful purposes of the Authority
16 in Site A, at Navy Pier, and at Site B. Just compensation
17 for property taken or acquired under this paragraph shall
18 be paid in money or, notwithstanding any other provision
19 of this Act and with the agreement of the owner of the
20 property to be taken or acquired, the Authority may convey
21 substitute property or interests in property or enter into
22 agreements with the property owner, including leases,
23 licenses, or concessions, with respect to any property
24 owned by the Authority, or may provide for other lawful
25 forms of just compensation to the owner. Any property
26 acquired in condemnation proceedings shall be used only as

1 provided in this Act. Except as otherwise provided by law,
2 the City of Chicago shall have a right of first refusal
3 prior to any sale of any such property by the Authority to
4 a third party other than substitute property. The
5 Authority shall develop and implement a relocation plan
6 for businesses displaced as a result of the Authority's
7 acquisition of property. The relocation plan shall be
8 substantially similar to provisions of the Uniform
9 Relocation Assistance and Real Property Acquisition Act
10 and regulations promulgated under that Act relating to
11 assistance to displaced businesses. To implement the
12 relocation plan the Authority may acquire property by
13 purchase or gift or may exercise the powers authorized in
14 this subsection (f), except the immediate vesting of title
15 under Article 20 of the Eminent Domain Act, to acquire
16 substitute private property within one mile of Site B for
17 the benefit of displaced businesses located on property
18 being acquired by the Authority. However, no such
19 substitute property may be acquired by the Authority
20 unless the mayor of the municipality in which the property
21 is located certifies in writing that the acquisition is
22 consistent with the municipality's land use and economic
23 development policies and goals. The acquisition of
24 substitute property is declared to be for public use. In
25 exercising the powers authorized in this subsection (f),
26 the Authority shall use its best efforts to relocate

1 businesses within the area of McCormick Place or, failing
2 that, within the City of Chicago.

3 (g) To enter into contracts relating to construction
4 projects which provide for the delivery by the contractor
5 of a completed project, structure, improvement, or
6 specific portion thereof, for a fixed maximum price, which
7 contract may provide that the delivery of the project,
8 structure, improvement, or specific portion thereof, for
9 the fixed maximum price is insured or guaranteed by a
10 third party capable of completing the construction.

11 (h) To enter into agreements with any person with
12 respect to the use and occupancy of the grounds,
13 buildings, and facilities of the Authority, including
14 concession, license, and lease agreements on terms and
15 conditions as the Authority determines. Notwithstanding
16 Section 24, agreements with respect to the use and
17 occupancy of the grounds, buildings, and facilities of the
18 Authority for a term of more than one year shall be entered
19 into in accordance with the procurement process provided
20 for in Section 25.1.

21 (i) To enter into agreements with any person with
22 respect to the operation and management of the grounds,
23 buildings, and facilities of the Authority or the
24 provision of goods and services on terms and conditions as
25 the Authority determines.

26 (j) After conducting the procurement process provided

1 for in Section 25.1, to enter into one or more contracts to
2 provide for the design and construction of all or part of
3 the Authority's Expansion Project grounds, buildings, and
4 facilities. Any contract for design and construction of
5 the Expansion Project shall be in the form authorized by
6 subsection (g), shall be for a fixed maximum price not in
7 excess of the funds that are authorized to be made
8 available for those purposes during the term of the
9 contract, and shall be entered into before commencement of
10 construction.

11 (k) To enter into agreements, including project
12 agreements with labor unions, that the Authority deems
13 necessary to complete the Expansion Project or any other
14 construction or improvement project in the most timely and
15 efficient manner and without strikes, picketing, or other
16 actions that might cause disruption or delay and thereby
17 add to the cost of the project.

18 (l) To provide incentives to organizations and
19 entities that agree to make use of the grounds, buildings,
20 and facilities of the Authority for conventions, meetings,
21 or trade shows. The incentives may take the form of
22 discounts from regular fees charged by the Authority,
23 subsidies for or assumption of the costs incurred with
24 respect to the convention, meeting, or trade show, or
25 other inducements. The Authority shall award incentives to
26 attract or retain conventions, meetings, and trade shows

1 under the terms set forth in this subsection (1) from
2 amounts appropriated to the Authority from the
3 Metropolitan Pier and Exposition Authority Incentive Fund
4 for this purpose.

5 No later than May 15 of each year, the Chief Executive
6 Officer of the Metropolitan Pier and Exposition Authority
7 shall certify to the State Comptroller and the State
8 Treasurer the amounts of incentive grant funds used during
9 the current fiscal year to provide incentives for
10 conventions, meetings, or trade shows that:

11 (i) have been approved by the Authority, in
12 consultation with an organization meeting the
13 qualifications set out in Section 5.6 of this Act,
14 provided the Authority has entered into a marketing
15 agreement with such an organization,

16 (ii) (A) for fiscal years prior to 2022 and after
17 2024, demonstrate registered attendance in excess of
18 5,000 individuals or in excess of 10,000 individuals,
19 as appropriate;

20 (B) for fiscal years 2022 through 2024,
21 demonstrate registered attendance in excess of 3,000
22 individuals or in excess of 5,000 individuals, as
23 appropriate; or

24 (C) for fiscal years 2022 and 2023, regardless of
25 registered attendance, demonstrate incurrence of costs
26 associated with mitigation of COVID-19, including, but

1 not limited to, costs for testing and screening,
2 contact tracing and notification, personal protective
3 equipment, and other physical and organizational
4 costs, and

5 (iii) in the case of subparagraphs (A) and (B) of
6 paragraph (ii), but for the incentive, would not have
7 used the facilities of the Authority for the
8 convention, meeting, or trade show. The State
9 Comptroller may request that the Auditor General
10 conduct an audit of the accuracy of the certification.
11 If the State Comptroller determines by this process of
12 certification that incentive funds, in whole or in
13 part, were disbursed by the Authority by means other
14 than in accordance with the standards of this
15 subsection (1), then any amount transferred to the
16 Metropolitan Pier and Exposition Authority Incentive
17 Fund shall be reduced during the next subsequent
18 transfer in direct proportion to that amount
19 determined to be in violation of the terms set forth in
20 this subsection (1).

21 On July 15, 2012, the Comptroller shall order
22 transferred, and the Treasurer shall transfer, into the
23 Metropolitan Pier and Exposition Authority Incentive Fund
24 from the General Revenue Fund the sum of \$7,500,000 plus
25 an amount equal to the incentive grant funds certified by
26 the Chief Executive Officer as having been lawfully paid

1 under the provisions of this Section in the previous 2
2 fiscal years that have not otherwise been transferred into
3 the Metropolitan Pier and Exposition Authority Incentive
4 Fund, provided that transfers in excess of \$15,000,000
5 shall not be made in any fiscal year.

6 On July 15, 2013, the Comptroller shall order
7 transferred, and the Treasurer shall transfer, into the
8 Metropolitan Pier and Exposition Authority Incentive Fund
9 from the General Revenue Fund the sum of \$7,500,000 plus
10 an amount equal to the incentive grant funds certified by
11 the Chief Executive Officer as having been lawfully paid
12 under the provisions of this Section in the previous
13 fiscal year that have not otherwise been transferred into
14 the Metropolitan Pier and Exposition Authority Incentive
15 Fund, provided that transfers in excess of \$15,000,000
16 shall not be made in any fiscal year.

17 On July 15, 2014, and every year thereafter, the
18 Comptroller shall order transferred, and the Treasurer
19 shall transfer, into the Metropolitan Pier and Exposition
20 Authority Incentive Fund from the General Revenue Fund an
21 amount equal to the incentive grant funds certified by the
22 Chief Executive Officer as having been lawfully paid under
23 the provisions of this Section in the previous fiscal year
24 that have not otherwise been transferred into the
25 Metropolitan Pier and Exposition Authority Incentive Fund,
26 provided that (1) no transfers with respect to any

1 previous fiscal year shall be made after the transfer has
2 been made with respect to the 2017 fiscal year until the
3 transfer that is made for the 2022 fiscal year and
4 thereafter, and no transfers with respect to any previous
5 fiscal year shall be made after the transfer has been made
6 with respect to the 2026 fiscal year, and (2) transfers in
7 excess of \$15,000,000 shall not be made in any fiscal
8 year.

9 After a transfer has been made under this subsection
10 (1), the Chief Executive Officer shall file a request for
11 payment with the Comptroller evidencing that the incentive
12 grants have been made and the Comptroller shall thereafter
13 order paid, and the Treasurer shall pay, the requested
14 amounts to the Metropolitan Pier and Exposition Authority.

15 Excluding any amounts related to the payment of costs
16 associated with the mitigation of COVID-19 in accordance
17 with this subsection (1), in no case shall more than
18 \$5,000,000 be used in any one year by the Authority for
19 incentives granted conventions, meetings, or trade shows
20 with a registered attendance of (1) more than 5,000 and
21 less than 10,000 prior to the 2022 fiscal year and after
22 the 2024 fiscal year and (2) more than 3,000 and less than
23 5,000 for fiscal years 2022 through 2024. Amounts in the
24 Metropolitan Pier and Exposition Authority Incentive Fund
25 shall only be used by the Authority for incentives paid to
26 attract or retain conventions, meetings, and trade shows

1 as provided in this subsection (1).

2 (1-5) The Village of Rosemont shall provide incentives
3 from amounts transferred into the Convention Center
4 Support Fund to retain and attract conventions, meetings,
5 or trade shows to the Donald E. Stephens Convention Center
6 under the terms set forth in this subsection (1-5).

7 No later than May 15 of each year, the Mayor of the
8 Village of Rosemont or his or her designee shall certify
9 to the State Comptroller and the State Treasurer the
10 amounts of incentive grant funds used during the previous
11 fiscal year to provide incentives for conventions,
12 meetings, or trade shows that (1) have been approved by
13 the Village, (2) demonstrate registered attendance in
14 excess of 5,000 individuals, and (3) but for the
15 incentive, would not have used the Donald E. Stephens
16 Convention Center facilities for the convention, meeting,
17 or trade show. The State Comptroller may request that the
18 Auditor General conduct an audit of the accuracy of the
19 certification.

20 If the State Comptroller determines by this process of
21 certification that incentive funds, in whole or in part,
22 were disbursed by the Village by means other than in
23 accordance with the standards of this subsection (1-5),
24 then the amount transferred to the Convention Center
25 Support Fund shall be reduced during the next subsequent
26 transfer in direct proportion to that amount determined to

1 be in violation of the terms set forth in this subsection
2 (1-5).

3 On July 15, 2012, and each year thereafter, the
4 Comptroller shall order transferred, and the Treasurer
5 shall transfer, into the Convention Center Support Fund
6 from the General Revenue Fund the amount of \$5,000,000 for
7 (i) incentives to attract large conventions, meetings, and
8 trade shows to the Donald E. Stephens Convention Center,
9 and (ii) to be used by the Village of Rosemont for the
10 repair, maintenance, and improvement of the Donald E.
11 Stephens Convention Center and for debt service on debt
12 instruments issued for those purposes by the village. No
13 later than 30 days after the transfer, the Comptroller
14 shall order paid, and the Treasurer shall pay, to the
15 Village of Rosemont the amounts transferred.

16 (m) To enter into contracts with any person conveying
17 the naming rights or other intellectual property rights
18 with respect to the grounds, buildings, and facilities of
19 the Authority.

20 (n) To enter into grant agreements with the Chicago
21 Convention and Tourism Bureau providing for the marketing
22 of the convention facilities to large and small
23 conventions, meetings, and trade shows and the promotion
24 of the travel industry in the City of Chicago, provided
25 such agreements meet the requirements of Section 5.6 of
26 this Act. Receipts of the Authority from the increase in

1 the airport departure tax authorized in subsection (f) of
2 Section 13 of this Act by Public Act 96-898 ~~by Section~~
3 ~~13(f) of this amendatory Act of the 96th General Assembly~~
4 and, subject to appropriation to the Authority, funds
5 deposited in the Chicago Travel Industry Promotion Fund
6 pursuant to Section 6 of the Hotel Operators' Occupation
7 Tax Act shall be granted to the Bureau for such purposes.

8 For Fiscal Year 2023 only, the Department of Commerce
9 and Economic Opportunity shall enter into the grant
10 agreements described in this subsection in place of the
11 Authority. The grant agreements entered into by the
12 Department and the Bureau under this subsection are not
13 subject to the matching funds requirements or the other
14 terms and conditions of Section 605-705 of the Department
15 of Commerce and Economic Opportunity Law of the Civil
16 Administrative Code of Illinois. Subject to appropriation,
17 funds transferred into the Chicago Travel Industry
18 Promotion Fund pursuant to subsection (f) of Section
19 6z-121 of the State Finance Act shall be granted to the
20 Bureau for the purposes described in this subsection. The
21 Department shall have authority to make expenditures from
22 the Chicago Travel Industry Promotion Fund solely for the
23 purpose of providing grants to the Bureau.

24 (Source: P.A. 102-16, eff. 6-17-21.)

25 (70 ILCS 210/14) (from Ch. 85, par. 1234)

1 Sec. 14. Board; compensation. The governing and
2 administrative body of the Authority shall be a board known as
3 the Metropolitan Pier and Exposition Board. On the effective
4 date of this amendatory Act of the 96th General Assembly, the
5 Trustee shall assume the duties and powers of the Board for a
6 period of 18 months or until the Board is fully constituted,
7 whichever is later. Any action requiring Board approval shall
8 be deemed approved by the Board if the Trustee approves the
9 action in accordance with Section 14.5. Beginning the first
10 Monday of the month occurring 18 months after the effective
11 date of this amendatory Act of the 96th General Assembly, the
12 Board shall consist of 9 members. The Governor shall appoint 4
13 members to the Board, subject to the advice and consent of the
14 Senate. The Mayor shall appoint 4 members to the Board. At
15 least one member of the Board shall represent the interests of
16 labor and at least one member of the Board shall represent the
17 interests of the convention industry. A majority of the
18 members appointed by the Governor and Mayor shall appoint a
19 ninth member to serve as the chairperson. The Board shall be
20 fully constituted when a quorum has been appointed. The
21 members of the board shall be individuals of generally
22 recognized ability and integrity. No member of the Board may
23 be (i) an officer or employee of, or a member of a board,
24 commission or authority of, the State, any unit of local
25 government or any school district or (ii) a person who served
26 on the Board prior to the effective date of this amendatory Act

1 of the 96th General Assembly.

2 Of the initial members appointed by the Governor, one
3 shall serve for a term expiring June 1, 2013, one shall serve
4 for a term expiring June 1, 2014, one shall serve for a term
5 expiring June 1, 2015, and one shall serve for a term expiring
6 June 1, 2016, as determined by the Governor. Of the initial
7 members appointed by the Mayor, one shall serve for a term
8 expiring June 1, 2013, one shall serve for a term expiring June
9 1, 2014, one shall serve for a term expiring June 1, 2015, and
10 one shall serve for a term expiring June 1, 2016, as determined
11 by the Mayor. The initial chairperson appointed by the Board
12 shall serve a term for a term expiring June 1, 2015. Successors
13 shall be appointed to 4-year terms. ~~No person may be appointed~~
14 ~~to more than 3 terms.~~

15 Members of the Board shall serve without compensation, but
16 shall be reimbursed for actual expenses incurred by them in
17 the performance of their duties. All members of the Board and
18 employees of the Authority are subject to the Illinois
19 Governmental Ethics Act, in accordance with its terms.

20 (Source: P.A. 100-1116, eff. 11-28-18.)

21 Section 5-73. The Joliet Arsenal Development Authority Act
22 is amended by changing Section 55 as follows:

23 (70 ILCS 508/55)

24 Sec. 55. Abolition of Authority. The Authority shall be

1 abolished upon the last to occur of the following: (1)
2 expiration of the 30-year ~~25-year~~ period that begins on the
3 effective date of this Act; or (2) one year after all revenue
4 bonds, notes, and other evidences of indebtedness of the
5 Authority have been fully paid and discharged or otherwise
6 provided for. Upon the abolition of the Authority, all of its
7 rights and property shall pass to and be vested in the State.

8 (Source: P.A. 96-1122, eff. 7-20-10.)

9 Section 5-75. The School Code is amended by changing
10 Sections 2-3.33, 2-3.192, and 18-8.15 as follows:

11 (105 ILCS 5/2-3.33) (from Ch. 122, par. 2-3.33)

12 Sec. 2-3.33. Recomputation of claims. To recompute within
13 3 years from the final date for filing of a claim any claim for
14 general State aid reimbursement to any school district ~~and one~~
15 ~~year from the final date for filing of a claim for~~
16 ~~evidence based funding if the claim has been found to be~~
17 ~~incorrect and to adjust subsequent claims accordingly,~~ and to
18 recompute and adjust any such claims within 6 years from the
19 final date for filing when there has been an adverse court or
20 administrative agency decision on the merits affecting the tax
21 revenues of the school district. However, no such adjustment
22 shall be made regarding equalized assessed valuation unless
23 the district's equalized assessed valuation is changed by
24 greater than \$250,000 or 2%. Any adjustments for claims

1 recomputed for the 2016-2017 school year and prior school
2 years shall be applied to the apportionment of evidence-based
3 funding in Section 18-8.15 of this Code beginning in the
4 2017-2018 school year and thereafter. However, the
5 recomputation of a claim for evidence-based funding for a
6 school district shall not require the recomputation of claims
7 for all districts, and the State Board of Education shall only
8 make recomputations of evidence-based funding for those
9 districts where an adjustment is required. The State Board is
10 authorized to and shall apply corrections to data used in
11 evidence-based funding calculations that may result in current
12 year adjustments and shall recover funds previously scheduled
13 to be distributed or previously distributed to an
14 Organizational Unit or specially funded unit during a fiscal
15 year in accordance with Section 18-8.15 of this Code.

16 Except in the case of an adverse court or administrative
17 agency decision, no recomputation of a State aid claim shall
18 be made pursuant to this Section as a result of a reduction in
19 the assessed valuation of a school district from the assessed
20 valuation of the district reported to the State Board of
21 Education by the Department of Revenue under Section 18-8.05
22 or 18-8.15 of this Code unless the requirements of Section
23 16-15 of the Property Tax Code and Section 2-3.84 of this Code
24 are complied with in all respects.

25 This paragraph applies to all requests for recomputation
26 of a general State aid or evidence-based funding claim

1 received after June 30, 2003. In recomputing a general State
2 aid or evidence-based funding claim that was originally
3 calculated using an extension limitation equalized assessed
4 valuation under paragraph (3) of subsection (G) of Section
5 18-8.05 of this Code or Section 18-8.15 of this Code, a
6 qualifying reduction in equalized assessed valuation shall be
7 deducted from the extension limitation equalized assessed
8 valuation that was used in calculating the original claim.

9 From the total amount of general State aid or
10 evidence-based funding to be provided to districts,
11 adjustments as a result of recomputation under this Section
12 together with adjustments under Section 2-3.84 must not exceed
13 \$25 million, in the aggregate for all districts under both
14 Sections combined, of the general State aid or evidence-based
15 funding appropriation in any fiscal year; if necessary,
16 amounts shall be prorated among districts. If it is necessary
17 to prorate claims under this paragraph, then that portion of
18 each prorated claim that is approved but not paid in the
19 current fiscal year may be resubmitted as a valid claim in the
20 following fiscal year.

21 (Source: P.A. 100-465, eff. 8-31-17.)

22 (105 ILCS 5/2-3.192 new)

23 Sec. 2-3.192. Significant loss grant program. Subject to
24 specific State appropriation, the State Board shall make
25 Significant Loss Grants available to school districts that

1 meet all of the following requirements:

2 (1) The district has been affected by a recent
3 substantial loss of contributions from a single taxpayer
4 that resulted in either a significant loss of the overall
5 district Equalized Assessed Value or a significant loss in
6 property tax revenue from January 1, 2018 through the
7 effective date of this amendatory Act of the 102nd General
8 Assembly.

9 (2) The district's total equalized assessed value is
10 significantly derived from a single taxpayer.

11 (3) The district's administrative office is located in
12 a county with less than 30,000 inhabitants.

13 (4) The district has a total student enrollment of
14 less than 500 students as published on the most recent
15 Illinois School Report Card.

16 (5) The district has a low income concentration of at
17 least 45% as published on the most recent Illinois School
18 Report Card.

19 The Professional Review Panel shall make recommendations
20 to the State Board regarding grant eligibility and
21 allocations. The State Board shall determine grant eligibility
22 and allocations. This Section is repealed on July 1, 2023.

23 (105 ILCS 5/18-8.15)

24 Sec. 18-8.15. Evidence-Based Funding for student success
25 for the 2017-2018 and subsequent school years.

1 (a) General provisions.

2 (1) The purpose of this Section is to ensure that, by
3 June 30, 2027 and beyond, this State has a kindergarten
4 through grade 12 public education system with the capacity
5 to ensure the educational development of all persons to
6 the limits of their capacities in accordance with Section
7 1 of Article X of the Constitution of the State of
8 Illinois. To accomplish that objective, this Section
9 creates a method of funding public education that is
10 evidence-based; is sufficient to ensure every student
11 receives a meaningful opportunity to learn irrespective of
12 race, ethnicity, sexual orientation, gender, or
13 community-income level; and is sustainable and
14 predictable. When fully funded under this Section, every
15 school shall have the resources, based on what the
16 evidence indicates is needed, to:

17 (A) provide all students with a high quality
18 education that offers the academic, enrichment, social
19 and emotional support, technical, and career-focused
20 programs that will allow them to become competitive
21 workers, responsible parents, productive citizens of
22 this State, and active members of our national
23 democracy;

24 (B) ensure all students receive the education they
25 need to graduate from high school with the skills
26 required to pursue post-secondary education and

1 training for a rewarding career;

2 (C) reduce, with a goal of eliminating, the
3 achievement gap between at-risk and non-at-risk
4 students by raising the performance of at-risk
5 students and not by reducing standards; and

6 (D) ensure this State satisfies its obligation to
7 assume the primary responsibility to fund public
8 education and simultaneously relieve the
9 disproportionate burden placed on local property taxes
10 to fund schools.

11 (2) The Evidence-Based Funding formula under this
12 Section shall be applied to all Organizational Units in
13 this State. The Evidence-Based Funding formula outlined in
14 this Act is based on the formula outlined in Senate Bill 1
15 of the 100th General Assembly, as passed by both
16 legislative chambers. As further defined and described in
17 this Section, there are 4 major components of the
18 Evidence-Based Funding model:

19 (A) First, the model calculates a unique Adequacy
20 Target for each Organizational Unit in this State that
21 considers the costs to implement research-based
22 activities, the unit's student demographics, and
23 regional wage differences.

24 (B) Second, the model calculates each
25 Organizational Unit's Local Capacity, or the amount
26 each Organizational Unit is assumed to contribute

1 toward its Adequacy Target from local resources.

2 (C) Third, the model calculates how much funding
3 the State currently contributes to the Organizational
4 Unit and adds that to the unit's Local Capacity to
5 determine the unit's overall current adequacy of
6 funding.

7 (D) Finally, the model's distribution method
8 allocates new State funding to those Organizational
9 Units that are least well-funded, considering both
10 Local Capacity and State funding, in relation to their
11 Adequacy Target.

12 (3) An Organizational Unit receiving any funding under
13 this Section may apply those funds to any fund so received
14 for which that Organizational Unit is authorized to make
15 expenditures by law.

16 (4) As used in this Section, the following terms shall
17 have the meanings ascribed in this paragraph (4):

18 "Adequacy Target" is defined in paragraph (1) of
19 subsection (b) of this Section.

20 "Adjusted EAV" is defined in paragraph (4) of
21 subsection (d) of this Section.

22 "Adjusted Local Capacity Target" is defined in
23 paragraph (3) of subsection (c) of this Section.

24 "Adjusted Operating Tax Rate" means a tax rate for all
25 Organizational Units, for which the State Superintendent
26 shall calculate and subtract for the Operating Tax Rate a

1 transportation rate based on total expenses for
2 transportation services under this Code, as reported on
3 the most recent Annual Financial Report in Pupil
4 Transportation Services, function 2550 in both the
5 Education and Transportation funds and functions 4110 and
6 4120 in the Transportation fund, less any corresponding
7 fiscal year State of Illinois scheduled payments excluding
8 net adjustments for prior years for regular, vocational,
9 or special education transportation reimbursement pursuant
10 to Section 29-5 or subsection (b) of Section 14-13.01 of
11 this Code divided by the Adjusted EAV. If an
12 Organizational Unit's corresponding fiscal year State of
13 Illinois scheduled payments excluding net adjustments for
14 prior years for regular, vocational, or special education
15 transportation reimbursement pursuant to Section 29-5 or
16 subsection (b) of Section 14-13.01 of this Code exceed the
17 total transportation expenses, as defined in this
18 paragraph, no transportation rate shall be subtracted from
19 the Operating Tax Rate.

20 "Allocation Rate" is defined in paragraph (3) of
21 subsection (g) of this Section.

22 "Alternative School" means a public school that is
23 created and operated by a regional superintendent of
24 schools and approved by the State Board.

25 "Applicable Tax Rate" is defined in paragraph (1) of
26 subsection (d) of this Section.

1 "Assessment" means any of those benchmark, progress
2 monitoring, formative, diagnostic, and other assessments,
3 in addition to the State accountability assessment, that
4 assist teachers' needs in understanding the skills and
5 meeting the needs of the students they serve.

6 "Assistant principal" means a school administrator
7 duly endorsed to be employed as an assistant principal in
8 this State.

9 "At-risk student" means a student who is at risk of
10 not meeting the Illinois Learning Standards or not
11 graduating from elementary or high school and who
12 demonstrates a need for vocational support or social
13 services beyond that provided by the regular school
14 program. All students included in an Organizational Unit's
15 Low-Income Count, as well as all English learner and
16 disabled students attending the Organizational Unit, shall
17 be considered at-risk students under this Section.

18 "Average Student Enrollment" or "ASE" for fiscal year
19 2018 means, for an Organizational Unit, the greater of the
20 average number of students (grades K through 12) reported
21 to the State Board as enrolled in the Organizational Unit
22 on October 1 in the immediately preceding school year,
23 plus the pre-kindergarten students who receive special
24 education services of 2 or more hours a day as reported to
25 the State Board on December 1 in the immediately preceding
26 school year, or the average number of students (grades K

1 through 12) reported to the State Board as enrolled in the
2 Organizational Unit on October 1, plus the
3 pre-kindergarten students who receive special education
4 services of 2 or more hours a day as reported to the State
5 Board on December 1, for each of the immediately preceding
6 3 school years. For fiscal year 2019 and each subsequent
7 fiscal year, "Average Student Enrollment" or "ASE" means,
8 for an Organizational Unit, the greater of the average
9 number of students (grades K through 12) reported to the
10 State Board as enrolled in the Organizational Unit on
11 October 1 and March 1 in the immediately preceding school
12 year, plus the pre-kindergarten students who receive
13 special education services as reported to the State Board
14 on October 1 and March 1 in the immediately preceding
15 school year, or the average number of students (grades K
16 through 12) reported to the State Board as enrolled in the
17 Organizational Unit on October 1 and March 1, plus the
18 pre-kindergarten students who receive special education
19 services as reported to the State Board on October 1 and
20 March 1, for each of the immediately preceding 3 school
21 years. For the purposes of this definition, "enrolled in
22 the Organizational Unit" means the number of students
23 reported to the State Board who are enrolled in schools
24 within the Organizational Unit that the student attends or
25 would attend if not placed or transferred to another
26 school or program to receive needed services. For the

1 purposes of calculating "ASE", all students, grades K
2 through 12, excluding those attending kindergarten for a
3 half day and students attending an alternative education
4 program operated by a regional office of education or
5 intermediate service center, shall be counted as 1.0. All
6 students attending kindergarten for a half day shall be
7 counted as 0.5, unless in 2017 by June 15 or by March 1 in
8 subsequent years, the school district reports to the State
9 Board of Education the intent to implement full-day
10 kindergarten district-wide for all students, then all
11 students attending kindergarten shall be counted as 1.0.
12 Special education pre-kindergarten students shall be
13 counted as 0.5 each. If the State Board does not collect or
14 has not collected both an October 1 and March 1 enrollment
15 count by grade or a December 1 collection of special
16 education pre-kindergarten students as of August 31, 2017
17 (the effective date of Public Act 100-465), it shall
18 establish such collection for all future years. For any
19 year in which a count by grade level was collected only
20 once, that count shall be used as the single count
21 available for computing a 3-year average ASE. Funding for
22 programs operated by a regional office of education or an
23 intermediate service center must be calculated using the
24 Evidence-Based Funding formula under this Section for the
25 2019-2020 school year and each subsequent school year
26 until separate adequacy formulas are developed and adopted

1 for each type of program. ASE for a program operated by a
2 regional office of education or an intermediate service
3 center must be determined by the March 1 enrollment for
4 the program. For the 2019-2020 school year, the ASE used
5 in the calculation must be the first-year ASE and, in that
6 year only, the assignment of students served by a regional
7 office of education or intermediate service center shall
8 not result in a reduction of the March enrollment for any
9 school district. For the 2020-2021 school year, the ASE
10 must be the greater of the current-year ASE or the 2-year
11 average ASE. Beginning with the 2021-2022 school year, the
12 ASE must be the greater of the current-year ASE or the
13 3-year average ASE. School districts shall submit the data
14 for the ASE calculation to the State Board within 45 days
15 of the dates required in this Section for submission of
16 enrollment data in order for it to be included in the ASE
17 calculation. For fiscal year 2018 only, the ASE
18 calculation shall include only enrollment taken on October
19 1. In recognition of the impact of COVID-19, the
20 definition of "Average Student Enrollment" or "ASE" shall
21 be adjusted for calculations under this Section for fiscal
22 years 2022 through 2024. For fiscal years 2022 through
23 2024, the enrollment used in the calculation of ASE
24 representing the 2020-2021 school year shall be the
25 greater of the enrollment for the 2020-2021 school year or
26 the 2019-2020 school year.

1 "Base Funding Guarantee" is defined in paragraph (10)
2 of subsection (g) of this Section.

3 "Base Funding Minimum" is defined in subsection (e) of
4 this Section.

5 "Base Tax Year" means the property tax levy year used
6 to calculate the Budget Year allocation of primary State
7 aid.

8 "Base Tax Year's Extension" means the product of the
9 equalized assessed valuation utilized by the county clerk
10 in the Base Tax Year multiplied by the limiting rate as
11 calculated by the county clerk and defined in PTELL.

12 "Bilingual Education Allocation" means the amount of
13 an Organizational Unit's final Adequacy Target
14 attributable to bilingual education divided by the
15 Organizational Unit's final Adequacy Target, the product
16 of which shall be multiplied by the amount of new funding
17 received pursuant to this Section. An Organizational
18 Unit's final Adequacy Target attributable to bilingual
19 education shall include all additional investments in
20 English learner students' adequacy elements.

21 "Budget Year" means the school year for which primary
22 State aid is calculated and awarded under this Section.

23 "Central office" means individual administrators and
24 support service personnel charged with managing the
25 instructional programs, business and operations, and
26 security of the Organizational Unit.

1 "Comparable Wage Index" or "CWI" means a regional cost
2 differentiation metric that measures systemic, regional
3 variations in the salaries of college graduates who are
4 not educators. The CWI utilized for this Section shall,
5 for the first 3 years of Evidence-Based Funding
6 implementation, be the CWI initially developed by the
7 National Center for Education Statistics, as most recently
8 updated by Texas A & M University. In the fourth and
9 subsequent years of Evidence-Based Funding implementation,
10 the State Superintendent shall re-determine the CWI using
11 a similar methodology to that identified in the Texas A & M
12 University study, with adjustments made no less frequently
13 than once every 5 years.

14 "Computer technology and equipment" means computers
15 servers, notebooks, network equipment, copiers, printers,
16 instructional software, security software, curriculum
17 management courseware, and other similar materials and
18 equipment.

19 "Computer technology and equipment investment
20 allocation" means the final Adequacy Target amount of an
21 Organizational Unit assigned to Tier 1 or Tier 2 in the
22 prior school year attributable to the additional \$285.50
23 per student computer technology and equipment investment
24 grant divided by the Organizational Unit's final Adequacy
25 Target, the result of which shall be multiplied by the
26 amount of new funding received pursuant to this Section.

1 An Organizational Unit assigned to a Tier 1 or Tier 2 final
2 Adequacy Target attributable to the received computer
3 technology and equipment investment grant shall include
4 all additional investments in computer technology and
5 equipment adequacy elements.

6 "Core subject" means mathematics; science; reading,
7 English, writing, and language arts; history and social
8 studies; world languages; and subjects taught as Advanced
9 Placement in high schools.

10 "Core teacher" means a regular classroom teacher in
11 elementary schools and teachers of a core subject in
12 middle and high schools.

13 "Core Intervention teacher (tutor)" means a licensed
14 teacher providing one-on-one or small group tutoring to
15 students struggling to meet proficiency in core subjects.

16 "CPPRT" means corporate personal property replacement
17 tax funds paid to an Organizational Unit during the
18 calendar year one year before the calendar year in which a
19 school year begins, pursuant to "An Act in relation to the
20 abolition of ad valorem personal property tax and the
21 replacement of revenues lost thereby, and amending and
22 repealing certain Acts and parts of Acts in connection
23 therewith", certified August 14, 1979, as amended (Public
24 Act 81-1st S.S.-1).

25 "EAV" means equalized assessed valuation as defined in
26 paragraph (2) of subsection (d) of this Section and

1 calculated in accordance with paragraph (3) of subsection
2 (d) of this Section.

3 "ECI" means the Bureau of Labor Statistics' national
4 employment cost index for civilian workers in educational
5 services in elementary and secondary schools on a
6 cumulative basis for the 12-month calendar year preceding
7 the fiscal year of the Evidence-Based Funding calculation.

8 "EIS Data" means the employment information system
9 data maintained by the State Board on educators within
10 Organizational Units.

11 "Employee benefits" means health, dental, and vision
12 insurance offered to employees of an Organizational Unit,
13 the costs associated with the statutorily required payment
14 of the normal cost of the Organizational Unit's teacher
15 pensions, Social Security employer contributions, and
16 Illinois Municipal Retirement Fund employer contributions.

17 "English learner" or "EL" means a child included in
18 the definition of "English learners" under Section 14C-2
19 of this Code participating in a program of transitional
20 bilingual education or a transitional program of
21 instruction meeting the requirements and program
22 application procedures of Article 14C of this Code. For
23 the purposes of collecting the number of EL students
24 enrolled, the same collection and calculation methodology
25 as defined above for "ASE" shall apply to English
26 learners, with the exception that EL student enrollment

1 shall include students in grades pre-kindergarten through
2 12.

3 "Essential Elements" means those elements, resources,
4 and educational programs that have been identified through
5 academic research as necessary to improve student success,
6 improve academic performance, close achievement gaps, and
7 provide for other per student costs related to the
8 delivery and leadership of the Organizational Unit, as
9 well as the maintenance and operations of the unit, and
10 which are specified in paragraph (2) of subsection (b) of
11 this Section.

12 "Evidence-Based Funding" means State funding provided
13 to an Organizational Unit pursuant to this Section.

14 "Extended day" means academic and enrichment programs
15 provided to students outside the regular school day before
16 and after school or during non-instructional times during
17 the school day.

18 "Extension Limitation Ratio" means a numerical ratio
19 in which the numerator is the Base Tax Year's Extension
20 and the denominator is the Preceding Tax Year's Extension.

21 "Final Percent of Adequacy" is defined in paragraph
22 (4) of subsection (f) of this Section.

23 "Final Resources" is defined in paragraph (3) of
24 subsection (f) of this Section.

25 "Full-time equivalent" or "FTE" means the full-time
26 equivalency compensation for staffing the relevant

1 position at an Organizational Unit.

2 "Funding Gap" is defined in paragraph (1) of
3 subsection (g).

4 "Hybrid District" means a partial elementary unit
5 district created pursuant to Article 11E of this Code.

6 "Instructional assistant" means a core or special
7 education, non-licensed employee who assists a teacher in
8 the classroom and provides academic support to students.

9 "Instructional facilitator" means a qualified teacher
10 or licensed teacher leader who facilitates and coaches
11 continuous improvement in classroom instruction; provides
12 instructional support to teachers in the elements of
13 research-based instruction or demonstrates the alignment
14 of instruction with curriculum standards and assessment
15 tools; develops or coordinates instructional programs or
16 strategies; develops and implements training; chooses
17 standards-based instructional materials; provides
18 teachers with an understanding of current research; serves
19 as a mentor, site coach, curriculum specialist, or lead
20 teacher; or otherwise works with fellow teachers, in
21 collaboration, to use data to improve instructional
22 practice or develop model lessons.

23 "Instructional materials" means relevant
24 instructional materials for student instruction,
25 including, but not limited to, textbooks, consumable
26 workbooks, laboratory equipment, library books, and other

1 similar materials.

2 "Laboratory School" means a public school that is
3 created and operated by a public university and approved
4 by the State Board.

5 "Librarian" means a teacher with an endorsement as a
6 library information specialist or another individual whose
7 primary responsibility is overseeing library resources
8 within an Organizational Unit.

9 "Limiting rate for Hybrid Districts" means the
10 combined elementary school and high school limiting rates.

11 "Local Capacity" is defined in paragraph (1) of
12 subsection (c) of this Section.

13 "Local Capacity Percentage" is defined in subparagraph
14 (A) of paragraph (2) of subsection (c) of this Section.

15 "Local Capacity Ratio" is defined in subparagraph (B)
16 of paragraph (2) of subsection (c) of this Section.

17 "Local Capacity Target" is defined in paragraph (2) of
18 subsection (c) of this Section.

19 "Low-Income Count" means, for an Organizational Unit
20 in a fiscal year, the higher of the average number of
21 students for the prior school year or the immediately
22 preceding 3 school years who, as of July 1 of the
23 immediately preceding fiscal year (as determined by the
24 Department of Human Services), are eligible for at least
25 one of the following low-income programs: Medicaid, the
26 Children's Health Insurance Program, Temporary Assistance

1 for Needy Families (TANF), or the Supplemental Nutrition
2 Assistance Program, excluding pupils who are eligible for
3 services provided by the Department of Children and Family
4 Services. Until such time that grade level low-income
5 populations become available, grade level low-income
6 populations shall be determined by applying the low-income
7 percentage to total student enrollments by grade level.
8 The low-income percentage is determined by dividing the
9 Low-Income Count by the Average Student Enrollment. The
10 low-income percentage for programs operated by a regional
11 office of education or an intermediate service center must
12 be set to the weighted average of the low-income
13 percentages of all of the school districts in the service
14 region. The weighted low-income percentage is the result
15 of multiplying the low-income percentage of each school
16 district served by the regional office of education or
17 intermediate service center by each school district's
18 Average Student Enrollment, summarizing those products and
19 dividing the total by the total Average Student Enrollment
20 for the service region.

21 "Maintenance and operations" means custodial services,
22 facility and ground maintenance, facility operations,
23 facility security, routine facility repairs, and other
24 similar services and functions.

25 "Minimum Funding Level" is defined in paragraph (9) of
26 subsection (g) of this Section.

1 "New Property Tax Relief Pool Funds" means, for any
2 given fiscal year, all State funds appropriated under
3 Section 2-3.170 of this Code.

4 "New State Funds" means, for a given school year, all
5 State funds appropriated for Evidence-Based Funding in
6 excess of the amount needed to fund the Base Funding
7 Minimum for all Organizational Units in that school year.

8 "Net State Contribution Target" means, for a given
9 school year, the amount of State funds that would be
10 necessary to fully meet the Adequacy Target of an
11 Operational Unit minus the Preliminary Resources available
12 to each unit.

13 "Nurse" means an individual licensed as a certified
14 school nurse, in accordance with the rules established for
15 nursing services by the State Board, who is an employee of
16 and is available to provide health care-related services
17 for students of an Organizational Unit.

18 "Operating Tax Rate" means the rate utilized in the
19 previous year to extend property taxes for all purposes,
20 except Bond and Interest, Summer School, Rent, Capital
21 Improvement, and Vocational Education Building purposes.
22 For Hybrid Districts, the Operating Tax Rate shall be the
23 combined elementary and high school rates utilized in the
24 previous year to extend property taxes for all purposes,
25 except Bond and Interest, Summer School, Rent, Capital
26 Improvement, and Vocational Education Building purposes.

1 "Organizational Unit" means a Laboratory School or any
2 public school district that is recognized as such by the
3 State Board and that contains elementary schools typically
4 serving kindergarten through 5th grades, middle schools
5 typically serving 6th through 8th grades, high schools
6 typically serving 9th through 12th grades, a program
7 established under Section 2-3.66 or 2-3.41, or a program
8 operated by a regional office of education or an
9 intermediate service center under Article 13A or 13B. The
10 General Assembly acknowledges that the actual grade levels
11 served by a particular Organizational Unit may vary
12 slightly from what is typical.

13 "Organizational Unit CWI" is determined by calculating
14 the CWI in the region and original county in which an
15 Organizational Unit's primary administrative office is
16 located as set forth in this paragraph, provided that if
17 the Organizational Unit CWI as calculated in accordance
18 with this paragraph is less than 0.9, the Organizational
19 Unit CWI shall be increased to 0.9. Each county's current
20 CWI value shall be adjusted based on the CWI value of that
21 county's neighboring Illinois counties, to create a
22 "weighted adjusted index value". This shall be calculated
23 by summing the CWI values of all of a county's adjacent
24 Illinois counties and dividing by the number of adjacent
25 Illinois counties, then taking the weighted value of the
26 original county's CWI value and the adjacent Illinois

1 county average. To calculate this weighted value, if the
2 number of adjacent Illinois counties is greater than 2,
3 the original county's CWI value will be weighted at 0.25
4 and the adjacent Illinois county average will be weighted
5 at 0.75. If the number of adjacent Illinois counties is 2,
6 the original county's CWI value will be weighted at 0.33
7 and the adjacent Illinois county average will be weighted
8 at 0.66. The greater of the county's current CWI value and
9 its weighted adjusted index value shall be used as the
10 Organizational Unit CWI.

11 "Preceding Tax Year" means the property tax levy year
12 immediately preceding the Base Tax Year.

13 "Preceding Tax Year's Extension" means the product of
14 the equalized assessed valuation utilized by the county
15 clerk in the Preceding Tax Year multiplied by the
16 Operating Tax Rate.

17 "Preliminary Percent of Adequacy" is defined in
18 paragraph (2) of subsection (f) of this Section.

19 "Preliminary Resources" is defined in paragraph (2) of
20 subsection (f) of this Section.

21 "Principal" means a school administrator duly endorsed
22 to be employed as a principal in this State.

23 "Professional development" means training programs for
24 licensed staff in schools, including, but not limited to,
25 programs that assist in implementing new curriculum
26 programs, provide data focused or academic assessment data

1 training to help staff identify a student's weaknesses and
2 strengths, target interventions, improve instruction,
3 encompass instructional strategies for English learner,
4 gifted, or at-risk students, address inclusivity, cultural
5 sensitivity, or implicit bias, or otherwise provide
6 professional support for licensed staff.

7 "Prototypical" means 450 special education
8 pre-kindergarten and kindergarten through grade 5 students
9 for an elementary school, 450 grade 6 through 8 students
10 for a middle school, and 600 grade 9 through 12 students
11 for a high school.

12 "PTELL" means the Property Tax Extension Limitation
13 Law.

14 "PTELL EAV" is defined in paragraph (4) of subsection
15 (d) of this Section.

16 "Pupil support staff" means a nurse, psychologist,
17 social worker, family liaison personnel, or other staff
18 member who provides support to at-risk or struggling
19 students.

20 "Real Receipts" is defined in paragraph (1) of
21 subsection (d) of this Section.

22 "Regionalization Factor" means, for a particular
23 Organizational Unit, the figure derived by dividing the
24 Organizational Unit CWI by the Statewide Weighted CWI.

25 "School counselor" means a licensed school counselor
26 who provides guidance and counseling support for students

1 within an Organizational Unit.

2 "School site staff" means the primary school secretary
3 and any additional clerical personnel assigned to a
4 school.

5 "Special education" means special educational
6 facilities and services, as defined in Section 14-1.08 of
7 this Code.

8 "Special Education Allocation" means the amount of an
9 Organizational Unit's final Adequacy Target attributable
10 to special education divided by the Organizational Unit's
11 final Adequacy Target, the product of which shall be
12 multiplied by the amount of new funding received pursuant
13 to this Section. An Organizational Unit's final Adequacy
14 Target attributable to special education shall include all
15 special education investment adequacy elements.

16 "Specialist teacher" means a teacher who provides
17 instruction in subject areas not included in core
18 subjects, including, but not limited to, art, music,
19 physical education, health, driver education,
20 career-technical education, and such other subject areas
21 as may be mandated by State law or provided by an
22 Organizational Unit.

23 "Specially Funded Unit" means an Alternative School,
24 safe school, Department of Juvenile Justice school,
25 special education cooperative or entity recognized by the
26 State Board as a special education cooperative,

1 State-approved charter school, or alternative learning
2 opportunities program that received direct funding from
3 the State Board during the 2016-2017 school year through
4 any of the funding sources included within the calculation
5 of the Base Funding Minimum or Glenwood Academy.

6 "Supplemental Grant Funding" means supplemental
7 general State aid funding received by an Organizational
8 Unit during the 2016-2017 school year pursuant to
9 subsection (H) of Section 18-8.05 of this Code (now
10 repealed).

11 "State Adequacy Level" is the sum of the Adequacy
12 Targets of all Organizational Units.

13 "State Board" means the State Board of Education.

14 "State Superintendent" means the State Superintendent
15 of Education.

16 "Statewide Weighted CWI" means a figure determined by
17 multiplying each Organizational Unit CWI times the ASE for
18 that Organizational Unit creating a weighted value,
19 summing all Organizational Units' weighted values, and
20 dividing by the total ASE of all Organizational Units,
21 thereby creating an average weighted index.

22 "Student activities" means non-credit producing
23 after-school programs, including, but not limited to,
24 clubs, bands, sports, and other activities authorized by
25 the school board of the Organizational Unit.

26 "Substitute teacher" means an individual teacher or

1 teaching assistant who is employed by an Organizational
2 Unit and is temporarily serving the Organizational Unit on
3 a per diem or per period-assignment basis to replace
4 another staff member.

5 "Summer school" means academic and enrichment programs
6 provided to students during the summer months outside of
7 the regular school year.

8 "Supervisory aide" means a non-licensed staff member
9 who helps in supervising students of an Organizational
10 Unit, but does so outside of the classroom, in situations
11 such as, but not limited to, monitoring hallways and
12 playgrounds, supervising lunchrooms, or supervising
13 students when being transported in buses serving the
14 Organizational Unit.

15 "Target Ratio" is defined in paragraph (4) of
16 subsection (g).

17 "Tier 1", "Tier 2", "Tier 3", and "Tier 4" are defined
18 in paragraph (3) of subsection (g).

19 "Tier 1 Aggregate Funding", "Tier 2 Aggregate
20 Funding", "Tier 3 Aggregate Funding", and "Tier 4
21 Aggregate Funding" are defined in paragraph (1) of
22 subsection (g).

23 (b) Adequacy Target calculation.

24 (1) Each Organizational Unit's Adequacy Target is the
25 sum of the Organizational Unit's cost of providing
26 Essential Elements, as calculated in accordance with this

1 subsection (b), with the salary amounts in the Essential
2 Elements multiplied by a Regionalization Factor calculated
3 pursuant to paragraph (3) of this subsection (b).

4 (2) The Essential Elements are attributable on a pro
5 rata basis related to defined subgroups of the ASE of each
6 Organizational Unit as specified in this paragraph (2),
7 with investments and FTE positions pro rata funded based
8 on ASE counts in excess of or less than the thresholds set
9 forth in this paragraph (2). The method for calculating
10 attributable pro rata costs and the defined subgroups
11 thereto are as follows:

12 (A) Core class size investments. Each
13 Organizational Unit shall receive the funding required
14 to support that number of FTE core teacher positions
15 as is needed to keep the respective class sizes of the
16 Organizational Unit to the following maximum numbers:

17 (i) For grades kindergarten through 3, the
18 Organizational Unit shall receive funding required
19 to support one FTE core teacher position for every
20 15 Low-Income Count students in those grades and
21 one FTE core teacher position for every 20
22 non-Low-Income Count students in those grades.

23 (ii) For grades 4 through 12, the
24 Organizational Unit shall receive funding required
25 to support one FTE core teacher position for every
26 20 Low-Income Count students in those grades and

1 one FTE core teacher position for every 25
2 non-Low-Income Count students in those grades.

3 The number of non-Low-Income Count students in a
4 grade shall be determined by subtracting the
5 Low-Income students in that grade from the ASE of the
6 Organizational Unit for that grade.

7 (B) Specialist teacher investments. Each
8 Organizational Unit shall receive the funding needed
9 to cover that number of FTE specialist teacher
10 positions that correspond to the following
11 percentages:

12 (i) if the Organizational Unit operates an
13 elementary or middle school, then 20.00% of the
14 number of the Organizational Unit's core teachers,
15 as determined under subparagraph (A) of this
16 paragraph (2); and

17 (ii) if such Organizational Unit operates a
18 high school, then 33.33% of the number of the
19 Organizational Unit's core teachers.

20 (C) Instructional facilitator investments. Each
21 Organizational Unit shall receive the funding needed
22 to cover one FTE instructional facilitator position
23 for every 200 combined ASE of pre-kindergarten
24 children with disabilities and all kindergarten
25 through grade 12 students of the Organizational Unit.

26 (D) Core intervention teacher (tutor) investments.

1 Each Organizational Unit shall receive the funding
2 needed to cover one FTE teacher position for each
3 prototypical elementary, middle, and high school.

4 (E) Substitute teacher investments. Each
5 Organizational Unit shall receive the funding needed
6 to cover substitute teacher costs that is equal to
7 5.70% of the minimum pupil attendance days required
8 under Section 10-19 of this Code for all full-time
9 equivalent core, specialist, and intervention
10 teachers, school nurses, special education teachers
11 and instructional assistants, instructional
12 facilitators, and summer school and extended day
13 teacher positions, as determined under this paragraph
14 (2), at a salary rate of 33.33% of the average salary
15 for grade K through 12 teachers and 33.33% of the
16 average salary of each instructional assistant
17 position.

18 (F) Core school counselor investments. Each
19 Organizational Unit shall receive the funding needed
20 to cover one FTE school counselor for each 450
21 combined ASE of pre-kindergarten children with
22 disabilities and all kindergarten through grade 5
23 students, plus one FTE school counselor for each 250
24 grades 6 through 8 ASE middle school students, plus
25 one FTE school counselor for each 250 grades 9 through
26 12 ASE high school students.

1 (G) Nurse investments. Each Organizational Unit
2 shall receive the funding needed to cover one FTE
3 nurse for each 750 combined ASE of pre-kindergarten
4 children with disabilities and all kindergarten
5 through grade 12 students across all grade levels it
6 serves.

7 (H) Supervisory aide investments. Each
8 Organizational Unit shall receive the funding needed
9 to cover one FTE for each 225 combined ASE of
10 pre-kindergarten children with disabilities and all
11 kindergarten through grade 5 students, plus one FTE
12 for each 225 ASE middle school students, plus one FTE
13 for each 200 ASE high school students.

14 (I) Librarian investments. Each Organizational
15 Unit shall receive the funding needed to cover one FTE
16 librarian for each prototypical elementary school,
17 middle school, and high school and one FTE aide or
18 media technician for every 300 combined ASE of
19 pre-kindergarten children with disabilities and all
20 kindergarten through grade 12 students.

21 (J) Principal investments. Each Organizational
22 Unit shall receive the funding needed to cover one FTE
23 principal position for each prototypical elementary
24 school, plus one FTE principal position for each
25 prototypical middle school, plus one FTE principal
26 position for each prototypical high school.

1 (K) Assistant principal investments. Each
2 Organizational Unit shall receive the funding needed
3 to cover one FTE assistant principal position for each
4 prototypical elementary school, plus one FTE assistant
5 principal position for each prototypical middle
6 school, plus one FTE assistant principal position for
7 each prototypical high school.

8 (L) School site staff investments. Each
9 Organizational Unit shall receive the funding needed
10 for one FTE position for each 225 ASE of
11 pre-kindergarten children with disabilities and all
12 kindergarten through grade 5 students, plus one FTE
13 position for each 225 ASE middle school students, plus
14 one FTE position for each 200 ASE high school
15 students.

16 (M) Gifted investments. Each Organizational Unit
17 shall receive \$40 per kindergarten through grade 12
18 ASE.

19 (N) Professional development investments. Each
20 Organizational Unit shall receive \$125 per student of
21 the combined ASE of pre-kindergarten children with
22 disabilities and all kindergarten through grade 12
23 students for trainers and other professional
24 development-related expenses for supplies and
25 materials.

26 (O) Instructional material investments. Each

1 Organizational Unit shall receive \$190 per student of
2 the combined ASE of pre-kindergarten children with
3 disabilities and all kindergarten through grade 12
4 students to cover instructional material costs.

5 (P) Assessment investments. Each Organizational
6 Unit shall receive \$25 per student of the combined ASE
7 of pre-kindergarten children with disabilities and all
8 kindergarten through grade 12 students to cover
9 assessment costs.

10 (Q) Computer technology and equipment investments.
11 Each Organizational Unit shall receive \$285.50 per
12 student of the combined ASE of pre-kindergarten
13 children with disabilities and all kindergarten
14 through grade 12 students to cover computer technology
15 and equipment costs. For the 2018-2019 school year and
16 subsequent school years, Organizational Units assigned
17 to Tier 1 and Tier 2 in the prior school year shall
18 receive an additional \$285.50 per student of the
19 combined ASE of pre-kindergarten children with
20 disabilities and all kindergarten through grade 12
21 students to cover computer technology and equipment
22 costs in the Organizational Unit's Adequacy Target.
23 The State Board may establish additional requirements
24 for Organizational Unit expenditures of funds received
25 pursuant to this subparagraph (Q), including a
26 requirement that funds received pursuant to this

1 subparagraph (Q) may be used only for serving the
2 technology needs of the district. It is the intent of
3 Public Act 100-465 that all Tier 1 and Tier 2 districts
4 receive the addition to their Adequacy Target in the
5 following year, subject to compliance with the
6 requirements of the State Board.

7 (R) Student activities investments. Each
8 Organizational Unit shall receive the following
9 funding amounts to cover student activities: \$100 per
10 kindergarten through grade 5 ASE student in elementary
11 school, plus \$200 per ASE student in middle school,
12 plus \$675 per ASE student in high school.

13 (S) Maintenance and operations investments. Each
14 Organizational Unit shall receive \$1,038 per student
15 of the combined ASE of pre-kindergarten children with
16 disabilities and all kindergarten through grade 12
17 students for day-to-day maintenance and operations
18 expenditures, including salary, supplies, and
19 materials, as well as purchased services, but
20 excluding employee benefits. The proportion of salary
21 for the application of a Regionalization Factor and
22 the calculation of benefits is equal to \$352.92.

23 (T) Central office investments. Each
24 Organizational Unit shall receive \$742 per student of
25 the combined ASE of pre-kindergarten children with
26 disabilities and all kindergarten through grade 12

1 students to cover central office operations, including
2 administrators and classified personnel charged with
3 managing the instructional programs, business and
4 operations of the school district, and security
5 personnel. The proportion of salary for the
6 application of a Regionalization Factor and the
7 calculation of benefits is equal to \$368.48.

8 (U) Employee benefit investments. Each
9 Organizational Unit shall receive 30% of the total of
10 all salary-calculated elements of the Adequacy Target,
11 excluding substitute teachers and student activities
12 investments, to cover benefit costs. For central
13 office and maintenance and operations investments, the
14 benefit calculation shall be based upon the salary
15 proportion of each investment. If at any time the
16 responsibility for funding the employer normal cost of
17 teacher pensions is assigned to school districts, then
18 that amount certified by the Teachers' Retirement
19 System of the State of Illinois to be paid by the
20 Organizational Unit for the preceding school year
21 shall be added to the benefit investment. For any
22 fiscal year in which a school district organized under
23 Article 34 of this Code is responsible for paying the
24 employer normal cost of teacher pensions, then that
25 amount of its employer normal cost plus the amount for
26 retiree health insurance as certified by the Public

1 School Teachers' Pension and Retirement Fund of
2 Chicago to be paid by the school district for the
3 preceding school year that is statutorily required to
4 cover employer normal costs and the amount for retiree
5 health insurance shall be added to the 30% specified
6 in this subparagraph (U). The Teachers' Retirement
7 System of the State of Illinois and the Public School
8 Teachers' Pension and Retirement Fund of Chicago shall
9 submit such information as the State Superintendent
10 may require for the calculations set forth in this
11 subparagraph (U).

12 (V) Additional investments in low-income students.
13 In addition to and not in lieu of all other funding
14 under this paragraph (2), each Organizational Unit
15 shall receive funding based on the average teacher
16 salary for grades K through 12 to cover the costs of:

17 (i) one FTE intervention teacher (tutor)
18 position for every 125 Low-Income Count students;

19 (ii) one FTE pupil support staff position for
20 every 125 Low-Income Count students;

21 (iii) one FTE extended day teacher position
22 for every 120 Low-Income Count students; and

23 (iv) one FTE summer school teacher position
24 for every 120 Low-Income Count students.

25 (W) Additional investments in English learner
26 students. In addition to and not in lieu of all other

1 funding under this paragraph (2), each Organizational
2 Unit shall receive funding based on the average
3 teacher salary for grades K through 12 to cover the
4 costs of:

5 (i) one FTE intervention teacher (tutor)
6 position for every 125 English learner students;

7 (ii) one FTE pupil support staff position for
8 every 125 English learner students;

9 (iii) one FTE extended day teacher position
10 for every 120 English learner students;

11 (iv) one FTE summer school teacher position
12 for every 120 English learner students; and

13 (v) one FTE core teacher position for every
14 100 English learner students.

15 (X) Special education investments. Each
16 Organizational Unit shall receive funding based on the
17 average teacher salary for grades K through 12 to
18 cover special education as follows:

19 (i) one FTE teacher position for every 141
20 combined ASE of pre-kindergarten children with
21 disabilities and all kindergarten through grade 12
22 students;

23 (ii) one FTE instructional assistant for every
24 141 combined ASE of pre-kindergarten children with
25 disabilities and all kindergarten through grade 12
26 students; and

1 (iii) one FTE psychologist position for every
2 1,000 combined ASE of pre-kindergarten children
3 with disabilities and all kindergarten through
4 grade 12 students.

5 (3) For calculating the salaries included within the
6 Essential Elements, the State Superintendent shall
7 annually calculate average salaries to the nearest dollar
8 using the employment information system data maintained by
9 the State Board, limited to public schools only and
10 excluding special education and vocational cooperatives,
11 schools operated by the Department of Juvenile Justice,
12 and charter schools, for the following positions:

- 13 (A) Teacher for grades K through 8.
14 (B) Teacher for grades 9 through 12.
15 (C) Teacher for grades K through 12.
16 (D) School counselor for grades K through 8.
17 (E) School counselor for grades 9 through 12.
18 (F) School counselor for grades K through 12.
19 (G) Social worker.
20 (H) Psychologist.
21 (I) Librarian.
22 (J) Nurse.
23 (K) Principal.
24 (L) Assistant principal.

25 For the purposes of this paragraph (3), "teacher"
26 includes core teachers, specialist and elective teachers,

1 instructional facilitators, tutors, special education
2 teachers, pupil support staff teachers, English learner
3 teachers, extended day teachers, and summer school
4 teachers. Where specific grade data is not required for
5 the Essential Elements, the average salary for
6 corresponding positions shall apply. For substitute
7 teachers, the average teacher salary for grades K through
8 12 shall apply.

9 For calculating the salaries included within the
10 Essential Elements for positions not included within EIS
11 Data, the following salaries shall be used in the first
12 year of implementation of Evidence-Based Funding:

13 (i) school site staff, \$30,000; and

14 (ii) non-instructional assistant, instructional
15 assistant, library aide, library media tech, or
16 supervisory aide: \$25,000.

17 In the second and subsequent years of implementation
18 of Evidence-Based Funding, the amounts in items (i) and
19 (ii) of this paragraph (3) shall annually increase by the
20 ECI.

21 The salary amounts for the Essential Elements
22 determined pursuant to subparagraphs (A) through (L), (S)
23 and (T), and (V) through (X) of paragraph (2) of
24 subsection (b) of this Section shall be multiplied by a
25 Regionalization Factor.

26 (c) Local Capacity calculation.

1 (1) Each Organizational Unit's Local Capacity
2 represents an amount of funding it is assumed to
3 contribute toward its Adequacy Target for purposes of the
4 Evidence-Based Funding formula calculation. "Local
5 Capacity" means either (i) the Organizational Unit's Local
6 Capacity Target as calculated in accordance with paragraph
7 (2) of this subsection (c) if its Real Receipts are equal
8 to or less than its Local Capacity Target or (ii) the
9 Organizational Unit's Adjusted Local Capacity, as
10 calculated in accordance with paragraph (3) of this
11 subsection (c) if Real Receipts are more than its Local
12 Capacity Target.

13 (2) "Local Capacity Target" means, for an
14 Organizational Unit, that dollar amount that is obtained
15 by multiplying its Adequacy Target by its Local Capacity
16 Ratio.

17 (A) An Organizational Unit's Local Capacity
18 Percentage is the conversion of the Organizational
19 Unit's Local Capacity Ratio, as such ratio is
20 determined in accordance with subparagraph (B) of this
21 paragraph (2), into a cumulative distribution
22 resulting in a percentile ranking to determine each
23 Organizational Unit's relative position to all other
24 Organizational Units in this State. The calculation of
25 Local Capacity Percentage is described in subparagraph
26 (C) of this paragraph (2).

1 (B) An Organizational Unit's Local Capacity Ratio
2 in a given year is the percentage obtained by dividing
3 its Adjusted EAV or PTELL EAV, whichever is less, by
4 its Adequacy Target, with the resulting ratio further
5 adjusted as follows:

6 (i) for Organizational Units serving grades
7 kindergarten through 12 and Hybrid Districts, no
8 further adjustments shall be made;

9 (ii) for Organizational Units serving grades
10 kindergarten through 8, the ratio shall be
11 multiplied by 9/13;

12 (iii) for Organizational Units serving grades
13 9 through 12, the Local Capacity Ratio shall be
14 multiplied by 4/13; and

15 (iv) for an Organizational Unit with a
16 different grade configuration than those specified
17 in items (i) through (iii) of this subparagraph
18 (B), the State Superintendent shall determine a
19 comparable adjustment based on the grades served.

20 (C) The Local Capacity Percentage is equal to the
21 percentile ranking of the district. Local Capacity
22 Percentage converts each Organizational Unit's Local
23 Capacity Ratio to a cumulative distribution resulting
24 in a percentile ranking to determine each
25 Organizational Unit's relative position to all other
26 Organizational Units in this State. The Local Capacity

1 Percentage cumulative distribution resulting in a
2 percentile ranking for each Organizational Unit shall
3 be calculated using the standard normal distribution
4 of the score in relation to the weighted mean and
5 weighted standard deviation and Local Capacity Ratios
6 of all Organizational Units. If the value assigned to
7 any Organizational Unit is in excess of 90%, the value
8 shall be adjusted to 90%. For Laboratory Schools, the
9 Local Capacity Percentage shall be set at 10% in
10 recognition of the absence of EAV and resources from
11 the public university that are allocated to the
12 Laboratory School. For programs operated by a regional
13 office of education or an intermediate service center,
14 the Local Capacity Percentage must be set at 10% in
15 recognition of the absence of EAV and resources from
16 school districts that are allocated to the regional
17 office of education or intermediate service center.
18 The weighted mean for the Local Capacity Percentage
19 shall be determined by multiplying each Organizational
20 Unit's Local Capacity Ratio times the ASE for the unit
21 creating a weighted value, summing the weighted values
22 of all Organizational Units, and dividing by the total
23 ASE of all Organizational Units. The weighted standard
24 deviation shall be determined by taking the square
25 root of the weighted variance of all Organizational
26 Units' Local Capacity Ratio, where the variance is

1 calculated by squaring the difference between each
2 unit's Local Capacity Ratio and the weighted mean,
3 then multiplying the variance for each unit times the
4 ASE for the unit to create a weighted variance for each
5 unit, then summing all units' weighted variance and
6 dividing by the total ASE of all units.

7 (D) For any Organizational Unit, the
8 Organizational Unit's Adjusted Local Capacity Target
9 shall be reduced by either (i) the school board's
10 remaining contribution pursuant to paragraph (ii) of
11 subsection (b-4) of Section 16-158 of the Illinois
12 Pension Code in a given year or (ii) the board of
13 education's remaining contribution pursuant to
14 paragraph (iv) of subsection (b) of Section 17-129 of
15 the Illinois Pension Code absent the employer normal
16 cost portion of the required contribution and amount
17 allowed pursuant to subdivision (3) of Section
18 17-142.1 of the Illinois Pension Code in a given year.
19 In the preceding sentence, item (i) shall be certified
20 to the State Board of Education by the Teachers'
21 Retirement System of the State of Illinois and item
22 (ii) shall be certified to the State Board of
23 Education by the Public School Teachers' Pension and
24 Retirement Fund of the City of Chicago.

25 (3) If an Organizational Unit's Real Receipts are more
26 than its Local Capacity Target, then its Local Capacity

1 shall equal an Adjusted Local Capacity Target as
2 calculated in accordance with this paragraph (3). The
3 Adjusted Local Capacity Target is calculated as the sum of
4 the Organizational Unit's Local Capacity Target and its
5 Real Receipts Adjustment. The Real Receipts Adjustment
6 equals the Organizational Unit's Real Receipts less its
7 Local Capacity Target, with the resulting figure
8 multiplied by the Local Capacity Percentage.

9 As used in this paragraph (3), "Real Percent of
10 Adequacy" means the sum of an Organizational Unit's Real
11 Receipts, CPPRT, and Base Funding Minimum, with the
12 resulting figure divided by the Organizational Unit's
13 Adequacy Target.

14 (d) Calculation of Real Receipts, EAV, and Adjusted EAV
15 for purposes of the Local Capacity calculation.

16 (1) An Organizational Unit's Real Receipts are the
17 product of its Applicable Tax Rate and its Adjusted EAV.
18 An Organizational Unit's Applicable Tax Rate is its
19 Adjusted Operating Tax Rate for property within the
20 Organizational Unit.

21 (2) The State Superintendent shall calculate the
22 equalized assessed valuation, or EAV, of all taxable
23 property of each Organizational Unit as of September 30 of
24 the previous year in accordance with paragraph (3) of this
25 subsection (d). The State Superintendent shall then
26 determine the Adjusted EAV of each Organizational Unit in

1 accordance with paragraph (4) of this subsection (d),
2 which Adjusted EAV figure shall be used for the purposes
3 of calculating Local Capacity.

4 (3) To calculate Real Receipts and EAV, the Department
5 of Revenue shall supply to the State Superintendent the
6 value as equalized or assessed by the Department of
7 Revenue of all taxable property of every Organizational
8 Unit, together with (i) the applicable tax rate used in
9 extending taxes for the funds of the Organizational Unit
10 as of September 30 of the previous year and (ii) the
11 limiting rate for all Organizational Units subject to
12 property tax extension limitations as imposed under PTELL.

13 (A) The Department of Revenue shall add to the
14 equalized assessed value of all taxable property of
15 each Organizational Unit situated entirely or
16 partially within a county that is or was subject to the
17 provisions of Section 15-176 or 15-177 of the Property
18 Tax Code (i) an amount equal to the total amount by
19 which the homestead exemption allowed under Section
20 15-176 or 15-177 of the Property Tax Code for real
21 property situated in that Organizational Unit exceeds
22 the total amount that would have been allowed in that
23 Organizational Unit if the maximum reduction under
24 Section 15-176 was (I) \$4,500 in Cook County or \$3,500
25 in all other counties in tax year 2003 or (II) \$5,000
26 in all counties in tax year 2004 and thereafter and

1 (ii) an amount equal to the aggregate amount for the
2 taxable year of all additional exemptions under
3 Section 15-175 of the Property Tax Code for owners
4 with a household income of \$30,000 or less. The county
5 clerk of any county that is or was subject to the
6 provisions of Section 15-176 or 15-177 of the Property
7 Tax Code shall annually calculate and certify to the
8 Department of Revenue for each Organizational Unit all
9 homestead exemption amounts under Section 15-176 or
10 15-177 of the Property Tax Code and all amounts of
11 additional exemptions under Section 15-175 of the
12 Property Tax Code for owners with a household income
13 of \$30,000 or less. It is the intent of this
14 subparagraph (A) that if the general homestead
15 exemption for a parcel of property is determined under
16 Section 15-176 or 15-177 of the Property Tax Code
17 rather than Section 15-175, then the calculation of
18 EAV shall not be affected by the difference, if any,
19 between the amount of the general homestead exemption
20 allowed for that parcel of property under Section
21 15-176 or 15-177 of the Property Tax Code and the
22 amount that would have been allowed had the general
23 homestead exemption for that parcel of property been
24 determined under Section 15-175 of the Property Tax
25 Code. It is further the intent of this subparagraph
26 (A) that if additional exemptions are allowed under

1 Section 15-175 of the Property Tax Code for owners
2 with a household income of less than \$30,000, then the
3 calculation of EAV shall not be affected by the
4 difference, if any, because of those additional
5 exemptions.

6 (B) With respect to any part of an Organizational
7 Unit within a redevelopment project area in respect to
8 which a municipality has adopted tax increment
9 allocation financing pursuant to the Tax Increment
10 Allocation Redevelopment Act, Division 74.4 of Article
11 11 of the Illinois Municipal Code, or the Industrial
12 Jobs Recovery Law, Division 74.6 of Article 11 of the
13 Illinois Municipal Code, no part of the current EAV of
14 real property located in any such project area that is
15 attributable to an increase above the total initial
16 EAV of such property shall be used as part of the EAV
17 of the Organizational Unit, until such time as all
18 redevelopment project costs have been paid, as
19 provided in Section 11-74.4-8 of the Tax Increment
20 Allocation Redevelopment Act or in Section 11-74.6-35
21 of the Industrial Jobs Recovery Law. For the purpose
22 of the EAV of the Organizational Unit, the total
23 initial EAV or the current EAV, whichever is lower,
24 shall be used until such time as all redevelopment
25 project costs have been paid.

26 (B-5) The real property equalized assessed

1 valuation for a school district shall be adjusted by
2 subtracting from the real property value, as equalized
3 or assessed by the Department of Revenue, for the
4 district an amount computed by dividing the amount of
5 any abatement of taxes under Section 18-170 of the
6 Property Tax Code by 3.00% for a district maintaining
7 grades kindergarten through 12, by 2.30% for a
8 district maintaining grades kindergarten through 8, or
9 by 1.05% for a district maintaining grades 9 through
10 12 and adjusted by an amount computed by dividing the
11 amount of any abatement of taxes under subsection (a)
12 of Section 18-165 of the Property Tax Code by the same
13 percentage rates for district type as specified in
14 this subparagraph (B-5).

15 (C) For Organizational Units that are Hybrid
16 Districts, the State Superintendent shall use the
17 lesser of the adjusted equalized assessed valuation
18 for property within the partial elementary unit
19 district for elementary purposes, as defined in
20 Article 11E of this Code, or the adjusted equalized
21 assessed valuation for property within the partial
22 elementary unit district for high school purposes, as
23 defined in Article 11E of this Code.

24 (4) An Organizational Unit's Adjusted EAV shall be the
25 average of its EAV over the immediately preceding 3 years
26 or its EAV in the immediately preceding year if the EAV in

1 the immediately preceding year has declined by 10% or more
2 compared to the 3-year average. In the event of
3 Organizational Unit reorganization, consolidation, or
4 annexation, the Organizational Unit's Adjusted EAV for the
5 first 3 years after such change shall be as follows: the
6 most current EAV shall be used in the first year, the
7 average of a 2-year EAV or its EAV in the immediately
8 preceding year if the EAV declines by 10% or more compared
9 to the 2-year average for the second year, and a 3-year
10 average EAV or its EAV in the immediately preceding year
11 if the Adjusted EAV declines by 10% or more compared to the
12 3-year average for the third year. For any school district
13 whose EAV in the immediately preceding year is used in
14 calculations, in the following year, the Adjusted EAV
15 shall be the average of its EAV over the immediately
16 preceding 2 years or the immediately preceding year if
17 that year represents a decline of 10% or more compared to
18 the 2-year average.

19 "PTELL EAV" means a figure calculated by the State
20 Board for Organizational Units subject to PTELL as
21 described in this paragraph (4) for the purposes of
22 calculating an Organizational Unit's Local Capacity Ratio.
23 Except as otherwise provided in this paragraph (4), the
24 PTELL EAV of an Organizational Unit shall be equal to the
25 product of the equalized assessed valuation last used in
26 the calculation of general State aid under Section 18-8.05

1 of this Code (now repealed) or Evidence-Based Funding
2 under this Section and the Organizational Unit's Extension
3 Limitation Ratio. If an Organizational Unit has approved
4 or does approve an increase in its limiting rate, pursuant
5 to Section 18-190 of the Property Tax Code, affecting the
6 Base Tax Year, the PTELL EAV shall be equal to the product
7 of the equalized assessed valuation last used in the
8 calculation of general State aid under Section 18-8.05 of
9 this Code (now repealed) or Evidence-Based Funding under
10 this Section multiplied by an amount equal to one plus the
11 percentage increase, if any, in the Consumer Price Index
12 for All Urban Consumers for all items published by the
13 United States Department of Labor for the 12-month
14 calendar year preceding the Base Tax Year, plus the
15 equalized assessed valuation of new property, annexed
16 property, and recovered tax increment value and minus the
17 equalized assessed valuation of disconnected property.

18 As used in this paragraph (4), "new property" and
19 "recovered tax increment value" shall have the meanings
20 set forth in the Property Tax Extension Limitation Law.

21 (e) Base Funding Minimum calculation.

22 (1) For the 2017-2018 school year, the Base Funding
23 Minimum of an Organizational Unit or a Specially Funded
24 Unit shall be the amount of State funds distributed to the
25 Organizational Unit or Specially Funded Unit during the
26 2016-2017 school year prior to any adjustments and

1 specified appropriation amounts described in this
2 paragraph (1) from the following Sections, as calculated
3 by the State Superintendent: Section 18-8.05 of this Code
4 (now repealed); Section 5 of Article 224 of Public Act
5 99-524 (equity grants); Section 14-7.02b of this Code
6 (funding for children requiring special education
7 services); Section 14-13.01 of this Code (special
8 education facilities and staffing), except for
9 reimbursement of the cost of transportation pursuant to
10 Section 14-13.01; Section 14C-12 of this Code (English
11 learners); and Section 18-4.3 of this Code (summer
12 school), based on an appropriation level of \$13,121,600.
13 For a school district organized under Article 34 of this
14 Code, the Base Funding Minimum also includes (i) the funds
15 allocated to the school district pursuant to Section 1D-1
16 of this Code attributable to funding programs authorized
17 by the Sections of this Code listed in the preceding
18 sentence and (ii) the difference between (I) the funds
19 allocated to the school district pursuant to Section 1D-1
20 of this Code attributable to the funding programs
21 authorized by Section 14-7.02 (non-public special
22 education reimbursement), subsection (b) of Section
23 14-13.01 (special education transportation), Section 29-5
24 (transportation), Section 2-3.80 (agricultural
25 education), Section 2-3.66 (truants' alternative
26 education), Section 2-3.62 (educational service centers),

1 and Section 14-7.03 (special education - orphanage) of
2 this Code and Section 15 of the Childhood Hunger Relief
3 Act (free breakfast program) and (II) the school
4 district's actual expenditures for its non-public special
5 education, special education transportation,
6 transportation programs, agricultural education, truants'
7 alternative education, services that would otherwise be
8 performed by a regional office of education, special
9 education orphanage expenditures, and free breakfast, as
10 most recently calculated and reported pursuant to
11 subsection (f) of Section 1D-1 of this Code. The Base
12 Funding Minimum for Glenwood Academy shall be \$625,500.
13 For programs operated by a regional office of education or
14 an intermediate service center, the Base Funding Minimum
15 must be the total amount of State funds allocated to those
16 programs in the 2018-2019 school year and amounts provided
17 pursuant to Article 34 of Public Act 100-586 and Section
18 3-16 of this Code. All programs established after June 5,
19 2019 (the effective date of Public Act 101-10) and
20 administered by a regional office of education or an
21 intermediate service center must have an initial Base
22 Funding Minimum set to an amount equal to the first-year
23 ASE multiplied by the amount of per pupil funding received
24 in the previous school year by the lowest funded similar
25 existing program type. If the enrollment for a program
26 operated by a regional office of education or an

1 intermediate service center is zero, then it may not
2 receive Base Funding Minimum funds for that program in the
3 next fiscal year, and those funds must be distributed to
4 Organizational Units under subsection (g).

5 (2) For the 2018-2019 and subsequent school years, the
6 Base Funding Minimum of Organizational Units and Specially
7 Funded Units shall be the sum of (i) the amount of
8 Evidence-Based Funding for the prior school year, (ii) the
9 Base Funding Minimum for the prior school year, and (iii)
10 any amount received by a school district pursuant to
11 Section 7 of Article 97 of Public Act 100-21.

12 For the 2022-2023 school year, the Base Funding
13 Minimum of Organizational Units shall be the amounts
14 recalculated by the State Board of Education for Fiscal
15 Year 2019 through Fiscal Year 2022 that were necessary due
16 to average student enrollment errors for districts
17 organized under Article 34 of this Code, plus the Fiscal
18 Year 2022 property tax relief grants provided under
19 Section 2-3.170 of this Code, ensuring each Organizational
20 Unit has the correct amount of resources for Fiscal Year
21 2023 Evidence-Based Funding calculations and that Fiscal
22 Year 2023 Evidence-Based Funding Distributions are made in
23 accordance with this Section.

24 (3) Subject to approval by the General Assembly as
25 provided in this paragraph (3), an Organizational Unit
26 that meets all of the following criteria, as determined by

1 the State Board, shall have District Intervention Money
2 added to its Base Funding Minimum at the time the Base
3 Funding Minimum is calculated by the State Board:

4 (A) The Organizational Unit is operating under an
5 Independent Authority under Section 2-3.25f-5 of this
6 Code for a minimum of 4 school years or is subject to
7 the control of the State Board pursuant to a court
8 order for a minimum of 4 school years.

9 (B) The Organizational Unit was designated as a
10 Tier 1 or Tier 2 Organizational Unit in the previous
11 school year under paragraph (3) of subsection (g) of
12 this Section.

13 (C) The Organizational Unit demonstrates
14 sustainability through a 5-year financial and
15 strategic plan.

16 (D) The Organizational Unit has made sufficient
17 progress and achieved sufficient stability in the
18 areas of governance, academic growth, and finances.

19 As part of its determination under this paragraph (3),
20 the State Board may consider the Organizational Unit's
21 summative designation, any accreditations of the
22 Organizational Unit, or the Organizational Unit's
23 financial profile, as calculated by the State Board.

24 If the State Board determines that an Organizational
25 Unit has met the criteria set forth in this paragraph (3),
26 it must submit a report to the General Assembly, no later

1 than January 2 of the fiscal year in which the State Board
2 makes its determination, on the amount of District
3 Intervention Money to add to the Organizational Unit's
4 Base Funding Minimum. The General Assembly must review the
5 State Board's report and may approve or disapprove, by
6 joint resolution, the addition of District Intervention
7 Money. If the General Assembly fails to act on the report
8 within 40 calendar days from the receipt of the report,
9 the addition of District Intervention Money is deemed
10 approved. If the General Assembly approves the amount of
11 District Intervention Money to be added to the
12 Organizational Unit's Base Funding Minimum, the District
13 Intervention Money must be added to the Base Funding
14 Minimum annually thereafter.

15 For the first 4 years following the initial year that
16 the State Board determines that an Organizational Unit has
17 met the criteria set forth in this paragraph (3) and has
18 received funding under this Section, the Organizational
19 Unit must annually submit to the State Board, on or before
20 November 30, a progress report regarding its financial and
21 strategic plan under subparagraph (C) of this paragraph
22 (3). The plan shall include the financial data from the
23 past 4 annual financial reports or financial audits that
24 must be presented to the State Board by November 15 of each
25 year and the approved budget financial data for the
26 current year. The plan shall be developed according to the

1 guidelines presented to the Organizational Unit by the
2 State Board. The plan shall further include financial
3 projections for the next 3 fiscal years and include a
4 discussion and financial summary of the Organizational
5 Unit's facility needs. If the Organizational Unit does not
6 demonstrate sufficient progress toward its 5-year plan or
7 if it has failed to file an annual financial report, an
8 annual budget, a financial plan, a deficit reduction plan,
9 or other financial information as required by law, the
10 State Board may establish a Financial Oversight Panel
11 under Article 1H of this Code. However, if the
12 Organizational Unit already has a Financial Oversight
13 Panel, the State Board may extend the duration of the
14 Panel.

15 (f) Percent of Adequacy and Final Resources calculation.

16 (1) The Evidence-Based Funding formula establishes a
17 Percent of Adequacy for each Organizational Unit in order
18 to place such units into tiers for the purposes of the
19 funding distribution system described in subsection (g) of
20 this Section. Initially, an Organizational Unit's
21 Preliminary Resources and Preliminary Percent of Adequacy
22 are calculated pursuant to paragraph (2) of this
23 subsection (f). Then, an Organizational Unit's Final
24 Resources and Final Percent of Adequacy are calculated to
25 account for the Organizational Unit's poverty
26 concentration levels pursuant to paragraphs (3) and (4) of

1 this subsection (f).

2 (2) An Organizational Unit's Preliminary Resources are
3 equal to the sum of its Local Capacity Target, CPPRT, and
4 Base Funding Minimum. An Organizational Unit's Preliminary
5 Percent of Adequacy is the lesser of (i) its Preliminary
6 Resources divided by its Adequacy Target or (ii) 100%.

7 (3) Except for Specially Funded Units, an
8 Organizational Unit's Final Resources are equal to the sum
9 of its Local Capacity, CPPRT, and Adjusted Base Funding
10 Minimum. The Base Funding Minimum of each Specially Funded
11 Unit shall serve as its Final Resources, except that the
12 Base Funding Minimum for State-approved charter schools
13 shall not include any portion of general State aid
14 allocated in the prior year based on the per capita
15 tuition charge times the charter school enrollment.

16 (4) An Organizational Unit's Final Percent of Adequacy
17 is its Final Resources divided by its Adequacy Target. An
18 Organizational Unit's Adjusted Base Funding Minimum is
19 equal to its Base Funding Minimum less its Supplemental
20 Grant Funding, with the resulting figure added to the
21 product of its Supplemental Grant Funding and Preliminary
22 Percent of Adequacy.

23 (g) Evidence-Based Funding formula distribution system.

24 (1) In each school year under the Evidence-Based
25 Funding formula, each Organizational Unit receives funding
26 equal to the sum of its Base Funding Minimum and the unit's

1 allocation of New State Funds determined pursuant to this
2 subsection (g). To allocate New State Funds, the
3 Evidence-Based Funding formula distribution system first
4 places all Organizational Units into one of 4 tiers in
5 accordance with paragraph (3) of this subsection (g),
6 based on the Organizational Unit's Final Percent of
7 Adequacy. New State Funds are allocated to each of the 4
8 tiers as follows: Tier 1 Aggregate Funding equals 50% of
9 all New State Funds, Tier 2 Aggregate Funding equals 49%
10 of all New State Funds, Tier 3 Aggregate Funding equals
11 0.9% of all New State Funds, and Tier 4 Aggregate Funding
12 equals 0.1% of all New State Funds. Each Organizational
13 Unit within Tier 1 or Tier 2 receives an allocation of New
14 State Funds equal to its tier Funding Gap, as defined in
15 the following sentence, multiplied by the tier's
16 Allocation Rate determined pursuant to paragraph (4) of
17 this subsection (g). For Tier 1, an Organizational Unit's
18 Funding Gap equals the tier's Target Ratio, as specified
19 in paragraph (5) of this subsection (g), multiplied by the
20 Organizational Unit's Adequacy Target, with the resulting
21 amount reduced by the Organizational Unit's Final
22 Resources. For Tier 2, an Organizational Unit's Funding
23 Gap equals the tier's Target Ratio, as described in
24 paragraph (5) of this subsection (g), multiplied by the
25 Organizational Unit's Adequacy Target, with the resulting
26 amount reduced by the Organizational Unit's Final

1 Resources and its Tier 1 funding allocation. To determine
2 the Organizational Unit's Funding Gap, the resulting
3 amount is then multiplied by a factor equal to one minus
4 the Organizational Unit's Local Capacity Target
5 percentage. Each Organizational Unit within Tier 3 or Tier
6 4 receives an allocation of New State Funds equal to the
7 product of its Adequacy Target and the tier's Allocation
8 Rate, as specified in paragraph (4) of this subsection
9 (g).

10 (2) To ensure equitable distribution of dollars for
11 all Tier 2 Organizational Units, no Tier 2 Organizational
12 Unit shall receive fewer dollars per ASE than any Tier 3
13 Organizational Unit. Each Tier 2 and Tier 3 Organizational
14 Unit shall have its funding allocation divided by its ASE.
15 Any Tier 2 Organizational Unit with a funding allocation
16 per ASE below the greatest Tier 3 allocation per ASE shall
17 get a funding allocation equal to the greatest Tier 3
18 funding allocation per ASE multiplied by the
19 Organizational Unit's ASE. Each Tier 2 Organizational
20 Unit's Tier 2 funding allocation shall be multiplied by
21 the percentage calculated by dividing the original Tier 2
22 Aggregate Funding by the sum of all Tier 2 Organizational
23 Units' Tier 2 funding allocation after adjusting
24 districts' funding below Tier 3 levels.

25 (3) Organizational Units are placed into one of 4
26 tiers as follows:

1 (A) Tier 1 consists of all Organizational Units,
2 except for Specially Funded Units, with a Percent of
3 Adequacy less than the Tier 1 Target Ratio. The Tier 1
4 Target Ratio is the ratio level that allows for Tier 1
5 Aggregate Funding to be distributed, with the Tier 1
6 Allocation Rate determined pursuant to paragraph (4)
7 of this subsection (g).

8 (B) Tier 2 consists of all Tier 1 Units and all
9 other Organizational Units, except for Specially
10 Funded Units, with a Percent of Adequacy of less than
11 0.90.

12 (C) Tier 3 consists of all Organizational Units,
13 except for Specially Funded Units, with a Percent of
14 Adequacy of at least 0.90 and less than 1.0.

15 (D) Tier 4 consists of all Organizational Units
16 with a Percent of Adequacy of at least 1.0.

17 (4) The Allocation Rates for Tiers 1 through 4 are
18 determined as follows:

19 (A) The Tier 1 Allocation Rate is 30%.

20 (B) The Tier 2 Allocation Rate is the result of the
21 following equation: Tier 2 Aggregate Funding, divided
22 by the sum of the Funding Gaps for all Tier 2
23 Organizational Units, unless the result of such
24 equation is higher than 1.0. If the result of such
25 equation is higher than 1.0, then the Tier 2
26 Allocation Rate is 1.0.

1 (C) The Tier 3 Allocation Rate is the result of the
2 following equation: Tier 3 Aggregate Funding, divided
3 by the sum of the Adequacy Targets of all Tier 3
4 Organizational Units.

5 (D) The Tier 4 Allocation Rate is the result of the
6 following equation: Tier 4 Aggregate Funding, divided
7 by the sum of the Adequacy Targets of all Tier 4
8 Organizational Units.

9 (5) A tier's Target Ratio is determined as follows:

10 (A) The Tier 1 Target Ratio is the ratio level that
11 allows for Tier 1 Aggregate Funding to be distributed
12 with the Tier 1 Allocation Rate.

13 (B) The Tier 2 Target Ratio is 0.90.

14 (C) The Tier 3 Target Ratio is 1.0.

15 (6) If, at any point, the Tier 1 Target Ratio is
16 greater than 90%, then all Tier 1 funding shall be
17 allocated to Tier 2 and no Tier 1 Organizational Unit's
18 funding may be identified.

19 (7) In the event that all Tier 2 Organizational Units
20 receive funding at the Tier 2 Target Ratio level, any
21 remaining New State Funds shall be allocated to Tier 3 and
22 Tier 4 Organizational Units.

23 (8) If any Specially Funded Units, excluding Glenwood
24 Academy, recognized by the State Board do not qualify for
25 direct funding following the implementation of Public Act
26 100-465 from any of the funding sources included within

1 the definition of Base Funding Minimum, the unqualified
2 portion of the Base Funding Minimum shall be transferred
3 to one or more appropriate Organizational Units as
4 determined by the State Superintendent based on the prior
5 year ASE of the Organizational Units.

6 (8.5) If a school district withdraws from a special
7 education cooperative, the portion of the Base Funding
8 Minimum that is attributable to the school district may be
9 redistributed to the school district upon withdrawal. The
10 school district and the cooperative must include the
11 amount of the Base Funding Minimum that is to be
12 reapportioned in their withdrawal agreement and notify the
13 State Board of the change with a copy of the agreement upon
14 withdrawal.

15 (9) The Minimum Funding Level is intended to establish
16 a target for State funding that will keep pace with
17 inflation and continue to advance equity through the
18 Evidence-Based Funding formula. The target for State
19 funding of New Property Tax Relief Pool Funds is
20 \$50,000,000 for State fiscal year 2019 and subsequent
21 State fiscal years. The Minimum Funding Level is equal to
22 \$350,000,000. In addition to any New State Funds, no more
23 than \$50,000,000 New Property Tax Relief Pool Funds may be
24 counted toward the Minimum Funding Level. If the sum of
25 New State Funds and applicable New Property Tax Relief
26 Pool Funds are less than the Minimum Funding Level, than

1 funding for tiers shall be reduced in the following
2 manner:

3 (A) First, Tier 4 funding shall be reduced by an
4 amount equal to the difference between the Minimum
5 Funding Level and New State Funds until such time as
6 Tier 4 funding is exhausted.

7 (B) Next, Tier 3 funding shall be reduced by an
8 amount equal to the difference between the Minimum
9 Funding Level and New State Funds and the reduction in
10 Tier 4 funding until such time as Tier 3 funding is
11 exhausted.

12 (C) Next, Tier 2 funding shall be reduced by an
13 amount equal to the difference between the Minimum
14 Funding Level and New State Funds and the reduction in
15 Tier 4 and Tier 3.

16 (D) Finally, Tier 1 funding shall be reduced by an
17 amount equal to the difference between the Minimum
18 Funding level and New State Funds and the reduction in
19 Tier 2, 3, and 4 funding. In addition, the Allocation
20 Rate for Tier 1 shall be reduced to a percentage equal
21 to the Tier 1 Allocation Rate set by paragraph (4) of
22 this subsection (g), multiplied by the result of New
23 State Funds divided by the Minimum Funding Level.

24 (9.5) For State fiscal year 2019 and subsequent State
25 fiscal years, if New State Funds exceed \$300,000,000, then
26 any amount in excess of \$300,000,000 shall be dedicated

1 for purposes of Section 2-3.170 of this Code up to a
2 maximum of \$50,000,000.

3 (10) In the event of a decrease in the amount of the
4 appropriation for this Section in any fiscal year after
5 implementation of this Section, the Organizational Units
6 receiving Tier 1 and Tier 2 funding, as determined under
7 paragraph (3) of this subsection (g), shall be held
8 harmless by establishing a Base Funding Guarantee equal to
9 the per pupil kindergarten through grade 12 funding
10 received in accordance with this Section in the prior
11 fiscal year. Reductions shall be made to the Base Funding
12 Minimum of Organizational Units in Tier 3 and Tier 4 on a
13 per pupil basis equivalent to the total number of the ASE
14 in Tier 3-funded and Tier 4-funded Organizational Units
15 divided by the total reduction in State funding. The Base
16 Funding Minimum as reduced shall continue to be applied to
17 Tier 3 and Tier 4 Organizational Units and adjusted by the
18 relative formula when increases in appropriations for this
19 Section resume. In no event may State funding reductions
20 to Organizational Units in Tier 3 or Tier 4 exceed an
21 amount that would be less than the Base Funding Minimum
22 established in the first year of implementation of this
23 Section. If additional reductions are required, all school
24 districts shall receive a reduction by a per pupil amount
25 equal to the aggregate additional appropriation reduction
26 divided by the total ASE of all Organizational Units.

1 (11) The State Superintendent shall make minor
2 adjustments to the distribution formula set forth in this
3 subsection (g) to account for the rounding of percentages
4 to the nearest tenth of a percentage and dollar amounts to
5 the nearest whole dollar.

6 (h) State Superintendent administration of funding and
7 district submission requirements.

8 (1) The State Superintendent shall, in accordance with
9 appropriations made by the General Assembly, meet the
10 funding obligations created under this Section.

11 (2) The State Superintendent shall calculate the
12 Adequacy Target for each Organizational Unit and Net State
13 Contribution Target for each Organizational Unit under
14 this Section. No Evidence-Based Funding shall be
15 distributed within an Organizational Unit without the
16 approval of the unit's school board.

17 (3) Annually, the State Superintendent shall calculate
18 and report to each Organizational Unit the unit's
19 aggregate financial adequacy amount, which shall be the
20 sum of the Adequacy Target for each Organizational Unit.
21 The State Superintendent shall calculate and report
22 separately for each Organizational Unit the unit's total
23 State funds allocated for its students with disabilities.
24 The State Superintendent shall calculate and report
25 separately for each Organizational Unit the amount of
26 funding and applicable FTE calculated for each Essential

1 Element of the unit's Adequacy Target.

2 (4) Annually, the State Superintendent shall calculate
3 and report to each Organizational Unit the amount the unit
4 must expend on special education and bilingual education
5 and computer technology and equipment for Organizational
6 Units assigned to Tier 1 or Tier 2 that received an
7 additional \$285.50 per student computer technology and
8 equipment investment grant to their Adequacy Target
9 pursuant to the unit's Base Funding Minimum, Special
10 Education Allocation, Bilingual Education Allocation, and
11 computer technology and equipment investment allocation.

12 (5) Moneys distributed under this Section shall be
13 calculated on a school year basis, but paid on a fiscal
14 year basis, with payments beginning in August and
15 extending through June. Unless otherwise provided, the
16 moneys appropriated for each fiscal year shall be
17 distributed in 22 equal payments at least 2 times monthly
18 to each Organizational Unit. If moneys appropriated for
19 any fiscal year are distributed other than monthly, the
20 distribution shall be on the same basis for each
21 Organizational Unit.

22 (6) Any school district that fails, for any given
23 school year, to maintain school as required by law or to
24 maintain a recognized school is not eligible to receive
25 Evidence-Based Funding. In case of non-recognition of one
26 or more attendance centers in a school district otherwise

1 operating recognized schools, the claim of the district
2 shall be reduced in the proportion that the enrollment in
3 the attendance center or centers bears to the enrollment
4 of the school district. "Recognized school" means any
5 public school that meets the standards for recognition by
6 the State Board. A school district or attendance center
7 not having recognition status at the end of a school term
8 is entitled to receive State aid payments due upon a legal
9 claim that was filed while it was recognized.

10 (7) School district claims filed under this Section
11 are subject to Sections 18-9 and 18-12 of this Code,
12 except as otherwise provided in this Section.

13 (8) Each fiscal year, the State Superintendent shall
14 calculate for each Organizational Unit an amount of its
15 Base Funding Minimum and Evidence-Based Funding that shall
16 be deemed attributable to the provision of special
17 educational facilities and services, as defined in Section
18 14-1.08 of this Code, in a manner that ensures compliance
19 with maintenance of State financial support requirements
20 under the federal Individuals with Disabilities Education
21 Act. An Organizational Unit must use such funds only for
22 the provision of special educational facilities and
23 services, as defined in Section 14-1.08 of this Code, and
24 must comply with any expenditure verification procedures
25 adopted by the State Board.

26 (9) All Organizational Units in this State must submit

1 annual spending plans by the end of September of each year
2 to the State Board as part of the annual budget process,
3 which shall describe how each Organizational Unit will
4 utilize the Base Funding Minimum and Evidence-Based
5 Funding it receives from this State under this Section
6 with specific identification of the intended utilization
7 of Low-Income, English learner, and special education
8 resources. Additionally, the annual spending plans of each
9 Organizational Unit shall describe how the Organizational
10 Unit expects to achieve student growth and how the
11 Organizational Unit will achieve State education goals, as
12 defined by the State Board. The State Superintendent may,
13 from time to time, identify additional requisites for
14 Organizational Units to satisfy when compiling the annual
15 spending plans required under this subsection (h). The
16 format and scope of annual spending plans shall be
17 developed by the State Superintendent and the State Board
18 of Education. School districts that serve students under
19 Article 14C of this Code shall continue to submit
20 information as required under Section 14C-12 of this Code.

21 (10) No later than January 1, 2018, the State
22 Superintendent shall develop a 5-year strategic plan for
23 all Organizational Units to help in planning for adequacy
24 funding under this Section. The State Superintendent shall
25 submit the plan to the Governor and the General Assembly,
26 as provided in Section 3.1 of the General Assembly

1 Organization Act. The plan shall include recommendations
2 for:

3 (A) a framework for collaborative, professional,
4 innovative, and 21st century learning environments
5 using the Evidence-Based Funding model;

6 (B) ways to prepare and support this State's
7 educators for successful instructional careers;

8 (C) application and enhancement of the current
9 financial accountability measures, the approved State
10 plan to comply with the federal Every Student Succeeds
11 Act, and the Illinois Balanced Accountability Measures
12 in relation to student growth and elements of the
13 Evidence-Based Funding model; and

14 (D) implementation of an effective school adequacy
15 funding system based on projected and recommended
16 funding levels from the General Assembly.

17 (11) On an annual basis, the State Superintendent must
18 recalibrate all of the following per pupil elements of the
19 Adequacy Target and applied to the formulas, based on the
20 study of average expenses and as reported in the most
21 recent annual financial report:

22 (A) Gifted under subparagraph (M) of paragraph (2)
23 of subsection (b).

24 (B) Instructional materials under subparagraph (O)
25 of paragraph (2) of subsection (b).

26 (C) Assessment under subparagraph (P) of paragraph

1 (2) of subsection (b).

2 (D) Student activities under subparagraph (R) of
3 paragraph (2) of subsection (b).

4 (E) Maintenance and operations under subparagraph
5 (S) of paragraph (2) of subsection (b).

6 (F) Central office under subparagraph (T) of
7 paragraph (2) of subsection (b).

8 (i) Professional Review Panel.

9 (1) A Professional Review Panel is created to study
10 and review topics related to the implementation and effect
11 of Evidence-Based Funding, as assigned by a joint
12 resolution or Public Act of the General Assembly or a
13 motion passed by the State Board of Education. The Panel
14 must provide recommendations to and serve the Governor,
15 the General Assembly, and the State Board. The State
16 Superintendent or his or her designee must serve as a
17 voting member and chairperson of the Panel. The State
18 Superintendent must appoint a vice chairperson from the
19 membership of the Panel. The Panel must advance
20 recommendations based on a three-fifths majority vote of
21 Panel members present and voting. A minority opinion may
22 also accompany any recommendation of the Panel. The Panel
23 shall be appointed by the State Superintendent, except as
24 otherwise provided in paragraph (2) of this subsection (i)
25 and include the following members:

26 (A) Two appointees that represent district

1 superintendents, recommended by a statewide
2 organization that represents district superintendents.

3 (B) Two appointees that represent school boards,
4 recommended by a statewide organization that
5 represents school boards.

6 (C) Two appointees from districts that represent
7 school business officials, recommended by a statewide
8 organization that represents school business
9 officials.

10 (D) Two appointees that represent school
11 principals, recommended by a statewide organization
12 that represents school principals.

13 (E) Two appointees that represent teachers,
14 recommended by a statewide organization that
15 represents teachers.

16 (F) Two appointees that represent teachers,
17 recommended by another statewide organization that
18 represents teachers.

19 (G) Two appointees that represent regional
20 superintendents of schools, recommended by
21 organizations that represent regional superintendents.

22 (H) Two independent experts selected solely by the
23 State Superintendent.

24 (I) Two independent experts recommended by public
25 universities in this State.

26 (J) One member recommended by a statewide

1 organization that represents parents.

2 (K) Two representatives recommended by collective
3 impact organizations that represent major metropolitan
4 areas or geographic areas in Illinois.

5 (L) One member from a statewide organization
6 focused on research-based education policy to support
7 a school system that prepares all students for
8 college, a career, and democratic citizenship.

9 (M) One representative from a school district
10 organized under Article 34 of this Code.

11 The State Superintendent shall ensure that the
12 membership of the Panel includes representatives from
13 school districts and communities reflecting the
14 geographic, socio-economic, racial, and ethnic diversity
15 of this State. The State Superintendent shall additionally
16 ensure that the membership of the Panel includes
17 representatives with expertise in bilingual education and
18 special education. Staff from the State Board shall staff
19 the Panel.

20 (2) In addition to those Panel members appointed by
21 the State Superintendent, 4 members of the General
22 Assembly shall be appointed as follows: one member of the
23 House of Representatives appointed by the Speaker of the
24 House of Representatives, one member of the Senate
25 appointed by the President of the Senate, one member of
26 the House of Representatives appointed by the Minority

1 Leader of the House of Representatives, and one member of
2 the Senate appointed by the Minority Leader of the Senate.
3 There shall be one additional member appointed by the
4 Governor. All members appointed by legislative leaders or
5 the Governor shall be non-voting, ex officio members.

6 (3) The Panel must study topics at the direction of
7 the General Assembly or State Board of Education, as
8 provided under paragraph (1). The Panel may also study the
9 following topics at the direction of the chairperson:

10 (A) The format and scope of annual spending plans
11 referenced in paragraph (9) of subsection (h) of this
12 Section.

13 (B) The Comparable Wage Index under this Section.

14 (C) Maintenance and operations, including capital
15 maintenance and construction costs.

16 (D) "At-risk student" definition.

17 (E) Benefits.

18 (F) Technology.

19 (G) Local Capacity Target.

20 (H) Funding for Alternative Schools, Laboratory
21 Schools, safe schools, and alternative learning
22 opportunities programs.

23 (I) Funding for college and career acceleration
24 strategies.

25 (J) Special education investments.

26 (K) Early childhood investments, in collaboration

1 with the Illinois Early Learning Council.

2 (4) (Blank).

3 (5) Within 5 years after the implementation of this
4 Section, and every 5 years thereafter, the Panel shall
5 complete an evaluative study of the entire Evidence-Based
6 Funding model, including an assessment of whether or not
7 the formula is achieving State goals. The Panel shall
8 report to the State Board, the General Assembly, and the
9 Governor on the findings of the study.

10 (6) (Blank).

11 (7) To ensure that (i) the Adequacy Target calculation
12 under subsection (b) accurately reflects the needs of
13 students living in poverty or attending schools located in
14 areas of high poverty, (ii) racial equity within the
15 Evidence-Based Funding formula is explicitly explored and
16 advanced, and (iii) the funding goals of the formula
17 distribution system established under this Section are
18 sufficient to provide adequate funding for every student
19 and to fully fund every school in this State, the Panel
20 shall review the Essential Elements under paragraph (2) of
21 subsection (b). The Panel shall consider all of the
22 following in its review:

23 (A) The financial ability of school districts to
24 provide instruction in a foreign language to every
25 student and whether an additional Essential Element
26 should be added to the formula to ensure that every

1 student has access to instruction in a foreign
2 language.

3 (B) The adult-to-student ratio for each Essential
4 Element in which a ratio is identified. The Panel
5 shall consider whether the ratio accurately reflects
6 the staffing needed to support students living in
7 poverty or who have traumatic backgrounds.

8 (C) Changes to the Essential Elements that may be
9 required to better promote racial equity and eliminate
10 structural racism within schools.

11 (D) The impact of investing \$350,000,000 in
12 additional funds each year under this Section and an
13 estimate of when the school system will become fully
14 funded under this level of appropriation.

15 (E) Provide an overview of alternative funding
16 structures that would enable the State to become fully
17 funded at an earlier date.

18 (F) The potential to increase efficiency and to
19 find cost savings within the school system to expedite
20 the journey to a fully funded system.

21 (G) The appropriate levels for reenrolling and
22 graduating high-risk high school students who have
23 been previously out of school. These outcomes shall
24 include enrollment, attendance, skill gains, credit
25 gains, graduation or promotion to the next grade
26 level, and the transition to college, training, or

1 employment, with an emphasis on progressively
2 increasing the overall attendance.

3 (H) The evidence-based or research-based practices
4 that are shown to reduce the gaps and disparities
5 experienced by African American students in academic
6 achievement and educational performance, including
7 practices that have been shown to reduce disparities
8 ~~parities~~ in disciplinary rates, drop-out rates,
9 graduation rates, college matriculation rates, and
10 college completion rates.

11 On or before December 31, 2021, the Panel shall report
12 to the State Board, the General Assembly, and the Governor
13 on the findings of its review. This paragraph (7) is
14 inoperative on and after July 1, 2022.

15 (j) References. Beginning July 1, 2017, references in
16 other laws to general State aid funds or calculations under
17 Section 18-8.05 of this Code (now repealed) shall be deemed to
18 be references to evidence-based model formula funds or
19 calculations under this Section.

20 (Source: P.A. 101-10, eff. 6-5-19; 101-17, eff. 6-14-19;
21 101-643, eff. 6-18-20; 101-654, eff. 3-8-21; 102-33, eff.
22 6-25-21; 102-197, eff. 7-30-21; 102-558, eff. 8-20-21; revised
23 10-12-21.)

24 Section 5-78. The School Construction Law is amended by
25 adding Section 5-500 as follows:

1 (105 ILCS 230/5-500 new)

2 Sec. 5-500. Emergency funding eligibility.

3 (a) The State Board of Education shall classify
4 destruction or disrepair of a public school as an emergency
5 that is eligible for emergency funding if the public school
6 (i) does not otherwise meet the minimum enrollment
7 requirements to be eligible for emergency funding, (ii) has a
8 majority-minority student population, and (iii) is located
9 within a municipality with a population of less than 5,000
10 outside of Cook County and the destruction or disrepair
11 occurred during the time in which proclamations issued by the
12 Governor during the 2019-2020, 2020-2021, and 2021-2022 school
13 years declaring a disaster due to a public health emergency
14 pursuant to Section 7 of the Illinois Emergency Management
15 Agency Act were in effect.

16 (b) Notwithstanding any other provisions of law to the
17 contrary, any school district that receives funding pursuant
18 to subsection (a) is exempt from providing local matching
19 funds.

20 Section 5-80. The Board of Higher Education Act is amended
21 by adding Section 9.41 as follows:

22 (110 ILCS 205/9.41 new)

23 Sec. 9.41. Board of Higher Education State Contracts and

1 Grants Fund; creation. The Board of Higher Education State
2 Contracts and Grants Fund is created as a special fund in the
3 State treasury. The Board shall deposit into the Fund moneys
4 received from grants, awards, or other financial activities
5 from state or local government agencies, and, where
6 appropriate, other funds made available through contracts with
7 state or local government agencies. Moneys in the Fund may be
8 used by the Board, subject to appropriation, for grants,
9 awards, contracts, and other purposes in accordance with this
10 Act.

11 Section 5-82. The Public Community College Act is amended
12 by adding Section 2-12.2 as follows:

13 (110 ILCS 805/2-12.2 new)

14 Sec. 2-12.2. Pipeline for the Advancement of the
15 Healthcare Workforce. The State Board shall develop a funding
16 formula to distribute funds for the Illinois Pipeline for the
17 Advancement of the Healthcare (PATH) Workforce Program, a
18 program that is hereby established and designed to create,
19 support, and expand opportunities of individuals enrolled at a
20 public community college in a healthcare pathway, to obtain
21 credentials, certificates, and degrees that allow them to
22 enter into or advance their careers in the healthcare
23 industry. The State Board shall adopt rules as necessary to
24 implement the funding formula and distribute the funds to

1 Illinois community colleges.

2 Section 5-85. The Higher Education Student Assistance Act
3 is amended by changing Sections 35, 38, and 77 as follows:

4 (110 ILCS 947/35)

5 Sec. 35. Monetary award program.

6 (a) The Commission shall, each year, receive and consider
7 applications for grant assistance under this Section. Subject
8 to a separate appropriation for such purposes, an applicant is
9 eligible for a grant under this Section when the Commission
10 finds that the applicant:

11 (1) is a resident of this State and a citizen or
12 permanent resident of the United States; ~~and~~

13 (2) is enrolled or has been accepted for enrollment in
14 a qualified institution for the purpose of obtaining a
15 degree, certificate, or other credential offered by the
16 institution, as applicable; and

17 (3) in the absence of grant assistance, will be
18 deterred by financial considerations from completing an
19 educational program at the qualified institution of his or
20 her choice.

21 (b) The Commission shall award renewals only upon the
22 student's application and upon the Commission's finding that
23 the applicant:

24 (1) has remained a student in good standing;

1 (2) remains a resident of this State; and

2 (3) is in a financial situation that continues to
3 warrant assistance.

4 (c) All grants shall be applicable only to tuition and
5 necessary fee costs. The Commission shall determine the grant
6 amount for each student, which shall not exceed the smallest
7 of the following amounts:

8 (1) subject to appropriation, \$5,468 for fiscal year
9 2009, \$5,968 for fiscal year 2010, ~~and~~ \$6,468 for fiscal
10 year 2011 and each fiscal year thereafter through fiscal
11 year 2022, and \$8,508 for fiscal year 2023 and each fiscal
12 year thereafter, or such lesser amount as the Commission
13 finds to be available, during an academic year;

14 (2) the amount which equals 2 semesters or 3 quarters
15 tuition and other necessary fees required generally by the
16 institution of all full-time undergraduate students; or

17 (3) such amount as the Commission finds to be
18 appropriate in view of the applicant's financial
19 resources.

20 Subject to appropriation, the maximum grant amount for
21 students not subject to subdivision (1) of this subsection (c)
22 must be increased by the same percentage as any increase made
23 by law to the maximum grant amount under subdivision (1) of
24 this subsection (c).

25 "Tuition and other necessary fees" as used in this Section
26 include the customary charge for instruction and use of

1 facilities in general, and the additional fixed fees charged
2 for specified purposes, which are required generally of
3 nongrant recipients for each academic period for which the
4 grant applicant actually enrolls, but do not include fees
5 payable only once or breakage fees and other contingent
6 deposits which are refundable in whole or in part. The
7 Commission may prescribe, by rule not inconsistent with this
8 Section, detailed provisions concerning the computation of
9 tuition and other necessary fees.

10 (d) No applicant, including those presently receiving
11 scholarship assistance under this Act, is eligible for
12 monetary award program consideration under this Act after
13 receiving a baccalaureate degree or the equivalent of 135
14 semester credit hours of award payments.

15 (d-5) In this subsection (d-5), "renewing applicant" means
16 a student attending an institution of higher learning who
17 received a Monetary Award Program grant during the prior
18 academic year. Beginning with the processing of applications
19 for the 2020-2021 academic year, the Commission shall annually
20 publish a priority deadline date for renewing applicants.
21 Subject to appropriation, a renewing applicant who files by
22 the published priority deadline date shall receive a grant if
23 he or she continues to meet the eligibility requirements under
24 this Section. A renewing applicant's failure to apply by the
25 priority deadline date established under this subsection (d-5)
26 shall not disqualify him or her from receiving a grant if

1 sufficient funding is available to provide awards after that
2 date.

3 (e) The Commission, in determining the number of grants to
4 be offered, shall take into consideration past experience with
5 the rate of grant funds unclaimed by recipients. The
6 Commission shall notify applicants that grant assistance is
7 contingent upon the availability of appropriated funds.

8 (e-5) The General Assembly finds and declares that it is
9 an important purpose of the Monetary Award Program to
10 facilitate access to college both for students who pursue
11 postsecondary education immediately following high school and
12 for those who pursue postsecondary education later in life,
13 particularly Illinoisans who are dislocated workers with
14 financial need and who are seeking to improve their economic
15 position through education. For the 2015-2016 and 2016-2017
16 academic years, the Commission shall give additional and
17 specific consideration to the needs of dislocated workers with
18 the intent of allowing applicants who are dislocated workers
19 an opportunity to secure financial assistance even if applying
20 later than the general pool of applicants. The Commission's
21 consideration shall include, in determining the number of
22 grants to be offered, an estimate of the resources needed to
23 serve dislocated workers who apply after the Commission
24 initially suspends award announcements for the upcoming
25 regular academic year, but prior to the beginning of that
26 academic year. For the purposes of this subsection (e-5), a

1 dislocated worker is defined as in the federal Workforce
2 Innovation and Opportunity Act.

3 (f) (Blank).

4 (g) The Commission shall determine the eligibility of and
5 make grants to applicants enrolled at qualified for-profit
6 institutions in accordance with the criteria set forth in this
7 Section. The eligibility of applicants enrolled at such
8 for-profit institutions shall be limited as follows:

9 (1) Beginning with the academic year 1997, only to
10 eligible first-time freshmen and first-time transfer
11 students who have attained an associate degree.

12 (2) Beginning with the academic year 1998, only to
13 eligible freshmen students, transfer students who have
14 attained an associate degree, and students who receive a
15 grant under paragraph (1) for the academic year 1997 and
16 whose grants are being renewed for the academic year 1998.

17 (3) Beginning with the academic year 1999, to all
18 eligible students.

19 (h) The Commission may award a grant to an eligible
20 applicant enrolled at an Illinois public institution of higher
21 learning in a program that will culminate in the award of an
22 occupational or career and technical certificate as that term
23 is defined in 23 Ill. Adm. Code 1501.301.

24 (i) The Commission may adopt rules to implement this
25 Section.

26 (Source: P.A. 100-477, eff. 9-8-17; 100-621, eff. 7-20-18;

1 100-823, eff. 8-13-18; 101-81, eff. 7-12-19.)

2 (110 ILCS 947/38)

3 Sec. 38. Monetary award program accountability. The
4 Illinois Student Assistance Commission is directed to assess
5 the educational persistence of monetary award program
6 recipients. An assessment under this Section shall include an
7 analysis of such factors as undergraduate educational goals,
8 chosen field of study, retention rates, and expected time to
9 complete a degree. The assessment also shall include an
10 analysis of the academic success of monetary award program
11 recipients through a review of measures that are typically
12 associated with academic success, such as grade point average,
13 satisfactory academic progress, and credit hours earned. Each
14 analysis should take into consideration student class level,
15 dependency types, and the type of higher education institution
16 at which each monetary award program recipient is enrolled.
17 The Illinois Community College Board and the Illinois Board of
18 Higher Education are authorized and directed to share data
19 with the Commission as needed to allow completion of the
20 assessment. The Commission shall report its findings to the
21 General Assembly and the Board of Higher Education by February
22 1, 1999 and at least every 2 years thereafter.

23 (Source: P.A. 90-486, eff. 8-17-97; 90-488, eff. 8-17-97.)

24 (110 ILCS 947/77)

1 Sec. 77. Illinois Student Assistance Commission Contracts
2 and Grants Fund.

3 (a) The Illinois Student Assistance Commission Contracts
4 and Grants Fund is created as a special fund in the State
5 treasury. All gifts, grants, or donations of money received by
6 the Commission must be deposited into this Fund and, where
7 appropriate, other funds made available through contracts with
8 governmental, public, and private agencies or persons may also
9 be deposited into this Fund.

10 (b) Moneys in the Fund may be used by the Commission,
11 subject to appropriation, for support of the Commission's
12 student and borrower assistance outreach, research, and
13 training activities.

14 (Source: P.A. 92-597, eff. 7-1-02.)

15 Section 5-88. The Nursing Education Scholarship Law is
16 amended by changing Sections 3, 5, 6.5, and 7 and by adding
17 Sections 3.1 and 9.1 as follows:

18 (110 ILCS 975/3) (from Ch. 144, par. 2753)

19 Sec. 3. Definitions. The following terms, whenever used or
20 referred to, have the following meanings except where the
21 context clearly indicates otherwise:

22 (1) "Board" means the Board of Higher Education created by
23 the Board of Higher Education Act.

24 (2) "Department" means the Illinois Department of Public

1 Health.

2 (3) "Approved institution" means a public community
3 college, private junior college, hospital-based diploma in
4 nursing program, or public or private college or university
5 with a pre-licensure nursing education program located in this
6 State that has approval by the Department of Financial and
7 Professional Regulation for an associate degree in nursing
8 program, associate degree in applied sciences in nursing
9 program, hospital-based diploma in nursing program,
10 baccalaureate degree in nursing program, graduate degree in
11 nursing program, or certificate in a practical nursing program
12 or a post-licensure nursing education program approved by the
13 Board of Higher Education or any successor agency with similar
14 authority.

15 (4) "Baccalaureate degree in nursing program" means a
16 program offered by an approved institution and leading to a
17 bachelor of science degree in nursing.

18 (5) "Enrollment" means the establishment and maintenance
19 of an individual's status as a student in an approved
20 institution, regardless of the terms used at the institution
21 to describe such status.

22 (6) "Academic year" means the period of time from
23 September 1 of one year through August 31 of the next year or
24 as otherwise defined by the academic institution.

25 (7) "Associate degree in nursing program or hospital-based
26 diploma in nursing program" means a program offered by an

1 approved institution and leading to an associate degree in
2 nursing, associate degree in applied sciences in nursing, or
3 hospital-based diploma in nursing.

4 (8) "Graduate degree in nursing program" means a program
5 offered by an approved institution and leading to a master of
6 science degree in nursing or a doctorate of philosophy or
7 doctorate of nursing degree in nursing.

8 (9) "Director" means the Director of the Illinois
9 Department of Public Health.

10 (10) "Accepted for admission" means a student has
11 completed the requirements for entry into an associate degree
12 in nursing program, associate degree in applied sciences in
13 nursing program, hospital-based diploma in nursing program,
14 baccalaureate degree in nursing program, graduate degree in
15 nursing program, or certificate in practical nursing program
16 at an approved institution, as documented by the institution.

17 (11) "Fees" means those mandatory charges, in addition to
18 tuition, that all enrolled students must pay, including
19 required course or lab fees.

20 (12) "Full-time student" means a student enrolled for at
21 least 12 hours per term or as otherwise determined by the
22 academic institution.

23 (13) "Law" means the Nursing Education Scholarship Law.

24 (14) "Nursing employment obligation" means employment in
25 this State as a registered professional nurse, licensed
26 practical nurse, or advanced practice registered nurse in

1 direct patient care for at least one year for each year of
2 scholarship assistance received through the Nursing Education
3 Scholarship Program.

4 (15) "Part-time student" means a person who is enrolled
5 for at least one-third of the number of hours required per term
6 by a school for its full-time students.

7 (16) "Practical nursing program" means a program offered
8 by an approved institution leading to a certificate in
9 practical nursing.

10 (17) "Registered professional nurse" means a person who is
11 currently licensed as a registered professional nurse by the
12 Department of Professional Regulation under the Nurse Practice
13 Act.

14 (18) "Licensed practical nurse" means a person who is
15 currently licensed as a licensed practical nurse by the
16 Department of Professional Regulation under the Nurse Practice
17 Act.

18 (19) "School term" means an academic term, such as a
19 semester, quarter, trimester, or number of clock hours, as
20 defined by an approved institution.

21 (20) "Student in good standing" means a student
22 maintaining a cumulative grade point average equivalent to at
23 least the academic grade of a "C".

24 (21) "Total and permanent disability" means a physical or
25 mental impairment, disease, or loss of a permanent nature that
26 prevents nursing employment with or without reasonable

1 accommodation. Proof of disability shall be a declaration from
2 the social security administration, Illinois Workers'
3 Compensation Commission, Department of Defense, or an insurer
4 authorized to transact business in Illinois who is providing
5 disability insurance coverage to a contractor.

6 (22) "Tuition" means the established charges of an
7 institution of higher learning for instruction at that
8 institution.

9 (23) "Nurse educator" means a person who is currently
10 licensed as a registered nurse by the Department of
11 Professional Regulation under the Nurse Practice Act, who has
12 a graduate degree in nursing, and who is employed by an
13 approved academic institution to educate registered nursing
14 students, licensed practical nursing students, and registered
15 nurses pursuing graduate degrees.

16 (24) "Nurse educator employment obligation" means
17 employment in this State as a nurse educator for at least 2
18 years for each year of scholarship assistance received under
19 Section 6.5 of this Law.

20 (25) "Commission" means the Illinois Student Assistance
21 Commission.

22 Rulemaking authority to implement the provisions of this
23 Act ~~Public Act 96-805, if any,~~ is conditioned on the rules
24 being adopted in accordance with all provisions of the
25 Illinois Administrative Procedure Act and all rules and
26 procedures of the Joint Committee on Administrative Rules; any

1 purported rule not so adopted, for whatever reason, is
2 unauthorized.

3 (Source: P.A. 100-183, eff. 8-18-17; 100-513, eff. 1-1-18;
4 100-863, eff. 8-14-18.)

5 (110 ILCS 975/3.1 new)

6 Sec. 3.1. Approved institutions. An approved institution
7 must maintain compliance with all applicable State and federal
8 laws. An approved institution is not eligible for other
9 programs administered by the Commission and is not required to
10 meet the definition of "institution of higher learning",
11 "qualified institution", or "institution" as defined in
12 Section 10 of the Higher Education Student Assistance Act. The
13 Commission may establish by rule additional requirements for
14 approved institutions.

15 (110 ILCS 975/5) (from Ch. 144, par. 2755)

16 Sec. 5. Nursing education scholarships. Beginning with the
17 fall term of the 2004-2005 academic year, the Department, in
18 accordance with rules and regulations promulgated by it for
19 this program, shall provide scholarships to individuals
20 selected from among those applicants who qualify for
21 consideration by showing:

22 (1) that he or she has been a resident of this State
23 for at least one year prior to application, and is a
24 citizen or a lawful permanent resident alien of the United

1 States;

2 (2) that he or she is enrolled in or accepted for
3 admission to an associate degree in nursing program,
4 hospital-based diploma in nursing program, baccalaureate
5 degree in nursing program, graduate degree in nursing
6 program, or practical nursing program at an approved
7 institution; and

8 (3) that he or she agrees to meet the nursing
9 employment obligation.

10 If in any year the number of qualified applicants exceeds
11 the number of scholarships to be awarded, the Department
12 shall, in consultation with the Illinois Nursing Workforce
13 Center Advisory Board, consider the following factors in
14 granting priority in awarding scholarships:

15 (A) Financial need, as shown on a standardized
16 financial needs assessment form used by an approved
17 institution, of students who will pursue their
18 education on a full-time or close to full-time basis
19 and who already have a certificate in practical
20 nursing, a diploma in nursing, or an associate degree
21 in nursing and are pursuing a higher degree.

22 (B) A student's status as a registered nurse who
23 is pursuing a graduate degree in nursing to pursue
24 employment in an approved institution that educates
25 licensed practical nurses and that educates registered
26 nurses in undergraduate and graduate nursing programs.

1 (C) A student's merit, as shown through his or her
2 grade point average, class rank, and other academic
3 and extracurricular activities. The Department may add
4 to and further define these merit criteria by rule.

5 Unless otherwise indicated, scholarships shall be awarded
6 to recipients at approved institutions for a period of up to 2
7 years if the recipient is enrolled in an associate degree in
8 nursing program, up to 3 years if the recipient is enrolled in
9 a hospital-based diploma in nursing program, up to 4 years if
10 the recipient is enrolled in a baccalaureate degree in nursing
11 program, up to 5 years if the recipient is enrolled in a
12 graduate degree in nursing program, and up to one year if the
13 recipient is enrolled in a certificate in practical nursing
14 program. At least 40% of the scholarships awarded shall be for
15 recipients who are pursuing baccalaureate degrees in nursing,
16 30% of the scholarships awarded shall be for recipients who
17 are pursuing associate degrees in nursing or a diploma in
18 nursing, 10% of the scholarships awarded shall be for
19 recipients who are pursuing a certificate in practical
20 nursing, and 20% of the scholarships awarded shall be for
21 recipients who are pursuing a graduate degree in nursing.

22 ~~During Beginning with the fall term of the 2021-2022~~
23 ~~academic year and continuing through the 2024-2025 academic~~
24 ~~year,~~ subject to appropriation from the Hospital Licensure
25 Fund, in addition to any other funds available to the
26 Department for such scholarships, the Department may award a

1 total of \$500,000 ~~annually~~ in scholarships under this Section.

2 (Source: P.A. 102-641, eff. 8-27-21.)

3 (110 ILCS 975/6.5)

4 Sec. 6.5. Nurse educator scholarships.

5 (a) Beginning with the fall term of the 2009-2010 academic
6 year, the Department shall provide scholarships to individuals
7 selected from among those applicants who qualify for
8 consideration by showing the following:

9 (1) that he or she has been a resident of this State
10 for at least one year prior to application and is a citizen
11 or a lawful permanent resident alien of the United States;

12 (2) that he or she is enrolled in or accepted for
13 admission to a graduate degree in nursing program at an
14 approved institution; and

15 (3) that he or she agrees to meet the nurse educator
16 employment obligation.

17 (b) If in any year the number of qualified applicants
18 exceeds the number of scholarships to be awarded under this
19 Section, the Department shall, in consultation with the
20 Illinois Nursing Workforce Center Advisory Board, consider the
21 following factors in granting priority in awarding
22 scholarships:

23 (1) Financial need, as shown on a standardized
24 financial needs assessment form used by an approved
25 institution, of students who will pursue their education

1 on a full-time or close to full-time basis and who already
2 have a diploma in nursing and are pursuing a higher
3 degree.

4 (2) A student's status as a registered nurse who is
5 pursuing a graduate degree in nursing to pursue employment
6 in an approved institution that educates licensed
7 practical nurses and that educates registered nurses in
8 undergraduate and graduate nursing programs.

9 (3) A student's merit, as shown through his or her
10 grade point average, class rank, experience as a nurse,
11 including supervisory experience, experience as a nurse in
12 the United States military, and other academic and
13 extracurricular activities.

14 (c) Unless otherwise indicated, scholarships under this
15 Section shall be awarded to recipients at approved
16 institutions for a period of up to 3 years.

17 (d) Within 12 months after graduation from a graduate
18 degree in nursing program for nurse educators, any recipient
19 who accepted a scholarship under this Section shall begin
20 meeting the required nurse educator employment obligation. In
21 order to defer his or her continuous employment obligation, a
22 recipient must request the deferment in writing from the
23 Department. A recipient shall receive a deferment if he or she
24 notifies the Department, within 30 days after enlisting, that
25 he or she is spending up to 4 years in military service. A
26 recipient shall receive a deferment if he or she notifies the

1 Department, within 30 days after enrolling, that he or she is
2 enrolled in an academic program leading to a graduate degree
3 in nursing. The recipient must begin meeting the required
4 nurse educator employment obligation no later than 6 months
5 after the end of the deferment or deferments.

6 Any person who fails to fulfill the nurse educator
7 employment obligation shall pay to the Department an amount
8 equal to the amount of scholarship funds received per year for
9 each unfulfilled year of the nurse educator employment
10 obligation, together with interest at 7% per year on the
11 unpaid balance. Payment must begin within 6 months following
12 the date of the occurrence initiating the repayment. All
13 repayments must be completed within 6 years from the date of
14 the occurrence initiating the repayment. However, this
15 repayment obligation may be deferred and re-evaluated every 6
16 months when the failure to fulfill the nurse educator
17 employment obligation results from involuntarily leaving the
18 profession due to a decrease in the number of nurses employed
19 in this State or when the failure to fulfill the nurse educator
20 employment obligation results from total and permanent
21 disability. The repayment obligation shall be excused if the
22 failure to fulfill the nurse educator employment obligation
23 results from the death or adjudication as incompetent of the
24 person holding the scholarship. No claim for repayment may be
25 filed against the estate of such a decedent or incompetent.

26 The Department may allow a nurse educator employment

1 obligation fulfillment alternative if the nurse educator
2 scholarship recipient is unsuccessful in finding work as a
3 nurse educator. The Department shall maintain a database of
4 all available nurse educator positions in this State.

5 (e) Each person applying for a scholarship under this
6 Section must be provided with a copy of this Section at the
7 time of application for the benefits of this scholarship.

8 (f) Rulemaking authority to implement this ~~amendatory~~ Act
9 ~~of the 96th General Assembly, if any,~~ is conditioned on the
10 rules being adopted in accordance with all provisions of the
11 Illinois Administrative Procedure Act and all rules and
12 procedures of the Joint Committee on Administrative Rules; any
13 purported rule not so adopted, for whatever reason, is
14 unauthorized.

15 (Source: P.A. 100-513, eff. 1-1-18.)

16 (110 ILCS 975/7) (from Ch. 144, par. 2757)

17 Sec. 7. Amount of scholarships. To determine a scholarship
18 amount, the Department shall consider tuition and fee charges
19 at community colleges and universities statewide and projected
20 living expenses. ~~Using information provided annually by the~~
21 ~~Illinois Student Assistance Commission,~~ 75% of the weighted
22 tuition and fees charged by community colleges in Illinois
23 shall be added to the uniform living allowance reported in the
24 weighted Monetary Award Program (MAP) budget to determine the
25 full-time scholarship amount for students pursuing an

1 associate degree or diploma in nursing at an Illinois
2 community college. Scholarship amounts for students pursuing
3 associate, baccalaureate, or graduate degrees in nursing at a
4 college or university shall include 75% of the weighted
5 tuition and fees charged by public universities in Illinois
6 plus the uniform living allowance reported in the weighted MAP
7 budget. Scholarship amounts for students in practical nursing
8 programs shall include 75% of the average of tuition charges
9 at all practical nursing programs plus the uniform living
10 allowance reported in the weighted MAP budget. The Department
11 may provide that scholarships shall be on a quarterly or
12 semi-annual basis and shall be contingent upon the student's
13 diligently pursuing nursing studies and being a student in
14 good standing. Scholarship awards may be provided to part-time
15 students; the amount shall be determined by applying the
16 proportion represented by the part-time enrollment to
17 full-time enrollment ratio to the average per-term scholarship
18 amount for a student in the same nursing degree category.

19 (Source: P.A. 92-43, eff. 1-1-02; 93-879, eff. 1-1-05.)

20 (110 ILCS 975/9.1 new)

21 Sec. 9.1. Transfer of functions from the Department to the
22 Commission.

23 (a) On July 1, 2022, or as soon thereafter as practical,
24 all functions performed by the Department under this Act,
25 together with all of the powers, duties, rights, and

1 responsibilities of the Department relating to those
2 functions, are transferred from the Department to the
3 Commission.

4 (1) The Department and the Commission shall cooperate
5 to ensure that the transfer of functions is completed as
6 soon as practical.

7 (2) To the extent necessary or prudent to select
8 scholarship recipients and award scholarships pursuant to
9 this Act, following the application cycle which begins on
10 March 1, 2022, the Department and the Commission may enter
11 into interagency agreements pursuant to Section 3 of the
12 Intergovernmental Cooperation Act to ensure scholarships
13 are awarded for the 2022-2023 academic year.

14 (b) Neither the functions transferred under this Section,
15 nor any powers, duties, rights, and responsibilities relating
16 to those functions, are altered or changed by this amendatory
17 Act of the 102nd General Assembly, except that all such
18 functions, powers, duties, rights, and responsibilities shall
19 be performed or exercised by the Commission as of July 1, 2022.

20 (c) All books, records, papers, documents, contracts, and
21 pending business pertaining to the functions transferred under
22 this Section, including but not limited to material in
23 electronic or magnetic format and necessary computer hardware
24 and software, shall be transferred to the Commission. The
25 transfer of that information shall not, however, violate any
26 applicable confidentiality constraints.

1 (d) Whenever reports or notices are required to be made or
2 given or papers or documents furnished or served by any person
3 to or upon the Department in connection with any of the
4 functions transferred under this Section, the same shall be
5 made, given, furnished, or served in the same manner to or upon
6 the Commission.

7 The Department shall transfer to the Commission any such
8 reports, notices, papers, or documents received by the
9 Department after July 1, 2022. The Department and the
10 Commission shall cooperate to ensure that the transfer of any
11 such reports, notices, papers, or documents is completed as
12 soon as is practical.

13 (e) This Section shall not affect any act done, ratified,
14 or canceled, or any right occurring or established, or any
15 action or proceeding had or commenced in an administrative,
16 civil, or criminal case, regarding the functions of the
17 Department before July 1, 2022; such actions may be
18 prosecuted, defended, or continued by the Department.

19 (f) Any rules of the Department that (1) relate to the
20 functions transferred under this Section, (2) that are in full
21 force on July 1, 2022, and (3) that have been duly adopted by
22 the Department, shall become the rules of the Commission. This
23 Section shall not affect the legality of any such rules in the
24 Illinois Administrative Code. Any proposed rules filed with
25 the Secretary of State by the Department that are pending in
26 the rulemaking process on July 1, 2022, and that pertain to the

1 functions transferred, shall be deemed to have been filed by
2 the Commission. As soon as practicable after July 1, 2022, the
3 Commission may revise and clarify the rules transferred to it
4 under this Section and propose and adopt new rules that relate
5 to the functions transferred in this Section.

6 (g) The powers, duties, rights, and responsibilities
7 relating to the functions transferred under this Section are
8 vested in and shall be exercised by the Commission. Each act
9 done in exercise of those powers, duties, rights, and
10 responsibilities shall have the same legal effect as if done
11 by the Department or its divisions, officers, or employees.

12 (h) Whenever a provision of law, including, but not
13 limited to, the provisions of this Act, refers to the
14 Department in connection with its performance of a function
15 that is transferred to the Commission under this Section, that
16 provision shall be deemed to refer to the Commission on and
17 after July 1, 2022.

18 Section 5-89. The Specialized Mental Health Rehabilitation
19 Act of 2013 is amended by changing Sections 5-102 and 5-107 as
20 follows:

21 (210 ILCS 49/5-102)

22 Sec. 5-102. Transition payments.

23 (a) In addition to payments already required by law, the
24 Department of Healthcare and Family Services shall make

1 payments to facilities licensed under this Act in the amount
2 of \$29.43 per licensed bed, per day, for the period beginning
3 June 1, 2014 and ending June 30, 2014.

4 (b) For the purpose of incentivizing reduced room
5 occupancy and notwithstanding any provision of law to the
6 contrary, the Medicaid rates for specialized mental health
7 rehabilitation facilities effective on July 1, 2022 must be
8 equal to the rates in effect for specialized mental health
9 rehabilitation facilities on June 30, 2022, increased by 5.0%.
10 This rate shall be in effect from July 1, 2022 through June 30,
11 2024. After June 30, 2024, this rate shall remain in effect
12 only for any occupied bed that is in a room with no more than 2
13 beds. The rate increase shall be effective for payment for
14 services under both the fee-for-service and managed care
15 medical assistance programs established under Article V of the
16 Illinois Public Aid Code.

17 (Source: P.A. 98-651, eff. 6-16-14.)

18 (210 ILCS 49/5-107)

19 Sec. 5-107. Quality of life enhancement. Beginning on July
20 1, 2019, for improving the quality of life and the quality of
21 care, an additional payment shall be awarded to a facility for
22 their single occupancy rooms. This payment shall be in
23 addition to the rate for recovery and rehabilitation. The
24 additional rate for single room occupancy shall be no less
25 than \$10 per day, per single room occupancy. The Department of

1 Healthcare and Family Services shall adjust payment to
2 Medicaid managed care entities to cover these costs. Beginning
3 July 1, 2022, for improving the quality of life and the quality
4 of care, a payment of no less than \$5 per day, per single room
5 occupancy shall be added to the existing \$10 additional per
6 day, per single room occupancy rate for a total of at least \$15
7 per day, per single room occupancy. Beginning July 1, 2022,
8 for improving the quality of life and the quality of care, an
9 additional payment shall be awarded to a facility for its
10 dual-occupancy rooms. This payment shall be in addition to the
11 rate for recovery and rehabilitation. The additional rate for
12 dual-occupancy rooms shall be no less than \$10 per day, per
13 Medicaid-occupied bed, in each dual-occupancy room. The
14 Department of Healthcare and Family Services shall adjust
15 payment to Medicaid managed care entities to cover these
16 costs. As used in this Section, "dual-occupancy room" means a
17 room that contains 2 resident beds.

18 (Source: P.A. 101-10, eff. 6-5-19.)

19 Section 5-90. The Clinical Social Work and Social Work
20 Practice Act is amended by adding Section 13.2 as follows:

21 (225 ILCS 20/13.2 new)

22 Sec. 13.2. Fee waivers. Notwithstanding any provision of
23 law to the contrary, during State fiscal years 2022, 2023, and
24 2024, the Department shall allow individuals a one-time waiver

1 of fees imposed under subsection (a) of Section 11 or Section
2 7, 9, 9A, 12.5, or 13 of this Act. No individual may benefit
3 from such waiver more than once.

4 Section 5-91. The Medical Practice Act of 1987 is amended
5 by adding Section 9.1 as follows:

6 (225 ILCS 60/9.1 new)

7 Sec. 9.1. Fee waivers. Notwithstanding any provision of
8 law to the contrary, during State fiscal years 2022, 2023, and
9 2024, the Department shall allow individuals a one-time waiver
10 of fees imposed under Section 9, 19, or 21 of this Act. No
11 individual may benefit from such waiver more than once.

12 Section 5-92. The Nurse Practice Act is amended by adding
13 Section 50-27 and by changing Section 70-50 as follows:

14 (225 ILCS 65/50-27 new)

15 Sec. 50-27. Fee waivers. Notwithstanding any provision of
16 law to the contrary, during State fiscal years 2022, 2023, and
17 2024, the Department shall allow individuals a one-time waiver
18 of fees imposed under Section 50-26, 55-10, 55-11, 55-15,
19 60-10, 60-11, 60-20, 65-5, 65-15, or 70-45 of this Act. No
20 individual may benefit from such waiver more than once.

21 (225 ILCS 65/70-50) (was 225 ILCS 65/20-40)

1 (Section scheduled to be repealed on January 1, 2028)

2 Sec. 70-50. Fund.

3 (a) There is hereby created within the State Treasury the
4 Nursing Dedicated and Professional Fund. The monies in the
5 Fund may be used by and at the direction of the Department for
6 the administration and enforcement of this Act, including, but
7 not limited to:

8 (1) Distribution and publication of this Act and
9 rules.

10 (2) Employment of secretarial, nursing,
11 administrative, enforcement, and other staff for the
12 administration of this Act.

13 (b) Disposition of fees:

14 (1) \$5 of every licensure fee shall be placed in a fund
15 for assistance to nurses enrolled in a diversionary
16 program as approved by the Department.

17 (2) All of the fees, fines, and penalties collected
18 pursuant to this Act shall be deposited in the Nursing
19 Dedicated and Professional Fund.

20 (3) Each fiscal year, the moneys deposited in the
21 Nursing Dedicated and Professional Fund shall be
22 appropriated to the Department for expenses of the
23 Department and the Board in the administration of this
24 Act. All earnings received from investment of moneys in
25 the Nursing Dedicated and Professional Fund shall be
26 deposited in the Nursing Dedicated and Professional Fund

1 and shall be used for the same purposes as fees deposited
2 in the Fund.

3 (4) For fiscal years 2010 through 2022 ~~the fiscal year~~
4 ~~beginning July 1, 2009 and for each fiscal year~~
5 ~~thereafter~~, \$2,000,000 of the moneys deposited in the
6 Nursing Dedicated and Professional Fund each year shall be
7 set aside and appropriated to the Department of Public
8 Health for nursing scholarships awarded pursuant to the
9 Nursing Education Scholarship Law. For fiscal year 2023
10 and for each fiscal year thereafter, \$4,000,000 of the
11 moneys deposited in the Nursing Dedicated and Professional
12 Fund each year shall be set aside and appropriated to the
13 Illinois Student Assistance Commission for nursing
14 scholarships awarded pursuant to the Nursing Education
15 Scholarship Law.

16 (5) Moneys in the Fund may be transferred to the
17 Professions Indirect Cost Fund as authorized under Section
18 2105-300 of the Department of Professional Regulation Law
19 (20 ILCS 2105/2105-300).

20 (c) Moneys set aside for nursing scholarships awarded
21 pursuant to the Nursing Education Scholarship Law as provided
22 in item (4) of subsection (b) of this Section may not be
23 transferred under Section 8h of the State Finance Act.

24 (Source: P.A. 100-513, eff. 1-1-18.)

25 Section 5-93. The Pharmacy Practice Act is amended by

1 adding Section 27.1 as follows:

2 (225 ILCS 85/27.1 new)

3 Sec. 27.1. Fee waivers. Notwithstanding any provision of
4 law to the contrary, during State fiscal years 2022, 2023, and
5 2024, the Department shall allow individuals a one-time waiver
6 of fees imposed under Section 7, 8, 9, 9.5, or 27 of this Act.
7 No individual may benefit from such waiver more than once.

8 Section 5-94. The Physician Assistant Practice Act of 1987
9 is amended by adding Section 14.2 as follows:

10 (225 ILCS 95/14.2 new)

11 Sec. 14.2. Fee waivers. Notwithstanding any provision of
12 law to the contrary, during State fiscal years 2022, 2023, and
13 2024, the Department shall allow individuals a one-time waiver
14 of fees imposed under Section 9, 14.1, 15, or 16 of this Act.
15 No individual may benefit from such waiver more than once.

16 Section 5-96. The Liquor Control Act of 1934 is amended by
17 changing Section 5-3 as follows:

18 (235 ILCS 5/5-3) (from Ch. 43, par. 118)

19 Sec. 5-3. License fees. Except as otherwise provided
20 herein, at the time application is made to the State
21 Commission for a license of any class, the applicant shall pay

1 to the State Commission the fee hereinafter provided for the
2 kind of license applied for.

3 The fee for licenses issued by the State Commission shall
4 be as follows:

Online	Initial
renewal	license
	or
	non-online
	renewal

10 For a manufacturer's license:

11	Class 1. Distiller	\$4,000	\$5,000
12	Class 2. Rectifier	4,000	5,000
13	Class 3. Brewer	1,200	1,500
14	Class 4. First-class Wine		
15	Manufacturer	1,200	1,500
16	Class 5. Second-class		
17	Wine Manufacturer.....	1,500	1,750
18	Class 6. First-class wine-maker....	1,200	1,500
19	Class 7. Second-class wine-maker ..	1,500	1,750
20	Class 8. Limited Wine		
21	Manufacturer	250	350
22	Class 9. Craft Distiller	2,000	2,500
23	Class 10. Class 1 Craft Distiller ..	50	75
24	Class 11. Class 2 Craft Distiller ..	75	100
25	Class 12. Class 1 Brewer	50	75
26	Class 13. Class 2 Brewer	75	100

1	Class 14. Class 3 Brewer	25	50
2	For a Brew Pub License	1,200	1,500
3	For a Distilling Pub License	1,200	1,500
4	For a caterer retailer's license ..	350	500
5	For a foreign importer's license ..	25	25
6	For an importing distributor's		
7	license.....	25	25
8	For a distributor's license		
9	(11,250,000 gallons		
10	or over)	1,450	2,200
11	For a distributor's license		
12	(over 4,500,000 gallons, but		
13	under 11,250,000 gallons)	950	1,450
14	For a distributor's license		
15	(4,500,000 gallons or under) ..	300	450
16	For a non-resident dealer's license		
17	(500,000 gallons or over)		
18	or with self-distribution		
19	privileges	1,200	1,500
20	For a non-resident dealer's license		
21	(under 500,000 gallons)	250	350
22	For a wine-maker's premises		
23	license.....	250	500
24	For a winery shipper's license		
25	(under 250,000 gallons)	200	350
26	For a winery shipper's license		

1	(250,000 or over, but		
2	under 500,000 gallons)	750	1,000
3	For a winery shipper's license		
4	(500,000 gallons or over)	1,200	1,500
5	For a wine-maker's premises		
6	license, second location	500	1,000
7	For a wine-maker's premises		
8	license, third location.....	500	1,000
9	For a retailer's license	600	750
10	For a special event retailer's		
11	license, (not-for-profit).....	25	25
12	For a beer showcase permit license,		
13	one day only	100	150
14	2 days or more	150	250
15	For a special use permit license,		
16	one day only	100	150
17	2 days or more	150	250
18	For a railroad license	100	150
19	For a boat license	500	1,000
20	For an airplane license, times the		
21	licensee's maximum number of		
22	aircraft in flight, serving		
23	liquor over the State at any		
24	given time, which either		
25	originate, terminate, or make		
26	an intermediate stop in		

1	the State	100	150
2	For a non-beverage user's license:		
3	Class 1	24	24
4	Class 2	60	60
5	Class 3	120	120
6	Class 4	240	240
7	Class 5	600	600
8	For a broker's license	750	1,000
9	For an auction liquor license	100	150
10	For a homebrewer special		
11	event permit	25	25
12	For a craft distiller		
13	tasting permit	25	25
14	For a BASSET trainer license	300	350
15	For a tasting representative		
16	license.....	200	300
17	For a brewer warehouse permit	25	25
18	For a craft distiller		
19	warehouse permit	25	25

20 Fees collected under this Section shall be paid into the
21 Dram Shop Fund. The State Commission shall waive license
22 renewal fees for those retailers' licenses that are designated
23 as "1A" by the State Commission and expire on or after July 1,
24 2022, and on or before June 30, 2023. One-half ~~On and after~~
25 July 1, 2003 and until June 30, 2016, of the funds received for
26 a retailer's license, in addition to the first \$175, an

1 ~~additional \$75 shall be paid into the Dram Shop Fund, and \$250~~
2 ~~shall be paid into the General Revenue Fund. On and after June~~
3 ~~30, 2016, one-half~~ of the funds received for a retailer's
4 license shall be paid into the Dram Shop Fund and one-half of
5 the funds received for a retailer's license shall be paid into
6 the General Revenue Fund. ~~Beginning June 30, 1990 and on June~~
7 ~~30 of each subsequent year through June 29, 2003, any balance~~
8 ~~over \$5,000,000 remaining in the Dram Shop Fund shall be~~
9 ~~credited to State liquor licensees and applied against their~~
10 ~~fees for State liquor licenses for the following year. The~~
11 ~~amount credited to each licensee shall be a proportion of the~~
12 ~~balance in the Dram Fund that is the same as the proportion of~~
13 ~~the license fee paid by the licensee under this Section for the~~
14 ~~period in which the balance was accumulated to the aggregate~~
15 ~~fees paid by all licensees during that period.~~

16 No fee shall be paid for licenses issued by the State
17 Commission to the following non-beverage users:

18 (a) Hospitals, sanitariums, or clinics when their use
19 of alcoholic liquor is exclusively medicinal, mechanical
20 or scientific.

21 (b) Universities, colleges of learning or schools when
22 their use of alcoholic liquor is exclusively medicinal,
23 mechanical or scientific.

24 (c) Laboratories when their use is exclusively for the
25 purpose of scientific research.

26 (Source: P.A. 101-482, eff. 8-23-19; 101-615, eff. 12-20-19;

1 102-442, eff. 8-20-21; 102-558, eff. 8-20-21.)

2 Section 5-97. The Illinois Gambling Act is amended by
3 changing Section 13 as follows:

4 (230 ILCS 10/13) (from Ch. 120, par. 2413)

5 Sec. 13. Wagering tax; rate; distribution.

6 (a) Until January 1, 1998, a tax is imposed on the adjusted
7 gross receipts received from gambling games authorized under
8 this Act at the rate of 20%.

9 (a-1) From January 1, 1998 until July 1, 2002, a privilege
10 tax is imposed on persons engaged in the business of
11 conducting riverboat gambling operations, based on the
12 adjusted gross receipts received by a licensed owner from
13 gambling games authorized under this Act at the following
14 rates:

15 15% of annual adjusted gross receipts up to and
16 including \$25,000,000;

17 20% of annual adjusted gross receipts in excess of
18 \$25,000,000 but not exceeding \$50,000,000;

19 25% of annual adjusted gross receipts in excess of
20 \$50,000,000 but not exceeding \$75,000,000;

21 30% of annual adjusted gross receipts in excess of
22 \$75,000,000 but not exceeding \$100,000,000;

23 35% of annual adjusted gross receipts in excess of
24 \$100,000,000.

1 (a-2) From July 1, 2002 until July 1, 2003, a privilege tax
2 is imposed on persons engaged in the business of conducting
3 riverboat gambling operations, other than licensed managers
4 conducting riverboat gambling operations on behalf of the
5 State, based on the adjusted gross receipts received by a
6 licensed owner from gambling games authorized under this Act
7 at the following rates:

8 15% of annual adjusted gross receipts up to and
9 including \$25,000,000;

10 22.5% of annual adjusted gross receipts in excess of
11 \$25,000,000 but not exceeding \$50,000,000;

12 27.5% of annual adjusted gross receipts in excess of
13 \$50,000,000 but not exceeding \$75,000,000;

14 32.5% of annual adjusted gross receipts in excess of
15 \$75,000,000 but not exceeding \$100,000,000;

16 37.5% of annual adjusted gross receipts in excess of
17 \$100,000,000 but not exceeding \$150,000,000;

18 45% of annual adjusted gross receipts in excess of
19 \$150,000,000 but not exceeding \$200,000,000;

20 50% of annual adjusted gross receipts in excess of
21 \$200,000,000.

22 (a-3) Beginning July 1, 2003, a privilege tax is imposed
23 on persons engaged in the business of conducting riverboat
24 gambling operations, other than licensed managers conducting
25 riverboat gambling operations on behalf of the State, based on
26 the adjusted gross receipts received by a licensed owner from

1 gambling games authorized under this Act at the following
2 rates:

3 15% of annual adjusted gross receipts up to and
4 including \$25,000,000;

5 27.5% of annual adjusted gross receipts in excess of
6 \$25,000,000 but not exceeding \$37,500,000;

7 32.5% of annual adjusted gross receipts in excess of
8 \$37,500,000 but not exceeding \$50,000,000;

9 37.5% of annual adjusted gross receipts in excess of
10 \$50,000,000 but not exceeding \$75,000,000;

11 45% of annual adjusted gross receipts in excess of
12 \$75,000,000 but not exceeding \$100,000,000;

13 50% of annual adjusted gross receipts in excess of
14 \$100,000,000 but not exceeding \$250,000,000;

15 70% of annual adjusted gross receipts in excess of
16 \$250,000,000.

17 An amount equal to the amount of wagering taxes collected
18 under this subsection (a-3) that are in addition to the amount
19 of wagering taxes that would have been collected if the
20 wagering tax rates under subsection (a-2) were in effect shall
21 be paid into the Common School Fund.

22 The privilege tax imposed under this subsection (a-3)
23 shall no longer be imposed beginning on the earlier of (i) July
24 1, 2005; (ii) the first date after June 20, 2003 that riverboat
25 gambling operations are conducted pursuant to a dormant
26 license; or (iii) the first day that riverboat gambling

1 operations are conducted under the authority of an owners
2 license that is in addition to the 10 owners licenses
3 initially authorized under this Act. For the purposes of this
4 subsection (a-3), the term "dormant license" means an owners
5 license that is authorized by this Act under which no
6 riverboat gambling operations are being conducted on June 20,
7 2003.

8 (a-4) Beginning on the first day on which the tax imposed
9 under subsection (a-3) is no longer imposed and ending upon
10 the imposition of the privilege tax under subsection (a-5) of
11 this Section, a privilege tax is imposed on persons engaged in
12 the business of conducting gambling operations, other than
13 licensed managers conducting riverboat gambling operations on
14 behalf of the State, based on the adjusted gross receipts
15 received by a licensed owner from gambling games authorized
16 under this Act at the following rates:

17 15% of annual adjusted gross receipts up to and
18 including \$25,000,000;

19 22.5% of annual adjusted gross receipts in excess of
20 \$25,000,000 but not exceeding \$50,000,000;

21 27.5% of annual adjusted gross receipts in excess of
22 \$50,000,000 but not exceeding \$75,000,000;

23 32.5% of annual adjusted gross receipts in excess of
24 \$75,000,000 but not exceeding \$100,000,000;

25 37.5% of annual adjusted gross receipts in excess of
26 \$100,000,000 but not exceeding \$150,000,000;

1 45% of annual adjusted gross receipts in excess of
2 \$150,000,000 but not exceeding \$200,000,000;

3 50% of annual adjusted gross receipts in excess of
4 \$200,000,000.

5 For the imposition of the privilege tax in this subsection
6 (a-4), amounts paid pursuant to item (1) of subsection (b) of
7 Section 56 of the Illinois Horse Racing Act of 1975 shall not
8 be included in the determination of adjusted gross receipts.

9 (a-5)(1) Beginning on July 1, 2020, a privilege tax is
10 imposed on persons engaged in the business of conducting
11 gambling operations, other than the owners licensee under
12 paragraph (1) of subsection (e-5) of Section 7 and licensed
13 managers conducting riverboat gambling operations on behalf of
14 the State, based on the adjusted gross receipts received by
15 such licensee from the gambling games authorized under this
16 Act. The privilege tax for all gambling games other than table
17 games, including, but not limited to, slot machines, video
18 game of chance gambling, and electronic gambling games shall
19 be at the following rates:

20 15% of annual adjusted gross receipts up to and
21 including \$25,000,000;

22 22.5% of annual adjusted gross receipts in excess of
23 \$25,000,000 but not exceeding \$50,000,000;

24 27.5% of annual adjusted gross receipts in excess of
25 \$50,000,000 but not exceeding \$75,000,000;

26 32.5% of annual adjusted gross receipts in excess of

1 \$75,000,000 but not exceeding \$100,000,000;

2 37.5% of annual adjusted gross receipts in excess of
3 \$100,000,000 but not exceeding \$150,000,000;

4 45% of annual adjusted gross receipts in excess of
5 \$150,000,000 but not exceeding \$200,000,000;

6 50% of annual adjusted gross receipts in excess of
7 \$200,000,000.

8 The privilege tax for table games shall be at the
9 following rates:

10 15% of annual adjusted gross receipts up to and
11 including \$25,000,000;

12 20% of annual adjusted gross receipts in excess of
13 \$25,000,000.

14 For the imposition of the privilege tax in this subsection
15 (a-5), amounts paid pursuant to item (1) of subsection (b) of
16 Section 56 of the Illinois Horse Racing Act of 1975 shall not
17 be included in the determination of adjusted gross receipts.

18 (2) Beginning on the first day that an owners licensee
19 under paragraph (1) of subsection (e-5) of Section 7 conducts
20 gambling operations, either in a temporary facility or a
21 permanent facility, a privilege tax is imposed on persons
22 engaged in the business of conducting gambling operations
23 under paragraph (1) of subsection (e-5) of Section 7, other
24 than licensed managers conducting riverboat gambling
25 operations on behalf of the State, based on the adjusted gross
26 receipts received by such licensee from the gambling games

1 authorized under this Act. The privilege tax for all gambling
2 games other than table games, including, but not limited to,
3 slot machines, video game of chance gambling, and electronic
4 gambling games shall be at the following rates:

5 12% of annual adjusted gross receipts up to and
6 including \$25,000,000 to the State and 10.5% of annual
7 adjusted gross receipts up to and including \$25,000,000 to
8 the City of Chicago;

9 16% of annual adjusted gross receipts in excess of
10 \$25,000,000 but not exceeding \$50,000,000 to the State and
11 14% of annual adjusted gross receipts in excess of
12 \$25,000,000 but not exceeding \$50,000,000 to the City of
13 Chicago;

14 20.1% of annual adjusted gross receipts in excess of
15 \$50,000,000 but not exceeding \$75,000,000 to the State and
16 17.4% of annual adjusted gross receipts in excess of
17 \$50,000,000 but not exceeding \$75,000,000 to the City of
18 Chicago;

19 21.4% of annual adjusted gross receipts in excess of
20 \$75,000,000 but not exceeding \$100,000,000 to the State
21 and 18.6% of annual adjusted gross receipts in excess of
22 \$75,000,000 but not exceeding \$100,000,000 to the City of
23 Chicago;

24 22.7% of annual adjusted gross receipts in excess of
25 \$100,000,000 but not exceeding \$150,000,000 to the State
26 and 19.8% of annual adjusted gross receipts in excess of

1 \$100,000,000 but not exceeding \$150,000,000 to the City of
2 Chicago;

3 24.1% of annual adjusted gross receipts in excess of
4 \$150,000,000 but not exceeding \$225,000,000 to the State
5 and 20.9% of annual adjusted gross receipts in excess of
6 \$150,000,000 but not exceeding \$225,000,000 to the City of
7 Chicago;

8 26.8% of annual adjusted gross receipts in excess of
9 \$225,000,000 but not exceeding \$1,000,000,000 to the State
10 and 23.2% of annual adjusted gross receipts in excess of
11 \$225,000,000 but not exceeding \$1,000,000,000 to the City
12 of Chicago;

13 40% of annual adjusted gross receipts in excess of
14 \$1,000,000,000 to the State and 34.7% of annual gross
15 receipts in excess of \$1,000,000,000 to the City of
16 Chicago.

17 The privilege tax for table games shall be at the
18 following rates:

19 8.1% of annual adjusted gross receipts up to and
20 including \$25,000,000 to the State and 6.9% of annual
21 adjusted gross receipts up to and including \$25,000,000 to
22 the City of Chicago;

23 10.7% of annual adjusted gross receipts in excess of
24 \$25,000,000 but not exceeding \$75,000,000 to the State and
25 9.3% of annual adjusted gross receipts in excess of
26 \$25,000,000 but not exceeding \$75,000,000 to the City of

1 Chicago;

2 11.2% of annual adjusted gross receipts in excess of
3 \$75,000,000 but not exceeding \$175,000,000 to the State
4 and 9.8% of annual adjusted gross receipts in excess of
5 \$75,000,000 but not exceeding \$175,000,000 to the City of
6 Chicago;

7 13.5% of annual adjusted gross receipts in excess of
8 \$175,000,000 but not exceeding \$225,000,000 to the State
9 and 11.5% of annual adjusted gross receipts in excess of
10 \$175,000,000 but not exceeding \$225,000,000 to the City of
11 Chicago;

12 15.1% of annual adjusted gross receipts in excess of
13 \$225,000,000 but not exceeding \$275,000,000 to the State
14 and 12.9% of annual adjusted gross receipts in excess of
15 \$225,000,000 but not exceeding \$275,000,000 to the City of
16 Chicago;

17 16.2% of annual adjusted gross receipts in excess of
18 \$275,000,000 but not exceeding \$375,000,000 to the State
19 and 13.8% of annual adjusted gross receipts in excess of
20 \$275,000,000 but not exceeding \$375,000,000 to the City of
21 Chicago;

22 18.9% of annual adjusted gross receipts in excess of
23 \$375,000,000 to the State and 16.1% of annual gross
24 receipts in excess of \$375,000,000 to the City of Chicago.

25 For the imposition of the privilege tax in this subsection
26 (a-5), amounts paid pursuant to item (1) of subsection (b) of

1 Section 56 of the Illinois Horse Racing Act of 1975 shall not
2 be included in the determination of adjusted gross receipts.

3 Notwithstanding the provisions of this subsection (a-5),
4 for the first 10 years that the privilege tax is imposed under
5 this subsection (a-5), the privilege tax shall be imposed on
6 the modified annual adjusted gross receipts of a riverboat or
7 casino conducting gambling operations in the City of East St.
8 Louis, unless:

9 (1) the riverboat or casino fails to employ at least
10 450 people, except no minimum employment shall be required
11 during 2020 and 2021 or during periods that the riverboat
12 or casino is closed on orders of State officials for
13 public health emergencies or other emergencies not caused
14 by the riverboat or casino;

15 (2) the riverboat or casino fails to maintain
16 operations in a manner consistent with this Act or is not a
17 viable riverboat or casino subject to the approval of the
18 Board; or

19 (3) the owners licensee is not an entity in which
20 employees participate in an employee stock ownership plan
21 or in which the owners licensee sponsors a 401(k)
22 retirement plan and makes a matching employer contribution
23 equal to at least one-quarter of the first 12% or one-half
24 of the first 6% of each participating employee's
25 contribution, not to exceed any limitations under federal
26 laws and regulations.

1 As used in this subsection (a-5), "modified annual
2 adjusted gross receipts" means:

3 (A) for calendar year 2020, the annual adjusted gross
4 receipts for the current year minus the difference between
5 an amount equal to the average annual adjusted gross
6 receipts from a riverboat or casino conducting gambling
7 operations in the City of East St. Louis for 2014, 2015,
8 2016, 2017, and 2018 and the annual adjusted gross
9 receipts for 2018;

10 (B) for calendar year 2021, the annual adjusted gross
11 receipts for the current year minus the difference between
12 an amount equal to the average annual adjusted gross
13 receipts from a riverboat or casino conducting gambling
14 operations in the City of East St. Louis for 2014, 2015,
15 2016, 2017, and 2018 and the annual adjusted gross
16 receipts for 2019; and

17 (C) for calendar years 2022 through 2029, the annual
18 adjusted gross receipts for the current year minus the
19 difference between an amount equal to the average annual
20 adjusted gross receipts from a riverboat or casino
21 conducting gambling operations in the City of East St.
22 Louis for 3 years preceding the current year and the
23 annual adjusted gross receipts for the immediately
24 preceding year.

25 (a-6) From June 28, 2019 (the effective date of Public Act
26 101-31) until June 30, 2023, an owners licensee that conducted

1 gambling operations prior to January 1, 2011 shall receive a
2 dollar-for-dollar credit against the tax imposed under this
3 Section for any renovation or construction costs paid by the
4 owners licensee, but in no event shall the credit exceed
5 \$2,000,000.

6 Additionally, from June 28, 2019 (the effective date of
7 Public Act 101-31) until December 31, 2024 ~~2022~~, an owners
8 licensee that (i) is located within 15 miles of the Missouri
9 border, and (ii) has at least 3 riverboats, casinos, or their
10 equivalent within a 45-mile radius, may be authorized to
11 relocate to a new location with the approval of both the unit
12 of local government designated as the home dock and the Board,
13 so long as the new location is within the same unit of local
14 government and no more than 3 miles away from its original
15 location. Such owners licensee shall receive a credit against
16 the tax imposed under this Section equal to 8% of the total
17 project costs, as approved by the Board, for any renovation or
18 construction costs paid by the owners licensee for the
19 construction of the new facility, provided that the new
20 facility is operational by July 1, 2024 ~~2022~~. In determining
21 whether or not to approve a relocation, the Board must
22 consider the extent to which the relocation will diminish the
23 gaming revenues received by other Illinois gaming facilities.

24 (a-7) Beginning in the initial adjustment year and through
25 the final adjustment year, if the total obligation imposed
26 pursuant to either subsection (a-5) or (a-6) will result in an

1 owners licensee receiving less after-tax adjusted gross
2 receipts than it received in calendar year 2018, then the
3 total amount of privilege taxes that the owners licensee is
4 required to pay for that calendar year shall be reduced to the
5 extent necessary so that the after-tax adjusted gross receipts
6 in that calendar year equals the after-tax adjusted gross
7 receipts in calendar year 2018, but the privilege tax
8 reduction shall not exceed the annual adjustment cap. If
9 pursuant to this subsection (a-7), the total obligation
10 imposed pursuant to either subsection (a-5) or (a-6) shall be
11 reduced, then the owners licensee shall not receive a refund
12 from the State at the end of the subject calendar year but
13 instead shall be able to apply that amount as a credit against
14 any payments it owes to the State in the following calendar
15 year to satisfy its total obligation under either subsection
16 (a-5) or (a-6). The credit for the final adjustment year shall
17 occur in the calendar year following the final adjustment
18 year.

19 If an owners licensee that conducted gambling operations
20 prior to January 1, 2019 expands its riverboat or casino,
21 including, but not limited to, with respect to its gaming
22 floor, additional non-gaming amenities such as restaurants,
23 bars, and hotels and other additional facilities, and incurs
24 construction and other costs related to such expansion from
25 June 28, 2019 (the effective date of Public Act 101-31) until
26 June 28, 2024 (the 5th anniversary of the effective date of

1 Public Act 101-31), then for each \$15,000,000 spent for any
2 such construction or other costs related to expansion paid by
3 the owners licensee, the final adjustment year shall be
4 extended by one year and the annual adjustment cap shall
5 increase by 0.2% of adjusted gross receipts during each
6 calendar year until and including the final adjustment year.
7 No further modifications to the final adjustment year or
8 annual adjustment cap shall be made after \$75,000,000 is
9 incurred in construction or other costs related to expansion
10 so that the final adjustment year shall not extend beyond the
11 9th calendar year after the initial adjustment year, not
12 including the initial adjustment year, and the annual
13 adjustment cap shall not exceed 4% of adjusted gross receipts
14 in a particular calendar year. Construction and other costs
15 related to expansion shall include all project related costs,
16 including, but not limited to, all hard and soft costs,
17 financing costs, on or off-site ground, road or utility work,
18 cost of gaming equipment and all other personal property,
19 initial fees assessed for each incremental gaming position,
20 and the cost of incremental land acquired for such expansion.
21 Soft costs shall include, but not be limited to, legal fees,
22 architect, engineering and design costs, other consultant
23 costs, insurance cost, permitting costs, and pre-opening costs
24 related to the expansion, including, but not limited to, any
25 of the following: marketing, real estate taxes, personnel,
26 training, travel and out-of-pocket expenses, supply,

1 inventory, and other costs, and any other project related soft
2 costs.

3 To be eligible for the tax credits in subsection (a-6),
4 all construction contracts shall include a requirement that
5 the contractor enter into a project labor agreement with the
6 building and construction trades council with geographic
7 jurisdiction of the location of the proposed gaming facility.

8 Notwithstanding any other provision of this subsection
9 (a-7), this subsection (a-7) does not apply to an owners
10 licensee unless such owners licensee spends at least
11 \$15,000,000 on construction and other costs related to its
12 expansion, excluding the initial fees assessed for each
13 incremental gaming position.

14 This subsection (a-7) does not apply to owners licensees
15 authorized pursuant to subsection (e-5) of Section 7 of this
16 Act.

17 For purposes of this subsection (a-7):

18 "Building and construction trades council" means any
19 organization representing multiple construction entities that
20 are monitoring or attentive to compliance with public or
21 workers' safety laws, wage and hour requirements, or other
22 statutory requirements or that are making or maintaining
23 collective bargaining agreements.

24 "Initial adjustment year" means the year commencing on
25 January 1 of the calendar year immediately following the
26 earlier of the following:

1 (1) the commencement of gambling operations, either in
2 a temporary or permanent facility, with respect to the
3 owners license authorized under paragraph (1) of
4 subsection (e-5) of Section 7 of this Act; or

5 (2) June 28, 2021 (24 months after the effective date
6 of Public Act 101-31);
7 provided the initial adjustment year shall not commence
8 earlier than June 28, 2020 (12 months after the effective date
9 of Public Act 101-31).

10 "Final adjustment year" means the 2nd calendar year after
11 the initial adjustment year, not including the initial
12 adjustment year, and as may be extended further as described
13 in this subsection (a-7).

14 "Annual adjustment cap" means 3% of adjusted gross
15 receipts in a particular calendar year, and as may be
16 increased further as otherwise described in this subsection
17 (a-7).

18 (a-8) Riverboat gambling operations conducted by a
19 licensed manager on behalf of the State are not subject to the
20 tax imposed under this Section.

21 (a-9) Beginning on January 1, 2020, the calculation of
22 gross receipts or adjusted gross receipts, for the purposes of
23 this Section, for a riverboat, a casino, or an organization
24 gaming facility shall not include the dollar amount of
25 non-cashable vouchers, coupons, and electronic promotions
26 redeemed by wagerers upon the riverboat, in the casino, or in

1 the organization gaming facility up to and including an amount
2 not to exceed 20% of a riverboat's, a casino's, or an
3 organization gaming facility's adjusted gross receipts.

4 The Illinois Gaming Board shall submit to the General
5 Assembly a comprehensive report no later than March 31, 2023
6 detailing, at a minimum, the effect of removing non-cashable
7 vouchers, coupons, and electronic promotions from this
8 calculation on net gaming revenues to the State in calendar
9 years 2020 through 2022, the increase or reduction in wagers
10 as a result of removing non-cashable vouchers, coupons, and
11 electronic promotions from this calculation, the effect of the
12 tax rates in subsection (a-5) on net gaming revenues to this
13 State, and proposed modifications to the calculation.

14 (a-10) The taxes imposed by this Section shall be paid by
15 the licensed owner or the organization gaming licensee to the
16 Board not later than 5:00 o'clock p.m. of the day after the day
17 when the wagers were made.

18 (a-15) If the privilege tax imposed under subsection (a-3)
19 is no longer imposed pursuant to item (i) of the last paragraph
20 of subsection (a-3), then by June 15 of each year, each owners
21 licensee, other than an owners licensee that admitted
22 1,000,000 persons or fewer in calendar year 2004, must, in
23 addition to the payment of all amounts otherwise due under
24 this Section, pay to the Board a reconciliation payment in the
25 amount, if any, by which the licensed owner's base amount
26 exceeds the amount of net privilege tax paid by the licensed

1 owner to the Board in the then current State fiscal year. A
2 licensed owner's net privilege tax obligation due for the
3 balance of the State fiscal year shall be reduced up to the
4 total of the amount paid by the licensed owner in its June 15
5 reconciliation payment. The obligation imposed by this
6 subsection (a-15) is binding on any person, firm, corporation,
7 or other entity that acquires an ownership interest in any
8 such owners license. The obligation imposed under this
9 subsection (a-15) terminates on the earliest of: (i) July 1,
10 2007, (ii) the first day after August 23, 2005 (the effective
11 date of Public Act 94-673) that riverboat gambling operations
12 are conducted pursuant to a dormant license, (iii) the first
13 day that riverboat gambling operations are conducted under the
14 authority of an owners license that is in addition to the 10
15 owners licenses initially authorized under this Act, or (iv)
16 the first day that a licensee under the Illinois Horse Racing
17 Act of 1975 conducts gaming operations with slot machines or
18 other electronic gaming devices. The Board must reduce the
19 obligation imposed under this subsection (a-15) by an amount
20 the Board deems reasonable for any of the following reasons:
21 (A) an act or acts of God, (B) an act of bioterrorism or
22 terrorism or a bioterrorism or terrorism threat that was
23 investigated by a law enforcement agency, or (C) a condition
24 beyond the control of the owners licensee that does not result
25 from any act or omission by the owners licensee or any of its
26 agents and that poses a hazardous threat to the health and

1 safety of patrons. If an owners licensee pays an amount in
2 excess of its liability under this Section, the Board shall
3 apply the overpayment to future payments required under this
4 Section.

5 For purposes of this subsection (a-15):

6 "Act of God" means an incident caused by the operation of
7 an extraordinary force that cannot be foreseen, that cannot be
8 avoided by the exercise of due care, and for which no person
9 can be held liable.

10 "Base amount" means the following:

11 For a riverboat in Alton, \$31,000,000.

12 For a riverboat in East Peoria, \$43,000,000.

13 For the Empress riverboat in Joliet, \$86,000,000.

14 For a riverboat in Metropolis, \$45,000,000.

15 For the Harrah's riverboat in Joliet, \$114,000,000.

16 For a riverboat in Aurora, \$86,000,000.

17 For a riverboat in East St. Louis, \$48,500,000.

18 For a riverboat in Elgin, \$198,000,000.

19 "Dormant license" has the meaning ascribed to it in
20 subsection (a-3).

21 "Net privilege tax" means all privilege taxes paid by a
22 licensed owner to the Board under this Section, less all
23 payments made from the State Gaming Fund pursuant to
24 subsection (b) of this Section.

25 The changes made to this subsection (a-15) by Public Act
26 94-839 are intended to restate and clarify the intent of

1 Public Act 94-673 with respect to the amount of the payments
2 required to be made under this subsection by an owners
3 licensee to the Board.

4 (b) From the tax revenue from riverboat or casino gambling
5 deposited in the State Gaming Fund under this Section, an
6 amount equal to 5% of adjusted gross receipts generated by a
7 riverboat or a casino, other than a riverboat or casino
8 designated in paragraph (1), (3), or (4) of subsection (e-5)
9 of Section 7, shall be paid monthly, subject to appropriation
10 by the General Assembly, to the unit of local government in
11 which the casino is located or that is designated as the home
12 dock of the riverboat. Notwithstanding anything to the
13 contrary, beginning on the first day that an owners licensee
14 under paragraph (1), (2), (3), (4), (5), or (6) of subsection
15 (e-5) of Section 7 conducts gambling operations, either in a
16 temporary facility or a permanent facility, and for 2 years
17 thereafter, a unit of local government designated as the home
18 dock of a riverboat whose license was issued before January 1,
19 2019, other than a riverboat conducting gambling operations in
20 the City of East St. Louis, shall not receive less under this
21 subsection (b) than the amount the unit of local government
22 received under this subsection (b) in calendar year 2018.
23 Notwithstanding anything to the contrary and because the City
24 of East St. Louis is a financially distressed city, beginning
25 on the first day that an owners licensee under paragraph (1),
26 (2), (3), (4), (5), or (6) of subsection (e-5) of Section 7

1 conducts gambling operations, either in a temporary facility
2 or a permanent facility, and for 10 years thereafter, a unit of
3 local government designated as the home dock of a riverboat
4 conducting gambling operations in the City of East St. Louis
5 shall not receive less under this subsection (b) than the
6 amount the unit of local government received under this
7 subsection (b) in calendar year 2018.

8 From the tax revenue deposited in the State Gaming Fund
9 pursuant to riverboat or casino gambling operations conducted
10 by a licensed manager on behalf of the State, an amount equal
11 to 5% of adjusted gross receipts generated pursuant to those
12 riverboat or casino gambling operations shall be paid monthly,
13 subject to appropriation by the General Assembly, to the unit
14 of local government that is designated as the home dock of the
15 riverboat upon which those riverboat gambling operations are
16 conducted or in which the casino is located.

17 From the tax revenue from riverboat or casino gambling
18 deposited in the State Gaming Fund under this Section, an
19 amount equal to 5% of the adjusted gross receipts generated by
20 a riverboat designated in paragraph (3) of subsection (e-5) of
21 Section 7 shall be divided and remitted monthly, subject to
22 appropriation, as follows: 70% to Waukegan, 10% to Park City,
23 15% to North Chicago, and 5% to Lake County.

24 From the tax revenue from riverboat or casino gambling
25 deposited in the State Gaming Fund under this Section, an
26 amount equal to 5% of the adjusted gross receipts generated by

1 a riverboat designated in paragraph (4) of subsection (e-5) of
2 Section 7 shall be remitted monthly, subject to appropriation,
3 as follows: 70% to the City of Rockford, 5% to the City of
4 Loves Park, 5% to the Village of Machesney, and 20% to
5 Winnebago County.

6 From the tax revenue from riverboat or casino gambling
7 deposited in the State Gaming Fund under this Section, an
8 amount equal to 5% of the adjusted gross receipts generated by
9 a riverboat designated in paragraph (5) of subsection (e-5) of
10 Section 7 shall be remitted monthly, subject to appropriation,
11 as follows: 2% to the unit of local government in which the
12 riverboat or casino is located, and 3% shall be distributed:
13 (A) in accordance with a regional capital development plan
14 entered into by the following communities: Village of Beecher,
15 City of Blue Island, Village of Burnham, City of Calumet City,
16 Village of Calumet Park, City of Chicago Heights, City of
17 Country Club Hills, Village of Crestwood, Village of Crete,
18 Village of Dixmoor, Village of Dolton, Village of East Hazel
19 Crest, Village of Flossmoor, Village of Ford Heights, Village
20 of Glenwood, City of Harvey, Village of Hazel Crest, Village
21 of Homewood, Village of Lansing, Village of Lynwood, City of
22 Markham, Village of Matteson, Village of Midlothian, Village
23 of Monee, City of Oak Forest, Village of Olympia Fields,
24 Village of Orland Hills, Village of Orland Park, City of Palos
25 Heights, Village of Park Forest, Village of Phoenix, Village
26 of Posen, Village of Richton Park, Village of Riverdale,

1 Village of Robbins, Village of Sauk Village, Village of South
2 Chicago Heights, Village of South Holland, Village of Steger,
3 Village of Thornton, Village of Tinley Park, Village of
4 University Park, and Village of Worth; or (B) if no regional
5 capital development plan exists, equally among the communities
6 listed in item (A) to be used for capital expenditures or
7 public pension payments, or both.

8 Units of local government may refund any portion of the
9 payment that they receive pursuant to this subsection (b) to
10 the riverboat or casino.

11 (b-4) Beginning on the first day the licensee under
12 paragraph (5) of subsection (e-5) of Section 7 conducts
13 gambling operations, either in a temporary facility or a
14 permanent facility, and ending on July 31, 2042, from the tax
15 revenue deposited in the State Gaming Fund under this Section,
16 \$5,000,000 shall be paid annually, subject to appropriation,
17 to the host municipality of that owners licensee of a license
18 issued or re-issued pursuant to Section 7.1 of this Act before
19 January 1, 2012. Payments received by the host municipality
20 pursuant to this subsection (b-4) may not be shared with any
21 other unit of local government.

22 (b-5) Beginning on June 28, 2019 (the effective date of
23 Public Act 101-31), from the tax revenue deposited in the
24 State Gaming Fund under this Section, an amount equal to 3% of
25 adjusted gross receipts generated by each organization gaming
26 facility located outside Madison County shall be paid monthly,

1 subject to appropriation by the General Assembly, to a
2 municipality other than the Village of Stickney in which each
3 organization gaming facility is located or, if the
4 organization gaming facility is not located within a
5 municipality, to the county in which the organization gaming
6 facility is located, except as otherwise provided in this
7 Section. From the tax revenue deposited in the State Gaming
8 Fund under this Section, an amount equal to 3% of adjusted
9 gross receipts generated by an organization gaming facility
10 located in the Village of Stickney shall be paid monthly,
11 subject to appropriation by the General Assembly, as follows:
12 25% to the Village of Stickney, 5% to the City of Berwyn, 50%
13 to the Town of Cicero, and 20% to the Stickney Public Health
14 District.

15 From the tax revenue deposited in the State Gaming Fund
16 under this Section, an amount equal to 5% of adjusted gross
17 receipts generated by an organization gaming facility located
18 in the City of Collinsville shall be paid monthly, subject to
19 appropriation by the General Assembly, as follows: 30% to the
20 City of Alton, 30% to the City of East St. Louis, and 40% to
21 the City of Collinsville.

22 Municipalities and counties may refund any portion of the
23 payment that they receive pursuant to this subsection (b-5) to
24 the organization gaming facility.

25 (b-6) Beginning on June 28, 2019 (the effective date of
26 Public Act 101-31), from the tax revenue deposited in the

1 State Gaming Fund under this Section, an amount equal to 2% of
2 adjusted gross receipts generated by an organization gaming
3 facility located outside Madison County shall be paid monthly,
4 subject to appropriation by the General Assembly, to the
5 county in which the organization gaming facility is located
6 for the purposes of its criminal justice system or health care
7 system.

8 Counties may refund any portion of the payment that they
9 receive pursuant to this subsection (b-6) to the organization
10 gaming facility.

11 (b-7) From the tax revenue from the organization gaming
12 licensee located in one of the following townships of Cook
13 County: Bloom, Bremen, Calumet, Orland, Rich, Thornton, or
14 Worth, an amount equal to 5% of the adjusted gross receipts
15 generated by that organization gaming licensee shall be
16 remitted monthly, subject to appropriation, as follows: 2% to
17 the unit of local government in which the organization gaming
18 licensee is located, and 3% shall be distributed: (A) in
19 accordance with a regional capital development plan entered
20 into by the following communities: Village of Beecher, City of
21 Blue Island, Village of Burnham, City of Calumet City, Village
22 of Calumet Park, City of Chicago Heights, City of Country Club
23 Hills, Village of Crestwood, Village of Crete, Village of
24 Dixmoor, Village of Dolton, Village of East Hazel Crest,
25 Village of Flossmoor, Village of Ford Heights, Village of
26 Glenwood, City of Harvey, Village of Hazel Crest, Village of

1 Homewood, Village of Lansing, Village of Lynwood, City of
2 Markham, Village of Matteson, Village of Midlothian, Village
3 of Monee, City of Oak Forest, Village of Olympia Fields,
4 Village of Orland Hills, Village of Orland Park, City of Palos
5 Heights, Village of Park Forest, Village of Phoenix, Village
6 of Posen, Village of Richton Park, Village of Riverdale,
7 Village of Robbins, Village of Sauk Village, Village of South
8 Chicago Heights, Village of South Holland, Village of Steger,
9 Village of Thornton, Village of Tinley Park, Village of
10 University Park, and Village of Worth; or (B) if no regional
11 capital development plan exists, equally among the communities
12 listed in item (A) to be used for capital expenditures or
13 public pension payments, or both.

14 (b-8) In lieu of the payments under subsection (b) of this
15 Section, from the tax revenue deposited in the State Gaming
16 Fund pursuant to riverboat or casino gambling operations
17 conducted by an owners licensee under paragraph (1) of
18 subsection (e-5) of Section 7, an amount equal to the tax
19 revenue generated from the privilege tax imposed by paragraph
20 (2) of subsection (a-5) that is to be paid to the City of
21 Chicago shall be paid monthly, subject to appropriation by the
22 General Assembly, as follows: (1) an amount equal to 0.5% of
23 the annual adjusted gross receipts generated by the owners
24 licensee under paragraph (1) of subsection (e-5) of Section 7
25 to the home rule county in which the owners licensee is located
26 for the purpose of enhancing the county's criminal justice

1 system; and (2) the balance to the City of Chicago and shall be
2 expended or obligated by the City of Chicago for pension
3 payments in accordance with Public Act 99-506.

4 (c) Appropriations, as approved by the General Assembly,
5 may be made from the State Gaming Fund to the Board (i) for the
6 administration and enforcement of this Act and the Video
7 Gaming Act, (ii) for distribution to the Illinois State Police
8 and to the Department of Revenue for the enforcement of this
9 Act and the Video Gaming Act, and (iii) to the Department of
10 Human Services for the administration of programs to treat
11 problem gambling, including problem gambling from sports
12 wagering. The Board's annual appropriations request must
13 separately state its funding needs for the regulation of
14 gaming authorized under Section 7.7, riverboat gaming, casino
15 gaming, video gaming, and sports wagering.

16 (c-2) An amount equal to 2% of the adjusted gross receipts
17 generated by an organization gaming facility located within a
18 home rule county with a population of over 3,000,000
19 inhabitants shall be paid, subject to appropriation from the
20 General Assembly, from the State Gaming Fund to the home rule
21 county in which the organization gaming licensee is located
22 for the purpose of enhancing the county's criminal justice
23 system.

24 (c-3) Appropriations, as approved by the General Assembly,
25 may be made from the tax revenue deposited into the State
26 Gaming Fund from organization gaming licensees pursuant to

1 this Section for the administration and enforcement of this
2 Act.

3 (c-4) After payments required under subsections (b),
4 (b-5), (b-6), (b-7), (c), (c-2), and (c-3) have been made from
5 the tax revenue from organization gaming licensees deposited
6 into the State Gaming Fund under this Section, all remaining
7 amounts from organization gaming licensees shall be
8 transferred into the Capital Projects Fund.

9 (c-5) (Blank).

10 (c-10) Each year the General Assembly shall appropriate
11 from the General Revenue Fund to the Education Assistance Fund
12 an amount equal to the amount paid into the Horse Racing Equity
13 Fund pursuant to subsection (c-5) in the prior calendar year.

14 (c-15) After the payments required under subsections (b),
15 (c), and (c-5) have been made, an amount equal to 2% of the
16 adjusted gross receipts of (1) an owners licensee that
17 relocates pursuant to Section 11.2, (2) an owners licensee
18 conducting riverboat gambling operations pursuant to an owners
19 license that is initially issued after June 25, 1999, or (3)
20 the first riverboat gambling operations conducted by a
21 licensed manager on behalf of the State under Section 7.3,
22 whichever comes first, shall be paid, subject to appropriation
23 from the General Assembly, from the State Gaming Fund to each
24 home rule county with a population of over 3,000,000
25 inhabitants for the purpose of enhancing the county's criminal
26 justice system.

1 (c-20) Each year the General Assembly shall appropriate
2 from the General Revenue Fund to the Education Assistance Fund
3 an amount equal to the amount paid to each home rule county
4 with a population of over 3,000,000 inhabitants pursuant to
5 subsection (c-15) in the prior calendar year.

6 (c-21) After the payments required under subsections (b),
7 (b-4), (b-5), (b-6), (b-7), (b-8), (c), (c-3), and (c-4) have
8 been made, an amount equal to 0.5% of the adjusted gross
9 receipts generated by the owners licensee under paragraph (1)
10 of subsection (e-5) of Section 7 shall be paid monthly,
11 subject to appropriation from the General Assembly, from the
12 State Gaming Fund to the home rule county in which the owners
13 licensee is located for the purpose of enhancing the county's
14 criminal justice system.

15 (c-22) After the payments required under subsections (b),
16 (b-4), (b-5), (b-6), (b-7), (b-8), (c), (c-3), (c-4), and
17 (c-21) have been made, an amount equal to 2% of the adjusted
18 gross receipts generated by the owners licensee under
19 paragraph (5) of subsection (e-5) of Section 7 shall be paid,
20 subject to appropriation from the General Assembly, from the
21 State Gaming Fund to the home rule county in which the owners
22 licensee is located for the purpose of enhancing the county's
23 criminal justice system.

24 (c-25) From July 1, 2013 and each July 1 thereafter
25 through July 1, 2019, \$1,600,000 shall be transferred from the
26 State Gaming Fund to the Chicago State University Education

1 Improvement Fund.

2 On July 1, 2020 and each July 1 thereafter, \$3,000,000
3 shall be transferred from the State Gaming Fund to the Chicago
4 State University Education Improvement Fund.

5 (c-30) On July 1, 2013 or as soon as possible thereafter,
6 \$92,000,000 shall be transferred from the State Gaming Fund to
7 the School Infrastructure Fund and \$23,000,000 shall be
8 transferred from the State Gaming Fund to the Horse Racing
9 Equity Fund.

10 (c-35) Beginning on July 1, 2013, in addition to any
11 amount transferred under subsection (c-30) of this Section,
12 \$5,530,000 shall be transferred monthly from the State Gaming
13 Fund to the School Infrastructure Fund.

14 (d) From time to time, through June 30, 2021, the Board
15 shall transfer the remainder of the funds generated by this
16 Act into the Education Assistance Fund.

17 (d-5) Beginning on July 1, 2021, on the last day of each
18 month, or as soon thereafter as possible, after all the
19 required expenditures, distributions, and transfers have been
20 made from the State Gaming Fund for the month pursuant to
21 subsections (b) through (c-35), at the direction of the Board,
22 the Comptroller shall direct and the Treasurer shall transfer
23 \$22,500,000, along with any deficiencies in such amounts from
24 prior months in the same fiscal year, from the State Gaming
25 Fund to the Education Assistance Fund; then, at the direction
26 of the Board, the Comptroller shall direct and the Treasurer

1 shall transfer the remainder of the funds generated by this
2 Act, if any, from the State Gaming Fund to the Capital Projects
3 Fund.

4 (e) Nothing in this Act shall prohibit the unit of local
5 government designated as the home dock of the riverboat from
6 entering into agreements with other units of local government
7 in this State or in other states to share its portion of the
8 tax revenue.

9 (f) To the extent practicable, the Board shall administer
10 and collect the wagering taxes imposed by this Section in a
11 manner consistent with the provisions of Sections 4, 5, 5a,
12 5b, 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9, and 10 of
13 the Retailers' Occupation Tax Act and Section 3-7 of the
14 Uniform Penalty and Interest Act.

15 (Source: P.A. 101-31, Article 25, Section 25-910, eff.
16 6-28-19; 101-31, Article 35, Section 35-55, eff. 6-28-19;
17 101-648, eff. 6-30-20; 102-16, eff. 6-17-21; 102-538, eff.
18 8-20-21; 102-689, eff. 12-17-21.)

19 Section 5-98. The Illinois Public Aid Code is amended by
20 changing Sections 5-5.01a and 5-5.7a and by adding Sections
21 5-5.7b and 12-4.56 as follows:

22 (305 ILCS 5/5-5.01a)

23 Sec. 5-5.01a. Supportive living facilities program.

24 (a) The Department shall establish and provide oversight

1 for a program of supportive living facilities that seek to
2 promote resident independence, dignity, respect, and
3 well-being in the most cost-effective manner.

4 A supportive living facility is (i) a free-standing
5 facility or (ii) a distinct physical and operational entity
6 within a mixed-use building that meets the criteria
7 established in subsection (d). A supportive living facility
8 integrates housing with health, personal care, and supportive
9 services and is a designated setting that offers residents
10 their own separate, private, and distinct living units.

11 Sites for the operation of the program shall be selected
12 by the Department based upon criteria that may include the
13 need for services in a geographic area, the availability of
14 funding, and the site's ability to meet the standards.

15 (b) Beginning July 1, 2014, subject to federal approval,
16 the Medicaid rates for supportive living facilities shall be
17 equal to the supportive living facility Medicaid rate
18 effective on June 30, 2014 increased by 8.85%. Once the
19 assessment imposed at Article V-G of this Code is determined
20 to be a permissible tax under Title XIX of the Social Security
21 Act, the Department shall increase the Medicaid rates for
22 supportive living facilities effective on July 1, 2014 by
23 9.09%. The Department shall apply this increase retroactively
24 to coincide with the imposition of the assessment in Article
25 V-G of this Code in accordance with the approval for federal
26 financial participation by the Centers for Medicare and

1 Medicaid Services.

2 The Medicaid rates for supportive living facilities
3 effective on July 1, 2017 must be equal to the rates in effect
4 for supportive living facilities on June 30, 2017 increased by
5 2.8%.

6 The Medicaid rates for supportive living facilities
7 effective on July 1, 2018 must be equal to the rates in effect
8 for supportive living facilities on June 30, 2018.

9 Subject to federal approval, the Medicaid rates for
10 supportive living services on and after July 1, 2019 and
11 through December 31, 2022, must be at least 54.3% of the
12 average total nursing facility services per diem for the
13 geographic areas defined by the Department while maintaining
14 the rate differential for dementia care and must be updated
15 whenever the total nursing facility service per diems are
16 updated. Beginning January 1, 2023, upon the implementation of
17 the Patient Driven Payment Model, Medicaid rates for
18 supportive living services must be at least 54.3% of the
19 average total nursing services per diem rate for the
20 geographic areas. For purposes of this provision, the average
21 total nursing services per diem rate shall include all add-ons
22 for nursing facilities for the geographic area provided for in
23 Section 5-5.2. The rate differential for dementia care must be
24 maintained in these rates and the rates shall be updated
25 whenever nursing facility per diem rates are updated.

26 (c) The Department may adopt rules to implement this

1 Section. Rules that establish or modify the services,
2 standards, and conditions for participation in the program
3 shall be adopted by the Department in consultation with the
4 Department on Aging, the Department of Rehabilitation
5 Services, and the Department of Mental Health and
6 Developmental Disabilities (or their successor agencies).

7 (d) Subject to federal approval by the Centers for
8 Medicare and Medicaid Services, the Department shall accept
9 for consideration of certification under the program any
10 application for a site or building where distinct parts of the
11 site or building are designated for purposes other than the
12 provision of supportive living services, but only if:

13 (1) those distinct parts of the site or building are
14 not designated for the purpose of providing assisted
15 living services as required under the Assisted Living and
16 Shared Housing Act;

17 (2) those distinct parts of the site or building are
18 completely separate from the part of the building used for
19 the provision of supportive living program services,
20 including separate entrances;

21 (3) those distinct parts of the site or building do
22 not share any common spaces with the part of the building
23 used for the provision of supportive living program
24 services; and

25 (4) those distinct parts of the site or building do
26 not share staffing with the part of the building used for

1 the provision of supportive living program services.

2 (e) Facilities or distinct parts of facilities which are
3 selected as supportive living facilities and are in good
4 standing with the Department's rules are exempt from the
5 provisions of the Nursing Home Care Act and the Illinois
6 Health Facilities Planning Act.

7 (f) Section 9817 of the American Rescue Plan Act of 2021
8 (Public Law 117-2) authorizes a 10% enhanced federal medical
9 assistance percentage for supportive living services for a
10 12-month period from April 1, 2021 through March 31, 2022.
11 Subject to federal approval, including the approval of any
12 necessary waiver amendments or other federally required
13 documents or assurances, for a 12-month period the Department
14 must pay a supplemental \$26 per diem rate to all supportive
15 living facilities with the additional federal financial
16 participation funds that result from the enhanced federal
17 medical assistance percentage from April 1, 2021 through March
18 31, 2022. The Department may issue parameters around how the
19 supplemental payment should be spent, including quality
20 improvement activities. The Department may alter the form,
21 methods, or timeframes concerning the supplemental per diem
22 rate to comply with any subsequent changes to federal law,
23 changes made by guidance issued by the federal Centers for
24 Medicare and Medicaid Services, or other changes necessary to
25 receive the enhanced federal medical assistance percentage.

26 (Source: P.A. 101-10, eff. 6-5-19; 102-43, eff. 7-6-21.)

1 (305 ILCS 5/5-5.7a)

2 Sec. 5-5.7a. Pandemic related stability payments for
3 health care providers. Notwithstanding other provisions of
4 law, and in accordance with the Illinois Emergency Management
5 Agency, the Department of Healthcare and Family Services shall
6 develop a process to distribute pandemic related stability
7 payments, from federal sources dedicated for such purposes, to
8 health care providers that are providing care to recipients
9 under the Medical Assistance Program. For provider types
10 serving residents who are recipients of medical assistance
11 under this Code and are funded by other State agencies, the
12 Department will coordinate the distribution process of the
13 pandemic related stability payments. Federal sources dedicated
14 to pandemic related payments include, but are not limited to,
15 funds distributed to the State of Illinois from the
16 Coronavirus Relief Fund pursuant to the Coronavirus Aid,
17 Relief, and Economic Security Act ("CARES Act") and from the
18 Coronavirus State Fiscal Recovery Fund pursuant to Section
19 9901 of the American Rescue Plan Act of 2021, that are
20 appropriated to the Department during Fiscal Years 2020, 2021,
21 and 2022 for purposes permitted by those federal laws and
22 related federal guidance.

23 (1) Pandemic related stability payments for these
24 providers shall be separate and apart from any rate
25 methodology otherwise defined in this Code to the extent

1 permitted in accordance with Section 5001 of the CARES Act
2 and Section 9901 of the American Rescue Plan Act of 2021
3 and any related federal guidance.

4 (2) Payments made from moneys received from the
5 Coronavirus Relief Fund shall be used exclusively for
6 expenses incurred by the providers that are eligible for
7 reimbursement from the Coronavirus Relief Fund in
8 accordance with Section 5001 of the CARES Act and related
9 federal guidance. Payments made from moneys received from
10 the Coronavirus State Fiscal Recovery Fund shall be used
11 exclusively for purposes permitted by Section 9901 of the
12 American Rescue Plan Act of 2021 and related federal
13 guidance.

14 (3) All providers receiving pandemic related stability
15 payments shall attest in a format to be created by the
16 Department and be able to demonstrate that their expenses
17 are pandemic related, were not part of their annual
18 budgets established before March 1, 2020, ~~and are directly~~
19 ~~associated with health care needs.~~

20 (4) Pandemic related stability payments will be
21 distributed based on a schedule and framework to be
22 established by the Department with recognition of the
23 pandemic related acuity of the situation for each
24 provider, taking into account the factors including, but
25 not limited to, the following:

26 (A) the impact of the pandemic on patients served,

1 impact on staff, and shortages of the personal
2 protective equipment necessary for infection control
3 efforts for all providers;

4 (B) COVID-19 positivity rates among staff, or
5 patients, or both;

6 (C) pandemic related workforce challenges and
7 costs associated with temporary wage increases
8 associated with pandemic related hazard pay programs,
9 or costs associated with which providers do not have
10 enough staff to adequately provide care and protection
11 to the residents and other staff;

12 (D) providers with significant reductions in
13 utilization that result in corresponding reductions in
14 revenue as a result of the pandemic, including, but
15 not limited to, the cancellation or postponement of
16 elective procedures and visits;

17 (E) pandemic related payments received directly by
18 the providers through other federal resources;

19 (F) current efforts to respond to and provide
20 services to communities disproportionately impacted by
21 the COVID-19 public health emergency, including
22 low-income and socially vulnerable communities that
23 have seen the most severe health impacts and
24 exacerbated health inequities along racial, ethnic,
25 and socioeconomic lines; and

26 (G) provider needs for capital improvements to

1 existing facilities, including upgrades to HVAC and
2 ventilation systems and capital improvements for
3 enhancing infection control or reducing crowding,
4 which may include bed-buybacks.

5 (5) Pandemic related stability payments made from
6 moneys received from the Coronavirus Relief Fund will be
7 distributed to providers based on a methodology to be
8 administered by the Department with amounts determined by
9 a calculation of total federal pandemic related funds
10 appropriated by the Illinois General Assembly for this
11 purpose. Providers receiving the pandemic related
12 stability payments will attest to their increased costs,
13 declining revenues, and receipt of additional pandemic
14 related funds directly from the federal government.

15 (6) Of the payments provided for by this Section made
16 from moneys received from the Coronavirus Relief Fund, a
17 minimum of 30% shall be allotted for health care providers
18 that serve the ZIP codes located in the most
19 disproportionately impacted areas of Illinois, based on
20 positive COVID-19 cases based on data collected by the
21 Department of Public Health and provided to the Department
22 of Healthcare and Family Services.

23 (7) From funds appropriated, directly or indirectly,
24 from moneys received by the State from the Coronavirus
25 State Fiscal Recovery Fund for Fiscal Years 2021 and 2022,
26 the Department shall expend such funds only for purposes

1 permitted by Section 9901 of the American Rescue Plan Act
2 of 2021 and related federal guidance. Such expenditures
3 may include, but are not limited to: payments to providers
4 for costs incurred due to the COVID-19 public health
5 emergency; unreimbursed costs for testing and treatment of
6 uninsured Illinois residents; costs of COVID-19 mitigation
7 and prevention; medical expenses related to aftercare or
8 extended care for COVID-19 patients with longer term
9 symptoms and effects; costs of behavioral health care;
10 costs of public health and safety staff; and expenditures
11 permitted in order to address (i) disparities in public
12 health outcomes, (ii) nursing and other essential health
13 care workforce investments, (iii) exacerbation of
14 pre-existing disparities, and (iv) promoting healthy
15 childhood environments.

16 (8) From funds appropriated, directly or indirectly,
17 from moneys received by the State from the Coronavirus
18 State Fiscal Recovery Fund for Fiscal Years 2022 and 2023,
19 the Department shall establish a program for making
20 payments to long term care service providers and
21 facilities, for purposes related to financial support for
22 workers in the long term care industry, but only as
23 permitted by either the CARES Act or Section 9901 of the
24 American Rescue Plan Act of 2021 and related federal
25 guidance, including, but not limited to the following:
26 monthly amounts of \$25,000,000 per month for July 2021,

1 August 2021, and September 2021 where at least 50% of the
2 funds in July shall be passed directly to front line
3 workers and an additional 12.5% more in each of the next 2
4 months; financial support programs for providers enhancing
5 direct care staff recruitment efforts through the payment
6 of education expenses; and financial support programs for
7 providers offering enhanced and expanded training for all
8 levels of the long term care healthcare workforce to
9 achieve better patient outcomes, such as training on
10 infection control, proper personal protective equipment,
11 best practices in quality of care, and culturally
12 competent patient communications. The Department shall
13 have the authority to audit and potentially recoup funds
14 not utilized as outlined and attested.

15 (8.5) From funds appropriated, directly or indirectly,
16 from moneys received by the State from the Coronavirus
17 State Fiscal Recovery Fund, the Department shall establish
18 a grant program to provide premium pay to front line
19 workers at facilities licensed by the Department of Public
20 Health under the Nursing Home Care Act as skilled nursing
21 facilities or intermediate care facilities.

22 (A) Awards pursuant to this program shall comply
23 with the requirements of Section 9901 of the American
24 Rescue Plan Act of 2021 and all related federal
25 guidance. Awards shall be scaled based on a process
26 determined by the Department. The amount awarded to

1 each recipient shall not exceed \$3.17 per nursing
2 hour. Awards shall be for eligible expenditures
3 incurred no earlier than May 1, 2022 and no later than
4 June 30, 2023.

5 (B) Financial assistance under this paragraph
6 (8.5) shall be expended only for premium pay for
7 eligible workers, which must be in addition to any
8 wages or remuneration the eligible worker has already
9 received and shall be subject to the other
10 requirements and limitations set forth in the American
11 Rescue Plan Act of 2021 and related federal guidance.

12 (C) Upon receipt of funds, recipients shall
13 distribute funds such that eligible workers receive an
14 amount up to \$13 per hour but no more than \$25,000 for
15 the duration of the program. Recipients shall provide
16 a written certification to the Department
17 acknowledging compliance with this paragraph.

18 (D) No portion of these funds shall be spent on
19 volunteer or temporary staff, and these funds shall
20 not be used to make retroactive premium payments
21 before the effective date of this amendatory Act of
22 the 102nd General Assembly.

23 (E) The Department shall require each recipient
24 under this paragraph to submit appropriate
25 documentation acknowledging compliance with State and
26 federal law. For purposes of this paragraph, "eligible

1 worker" means a permanent staff member, regardless of
2 union affiliation, of a facility licensed by the
3 Department of Public Health under the Nursing Home
4 Care Act as a skilled nursing facility or intermediate
5 care facility engaged in "essential work", as defined
6 by Section 9901 of the American Rescue Plan Act of 2021
7 and related federal guidance, and (1) whose total pay
8 is below 150% of the average annual wage for all
9 occupations in the worker's county of residence, as
10 defined by the Bureau of Labor Statistics Occupational
11 Employment and Wage Statistics, or (2) is not exempt
12 from the federal Fair Labor Standards Act overtime
13 provisions.

14 (9) From funds appropriated, directly or indirectly,
15 from moneys received by the State from the Coronavirus
16 State Fiscal Recovery Fund for Fiscal Years 2022 through
17 2024 the Department shall establish programs ~~a program~~ for
18 making payments to facilities licensed under the Nursing
19 Home Care Act and facilities licensed under the
20 Specialized Mental Health Rehabilitation Act of 2013. To
21 the extent permitted by Section 9901 of the American
22 Rescue Plan Act of 2021 and related federal guidance, the
23 programs ~~program~~ shall provide:

24 (A) Payments ~~provide payments~~ for making permanent
25 improvements to resident rooms in order to improve
26 resident outcomes and infection control. Funds may be

1 used to reduce bed capacity and room occupancy. To be
2 eligible for funding, a facility must submit an
3 application to the Department as prescribed by the
4 Department and as published on its website. A facility
5 may need to receive approval from the Health
6 Facilities and Services Review Board for the permanent
7 improvements or the removal of the beds before it can
8 receive payment under this paragraph.

9 (B) Payments to reimburse facilities licensed by
10 the Department of Public Health under the Nursing Home
11 Care Act as skilled nursing facilities or intermediate
12 care facilities for eligible expenses related to the
13 public health impacts of the COVID-19 public health
14 emergency, including, but not limited to, costs
15 related to COVID-19 testing for residents, COVID-19
16 prevention and treatment equipment, medical supplies,
17 and personal protective equipment.

18 (i) Awards made pursuant to this program shall
19 comply with the requirements of Section 9901 of
20 the American Rescue Plan Act of 2021 and all
21 related federal guidance. The amount awarded to
22 each recipient shall not exceed \$1.71 per nursing
23 hour. Permissible expenditures must be made no
24 earlier than May 1, 2022 and no later than June 30,
25 2023.

26 (ii) Financial assistance pursuant to this

1 paragraph shall not be expended for premium pay.

2 (iii) The Department shall require each
3 recipient under this paragraph to submit
4 appropriate documentation acknowledging
5 compliance with State and federal law.

6 (Source: P.A. 101-636, eff. 6-10-20; 102-16, eff. 6-17-21;
7 102-687, eff. 12-17-21.)

8 (305 ILCS 5/5-5.7b new)

9 Sec. 5-5.7b. Pandemic related stability payments to
10 ambulance service providers in response to COVID-19.

11 (a) Definitions. As used in this Section:

12 "Ambulance Services Industry" means the industry that is
13 comprised of "Qualifying Ground Ambulance Service Providers",
14 as defined in this Section.

15 "Qualifying Ground Ambulance Service Provider" means a
16 "vehicle service provider," as that term is defined in Section
17 3.85 of the Emergency Medical Services (EMS) Systems Act,
18 which operates licensed ambulances for the purpose of
19 providing emergency, non-emergency ambulance services, or both
20 emergency and non-emergency ambulance services. The term
21 "Qualifying Ground Ambulance Service Provider" is limited to
22 providers headquartered within the State and licensed by the
23 Department of Public Health as of March 12, 2020.

24 "Eligible worker" means a staff member of a Qualifying
25 Ground Ambulance Service Provider engaged in "essential work",

1 as defined by Section 9901 of the ARPA and related federal
2 guidance, and (1) whose total pay is below 150% of the average
3 annual wage for all occupations in the worker's county of
4 residence, as defined by the BLS Occupational Employment and
5 Wage Statistics or (2) is not exempt from the federal Fair
6 Labor Standards Act overtime provisions.

7 (b) Purpose. The Department may receive federal funds
8 under the authority of legislation passed in response to the
9 Coronavirus epidemic, including, but not limited to the
10 American Rescue Plan Act of 2021, P.L. 117-2 (the "ARPA").
11 Upon receipt or availability of such State or federal funds,
12 and subject to appropriations for their use, the Department
13 shall establish and administer programs for purposes allowable
14 under Section 9901 of the ARPA to provide financial assistance
15 to Qualifying Ground Ambulance Service Providers for premium
16 pay for eligible workers, to provide reimbursement for
17 eligible expenditures, and to provide support following the
18 negative economic impact of the COVID-19 public health
19 emergency on the Ambulance Services Industry. Financial
20 assistance may include, but is not limited to grants, expense
21 reimbursements, or subsidies.

22 (c) Non-Emergency Service Certification. To be eligible
23 for funding under this Section, a Qualifying Ground Ambulance
24 Service Provider that provides non-emergency services to
25 institutional residents must certify that it will provide
26 non-emergency ambulance services to individuals enrolled in

1 the State's Medical Assistance Program and residing in
2 non-institutional settings for at least one year following the
3 receipt of funding pursuant to this amendatory Act of the
4 102nd General Assembly. The provider shall maintain the
5 certification in its records. The provider shall also maintain
6 documentation of all non-emergency ambulance services for the
7 period covered by the certification. The provider shall
8 produce the certification and supporting documentation upon
9 demand by the Department or its representative. Failure to
10 comply shall result in recovery of any payments made by the
11 Department.

12 (d) Premium Pay Initiative. Subject to paragraph (c) of
13 this Section, the Department shall establish a Premium Pay
14 Initiative to distribute awards to each Qualifying Ground
15 Ambulance Service Provider for the purpose of providing
16 premium pay to eligible workers.

17 (1) Financial assistance pursuant to this paragraph
18 (d) shall be scaled based on a process determined by the
19 Department. The amount awarded to each Qualifying Ground
20 Ambulance Service Provider shall be up to \$13 per hour for
21 each eligible worker employed.

22 (2) The financial assistance awarded shall only be
23 expended for premium pay for eligible workers, which must
24 be in addition to any wages or remuneration the eligible
25 worker has already received and shall be subject to the
26 other requirements and limitations set forth in the ARPA

1 and related federal guidance.

2 (3) Upon receipt of funds, the Qualifying Ground
3 Ambulance Service Provider shall distribute funds such
4 that an eligible worker receives an amount up to \$13 per
5 hour but no more than \$25,000 for the duration of the
6 program. The Qualifying Ground Ambulance Service Provider
7 shall provide a written certification to the Department
8 acknowledging compliance with this paragraph (d).

9 (4) No portion of these funds shall be spent on
10 volunteer staff.

11 (5) These funds shall not be used to make retroactive
12 premium payments prior to the effective date of this
13 amendatory Act of the 102nd General Assembly.

14 (6) The Department shall require each Qualifying
15 Ground Ambulance Service Provider that receives funds
16 under this paragraph (d) to submit appropriate
17 documentation acknowledging compliance with State and
18 federal law on an annual basis.

19 (e) COVID-19 Response Support Initiative. Subject to
20 paragraph (c) of this Section and based on an application
21 filed by a Qualifying Ground Ambulance Service Provider, the
22 Department shall establish the Ground Ambulance COVID-19
23 Response Support Initiative. The purpose of the award shall be
24 to reimburse Qualifying Ground Ambulance Service Providers for
25 eligible expenses under Section 9901 of the ARPA related to
26 the public health impacts of the COVID-19 public health

1 emergency, including but not limited to costs related to
2 COVID-19 testing for patients, COVID-19 prevention and
3 treatment equipment, medical supplies, personal protective
4 equipment, and other emergency medical response treatments.

5 (1) The award shall be for eligible expenditures
6 incurred no earlier than May 1, 2022 and no later than June
7 30, 2023.

8 (2) Funds awarded under this paragraph (e) shall not
9 be expended for premium pay to eligible workers.

10 (3) The Department shall require each Qualifying
11 Ground Ambulance Service Provider that receives funds
12 under this paragraph (e) to submit appropriate
13 documentation acknowledging compliance with State and
14 federal law on an annual basis.

15 (f) Ambulance Industry Recovery Program. If the Department
16 designates the Ambulance Services Industry as an "impacted
17 industry", as defined by the ARPA and related federal
18 guidance, the Department shall establish the Ambulance
19 Industry Recovery Grant Program, to provide aid to Qualifying
20 Ground Ambulance Service Providers that experienced staffing
21 losses due to the COVID-19 public health emergency.

22 (1) Funds awarded under this paragraph (f) shall not
23 be expended for premium pay to eligible workers.

24 (2) Each Qualifying Ground Ambulance Service Provider
25 that receives funds under this paragraph (f) shall comply
26 with paragraph (c) of this Section.

1 (3) The Department shall require each Qualifying
2 Ground Ambulance Service Provider that receives funds
3 under this paragraph (f) to submit appropriate
4 documentation acknowledging compliance with State and
5 federal law on an annual basis.

6 (305 ILCS 5/12-4.56 new)

7 Sec. 12-4.56. Managed Primary Care Demonstration Project.
8 The Department shall establish and implement a Managed Primary
9 Care Demonstration Project to provide primary care services
10 that are focused on preventive rather than curative care to
11 persons who reside in underserved communities that lack
12 accessible health and medical services. The demonstration
13 project shall operate for a 5-year period and provide
14 supplemental services to medical assistance recipients. The
15 Department shall contract with a health care organization
16 through a competitive process that is capable of providing
17 patient-centered, prevention-focused services, that may
18 include, but are not limited to, the following:

19 (1) Patient navigators to manage patient care.

20 (2) Patient-tailored preventive health care plans.

21 (3) Administrative personal health care consultants
22 for home health maintenance between medical office visits.

23 (4) Clinical personal health care consultants for
24 telehealth (health information and advice) and wellness
25 initiatives.

1 (5) A patient portal.

2 (6) An online virtual health hub that provides
3 patients with access to wellness, self-guided education,
4 health seminars, a video library, and additional health
5 and wellness resources.

6 (7) Community health and human services centers to
7 engage, educate, and empower patients to get involved in
8 their own self-care.

9 (8) Mobile preventive health stations and kiosks to
10 bring services to underserved communities that are health
11 or medical deserts.

12 (9) Call centers to interact with medical homes and
13 facilitate service offerings.

14 A request for proposals for the demonstration project
15 shall be issued by December 31, 2022.

16 Section 5-100. The Energy Assistance Act is amended by
17 changing Sections 3, 6, and 13 as follows:

18 (305 ILCS 20/3) (from Ch. 111 2/3, par. 1403)

19 Sec. 3. Definitions. As used in this Act, unless the
20 context otherwise requires:

21 The ~~(a) the~~ terms defined in Sections 3-101 through 3-121
22 of the Public Utilities Act have the meanings ascribed to them
23 in that Act.[†]

24 ~~(b)~~ "Department" means the Department of Commerce and

1 Economic Opportunity.~~†~~

2 "Energy conservation measure" means any measure installed
3 in a dwelling that reduces energy consumption.

4 "Energy ~~(e)~~ "energy provider" means any utility, municipal
5 utility, cooperative utility, or any other corporation or
6 individual which provides winter energy services.~~†~~

7 "Healthy home measure" means any measure that is intended
8 to keep a dwelling dry, clean, safe, well ventilated, pest
9 free, contaminant free, maintained, or thermally controlled.

10 "Home improvement measure" means any measure that is
11 intended to make a dwelling weatherization-ready by
12 alleviating deferrals from weatherization activities or
13 allowing for the addition of renewable energy retrofits, or
14 both.

15 "Measure" means the installation of any equipment, device,
16 or material in a dwelling.

17 "Renewable energy retrofit" means any retrofit required
18 for the use of energy from a solar photovoltaic, solar
19 thermal, wind, or geothermal energy system.

20 "Winter" ~~(d)~~ "winter" means the period from November 1 of
21 any year through April 30 of the following year.

22 (Source: P.A. 95-331, eff. 8-21-07; 96-33, eff. 7-10-09;
23 96-154, eff. 1-1-10.)

24 (305 ILCS 20/6) (from Ch. 111 2/3, par. 1406)

25 Sec. 6. Eligibility, conditions of participation, and

1 energy assistance.

2 (a) Any person who is a resident of the State of Illinois
3 and whose household income is not greater than an amount
4 determined annually by the Department, in consultation with
5 the Policy Advisory Council, may apply for assistance pursuant
6 to this Act in accordance with regulations promulgated by the
7 Department. In setting the annual eligibility level, the
8 Department shall consider the amount of available funding and
9 may not set a limit higher than 150% of the federal nonfarm
10 poverty level as established by the federal Office of
11 Management and Budget or 60% of the State median income for the
12 current State fiscal year as established by the U.S.
13 Department of Health and Human Services; except that for the
14 period from the effective date of this amendatory Act of the
15 101st General Assembly through June 30, 2021, the Department
16 may establish limits not higher than 200% of that poverty
17 level. The Department, in consultation with the Policy
18 Advisory Council, may adjust the percentage of poverty level
19 annually in accordance with federal guidelines and based on
20 funding availability.

21 (b) Applicants who qualify for assistance pursuant to
22 subsection (a) of this Section shall, subject to appropriation
23 from the General Assembly and subject to availability of funds
24 to the Department, receive energy assistance as provided by
25 this Act. The Department, upon receipt of monies authorized
26 pursuant to this Act for energy assistance, shall commit funds

1 for each qualified applicant in an amount determined by the
2 Department. In determining the amounts of assistance to be
3 provided to or on behalf of a qualified applicant, the
4 Department shall ensure that the highest amounts of assistance
5 go to households with the greatest energy costs in relation to
6 household income. The Department shall include factors such as
7 energy costs, household size, household income, and region of
8 the State when determining individual household benefits. In
9 setting assistance levels, the Department shall attempt to
10 provide assistance to approximately the same number of
11 households who participated in the 1991 Residential Energy
12 Assistance Partnership Program. Such assistance levels shall
13 be adjusted annually on the basis of funding availability and
14 energy costs. In promulgating rules for the administration of
15 this Section the Department shall assure that a minimum of 1/3
16 of funds available for benefits to eligible households with
17 the lowest incomes and that elderly households, households
18 with children under the age of 6 years old, and households with
19 persons with disabilities are offered a priority application
20 period.

21 (c) If the applicant is not a customer of record of an
22 energy provider for energy services or an applicant for such
23 service, such applicant shall receive a direct energy
24 assistance payment in an amount established by the Department
25 for all such applicants under this Act; provided, however,
26 that such an applicant must have rental expenses for housing

1 greater than 30% of household income.

2 (c-1) This subsection shall apply only in cases where: (1)
3 the applicant is not a customer of record of an energy provider
4 because energy services are provided by the owner of the unit
5 as a portion of the rent; (2) the applicant resides in housing
6 subsidized or developed with funds provided under the Rental
7 Housing Support Program Act or under a similar locally funded
8 rent subsidy program, or is the voucher holder who resides in a
9 rental unit within the State of Illinois and whose monthly
10 rent is subsidized by the tenant-based Housing Choice Voucher
11 Program under Section 8 of the U.S. Housing Act of 1937; and
12 (3) the rental expenses for housing are no more than 30% of
13 household income. In such cases, the household may apply for
14 an energy assistance payment under this Act and the owner of
15 the housing unit shall cooperate with the applicant by
16 providing documentation of the energy costs for that unit. Any
17 compensation paid to the energy provider who supplied energy
18 services to the household shall be paid on behalf of the owner
19 of the housing unit providing energy services to the
20 household. The Department shall report annually to the General
21 Assembly on the number of households receiving energy
22 assistance under this subsection and the cost of such
23 assistance. The provisions of this subsection (c-1), other
24 than this sentence, are inoperative after August 31, 2012.

25 (d) If the applicant is a customer of an energy provider,
26 such applicant shall receive energy assistance in an amount

1 established by the Department for all such applicants under
2 this Act, such amount to be paid by the Department to the
3 energy provider supplying winter energy service to such
4 applicant. Such applicant shall:

5 (i) make all reasonable efforts to apply to any other
6 appropriate source of public energy assistance; and

7 (ii) sign a waiver permitting the Department to
8 receive income information from any public or private
9 agency providing income or energy assistance and from any
10 employer, whether public or private.

11 (e) Any qualified applicant pursuant to this Section may
12 receive or have paid on such applicant's behalf an emergency
13 assistance payment to enable such applicant to obtain access
14 to winter energy services. Any such payments shall be made in
15 accordance with regulations of the Department.

16 (f) The Department may, if sufficient funds are available,
17 provide additional benefits to certain qualified applicants:

18 (i) for the reduction of past due amounts owed to
19 energy providers; ~~and~~

20 (ii) to assist the household in responding to
21 excessively high summer temperatures or energy costs.
22 Households containing elderly members, children, a person
23 with a disability, or a person with a medical need for
24 conditioned air shall receive priority for receipt of such
25 benefits; and-

26 (iii) for the installation of energy conservation

1 measures, health and safety measures, healthy home
2 measures, home improvement measures to help alleviate
3 deferrals from weatherization activities, and renewable
4 energy retrofits.

5 (Source: P.A. 101-636, eff. 6-10-20; 102-16, eff. 6-17-21;
6 102-176, eff. 6-1-22.)

7 (305 ILCS 20/13)

8 (Section scheduled to be repealed on January 1, 2025)

9 Sec. 13. Supplemental Low-Income Energy Assistance Fund.

10 (a) The Supplemental Low-Income Energy Assistance Fund is
11 hereby created as a special fund in the State Treasury. The
12 Supplemental Low-Income Energy Assistance Fund is authorized
13 to receive moneys from voluntary donations from individuals,
14 foundations, corporations, and other sources, moneys received
15 pursuant to Section 17, and, by statutory deposit, the moneys
16 collected pursuant to this Section. The Fund is also
17 authorized to receive voluntary donations from individuals,
18 foundations, corporations, and other sources. Subject to
19 appropriation, the Department shall use moneys from the
20 Supplemental Low-Income Energy Assistance Fund for: (i)
21 payments to electric or gas public utilities, municipal
22 electric or gas utilities, and electric cooperatives on behalf
23 of their customers who are participants in the program
24 authorized by Sections 4 and 18 of this Act; ~~(ii), for~~ the
25 provision of weatherization services, including, but not

1 limited to, the installation of energy conservation measures,
2 health and safety measures, healthy home measures, home
3 improvement measures to alleviate the deferrals of certain
4 projects, including, but not limited to, roofs and foundation
5 repairs, and renewable energy retrofits; and (iii) for
6 administration of the Supplemental Low-Income Energy
7 Assistance Fund. All other deposits outside of the Energy
8 Assistance Charge as set forth in subsection (b) are not
9 subject to the percentage restrictions related to
10 administrative and weatherization expenses provided in this
11 subsection. The yearly expenditures for weatherization may not
12 exceed 10% of the amount collected during the year pursuant to
13 this Section, except when unspent funds from the Supplemental
14 Low-Income Energy Assistance Fund are reallocated from a
15 previous year; any unspent balance of the 10% weatherization
16 allowance may be utilized for weatherization expenses in the
17 year they are reallocated. The yearly administrative expenses
18 of the Supplemental Low-Income Energy Assistance Fund may not
19 exceed 13% of the amount collected during that year pursuant
20 to this Section, except when unspent funds from the
21 Supplemental Low-Income Energy Assistance Fund are reallocated
22 from a previous year; any unspent balance of the 13%
23 administrative allowance may be utilized for administrative
24 expenses in the year they are reallocated. Of the 13%
25 administrative allowance, no less than 8% shall be provided to
26 Local Administrative Agencies for administrative expenses.

1 (b) Notwithstanding the provisions of Section 16-111 of
2 the Public Utilities Act but subject to subsection (k) of this
3 Section, each public utility, electric cooperative, as defined
4 in Section 3.4 of the Electric Supplier Act, and municipal
5 utility, as referenced in Section 3-105 of the Public
6 Utilities Act, that is engaged in the delivery of electricity
7 or the distribution of natural gas within the State of
8 Illinois shall, effective January 1, 2021, assess each of its
9 customer accounts a monthly Energy Assistance Charge for the
10 Supplemental Low-Income Energy Assistance Fund. The delivering
11 public utility, municipal electric or gas utility, or electric
12 or gas cooperative for a self-assessing purchaser remains
13 subject to the collection of the fee imposed by this Section.
14 The monthly charge shall be as follows:

15 (1) Base Energy Assistance Charge per month on each
16 account for residential electrical service;

17 (2) Base Energy Assistance Charge per month on each
18 account for residential gas service;

19 (3) Ten times the Base Energy Assistance Charge per
20 month on each account for non-residential electric service
21 which had less than 10 megawatts of peak demand during the
22 previous calendar year;

23 (4) Ten times the Base Energy Assistance Charge per
24 month on each account for non-residential gas service
25 which had distributed to it less than 4,000,000 therms of
26 gas during the previous calendar year;

1 (5) Three hundred and seventy-five times the Base
2 Energy Assistance Charge per month on each account for
3 non-residential electric service which had 10 megawatts or
4 greater of peak demand during the previous calendar year;
5 and

6 (6) Three hundred and seventy-five times the Base
7 Energy Assistance Charge per month on each account for
8 non-residential gas service which had 4,000,000 or more
9 therms of gas distributed to it during the previous
10 calendar year.

11 The Base Energy Assistance Charge shall be \$0.48 per month
12 for the calendar year beginning January 1, 2022 and shall
13 increase by \$0.16 per month for any calendar year, provided no
14 less than 80% of the previous State fiscal year's available
15 Supplemental Low-Income Energy Assistance Fund funding was
16 exhausted. The maximum Base Energy Assistance Charge shall not
17 exceed \$0.96 per month for any calendar year.

18 The incremental change to such charges imposed by Public
19 Act 99-933 and this amendatory Act of the 102nd General
20 Assembly shall not (i) be used for any purpose other than to
21 directly assist customers and (ii) be applicable to utilities
22 serving less than 100,000 customers in Illinois on January 1,
23 2021. The incremental change to such charges imposed by this
24 amendatory Act of the 102nd General Assembly are intended to
25 increase utilization of the Percentage of Income Payment Plan
26 (PIPP or PIP Plan) and shall be applied such that PIP Plan

1 enrollment is at least doubled, as compared to 2020
2 enrollment, by 2024.

3 In addition, electric and gas utilities have committed,
4 and shall contribute, a one-time payment of \$22 million to the
5 Fund, within 10 days after the effective date of the tariffs
6 established pursuant to Sections 16-111.8 and 19-145 of the
7 Public Utilities Act to be used for the Department's cost of
8 implementing the programs described in Section 18 of this
9 amendatory Act of the 96th General Assembly, the Arrearage
10 Reduction Program described in Section 18, and the programs
11 described in Section 8-105 of the Public Utilities Act. If a
12 utility elects not to file a rider within 90 days after the
13 effective date of this amendatory Act of the 96th General
14 Assembly, then the contribution from such utility shall be
15 made no later than February 1, 2010.

16 (c) For purposes of this Section:

17 (1) "residential electric service" means electric
18 utility service for household purposes delivered to a
19 dwelling of 2 or fewer units which is billed under a
20 residential rate, or electric utility service for
21 household purposes delivered to a dwelling unit or units
22 which is billed under a residential rate and is registered
23 by a separate meter for each dwelling unit;

24 (2) "residential gas service" means gas utility
25 service for household purposes distributed to a dwelling
26 of 2 or fewer units which is billed under a residential

1 rate, or gas utility service for household purposes
2 distributed to a dwelling unit or units which is billed
3 under a residential rate and is registered by a separate
4 meter for each dwelling unit;

5 (3) "non-residential electric service" means electric
6 utility service which is not residential electric service;
7 and

8 (4) "non-residential gas service" means gas utility
9 service which is not residential gas service.

10 (d) Within 30 days after the effective date of this
11 amendatory Act of the 96th General Assembly, each public
12 utility engaged in the delivery of electricity or the
13 distribution of natural gas shall file with the Illinois
14 Commerce Commission tariffs incorporating the Energy
15 Assistance Charge in other charges stated in such tariffs,
16 which shall become effective no later than the beginning of
17 the first billing cycle following such filing.

18 (e) The Energy Assistance Charge assessed by electric and
19 gas public utilities shall be considered a charge for public
20 utility service.

21 (f) By the 20th day of the month following the month in
22 which the charges imposed by the Section were collected, each
23 public utility, municipal utility, and electric cooperative
24 shall remit to the Department of Revenue all moneys received
25 as payment of the Energy Assistance Charge on a return
26 prescribed and furnished by the Department of Revenue showing

1 such information as the Department of Revenue may reasonably
2 require; provided, however, that a utility offering an
3 Arrearage Reduction Program or Supplemental Arrearage
4 Reduction Program pursuant to Section 18 of this Act shall be
5 entitled to net those amounts necessary to fund and recover
6 the costs of such Programs as authorized by that Section that
7 is no more than the incremental change in such Energy
8 Assistance Charge authorized by Public Act 96-33. If a
9 customer makes a partial payment, a public utility, municipal
10 utility, or electric cooperative may elect either: (i) to
11 apply such partial payments first to amounts owed to the
12 utility or cooperative for its services and then to payment
13 for the Energy Assistance Charge or (ii) to apply such partial
14 payments on a pro-rata basis between amounts owed to the
15 utility or cooperative for its services and to payment for the
16 Energy Assistance Charge.

17 If any payment provided for in this Section exceeds the
18 distributor's liabilities under this Act, as shown on an
19 original return, the Department may authorize the distributor
20 to credit such excess payment against liability subsequently
21 to be remitted to the Department under this Act, in accordance
22 with reasonable rules adopted by the Department. If the
23 Department subsequently determines that all or any part of the
24 credit taken was not actually due to the distributor, the
25 distributor's discount shall be reduced by an amount equal to
26 the difference between the discount as applied to the credit

1 taken and that actually due, and that distributor shall be
2 liable for penalties and interest on such difference.

3 (g) The Department of Revenue shall deposit into the
4 Supplemental Low-Income Energy Assistance Fund all moneys
5 remitted to it in accordance with subsection (f) of this
6 Section. The utilities shall coordinate with the Department to
7 establish an equitable and practical methodology for
8 implementing this subsection (g) beginning with the 2010
9 program year.

10 (h) On or before December 31, 2002, the Department shall
11 prepare a report for the General Assembly on the expenditure
12 of funds appropriated from the Low-Income Energy Assistance
13 Block Grant Fund for the program authorized under Section 4 of
14 this Act.

15 (i) The Department of Revenue may establish such rules as
16 it deems necessary to implement this Section.

17 (j) The Department of Commerce and Economic Opportunity
18 may establish such rules as it deems necessary to implement
19 this Section.

20 (k) The charges imposed by this Section shall only apply
21 to customers of municipal electric or gas utilities and
22 electric or gas cooperatives if the municipal electric or gas
23 utility or electric or gas cooperative makes an affirmative
24 decision to impose the charge. If a municipal electric or gas
25 utility or an electric cooperative makes an affirmative
26 decision to impose the charge provided by this Section, the

1 municipal electric or gas utility or electric cooperative
2 shall inform the Department of Revenue in writing of such
3 decision when it begins to impose the charge. If a municipal
4 electric or gas utility or electric or gas cooperative does
5 not assess this charge, the Department may not use funds from
6 the Supplemental Low-Income Energy Assistance Fund to provide
7 benefits to its customers under the program authorized by
8 Section 4 of this Act.

9 In its use of federal funds under this Act, the Department
10 may not cause a disproportionate share of those federal funds
11 to benefit customers of systems which do not assess the charge
12 provided by this Section.

13 This Section is repealed on January 1, 2025 unless renewed
14 by action of the General Assembly.

15 (Source: P.A. 102-16, eff. 6-17-21; 102-176, eff. 6-1-22;
16 102-671, eff. 11-30-21; 102-673, eff. 11-30-21.)

17 Section 5-105. The Environmental Protection Act is amended
18 by changing Sections 22.15 and 57.11 as follows:

19 (415 ILCS 5/22.15) (from Ch. 111 1/2, par. 1022.15)

20 Sec. 22.15. Solid Waste Management Fund; fees.

21 (a) There is hereby created within the State Treasury a
22 special fund to be known as the Solid Waste Management Fund, to
23 be constituted from the fees collected by the State pursuant
24 to this Section, from repayments of loans made from the Fund

1 for solid waste projects, from registration fees collected
2 pursuant to the Consumer Electronics Recycling Act, and from
3 amounts transferred into the Fund pursuant to Public Act
4 100-433. Moneys received by either the Agency or the
5 Department of Commerce and Economic Opportunity in repayment
6 of loans made pursuant to the Illinois Solid Waste Management
7 Act shall be deposited into the General Revenue Fund.

8 (b) The Agency shall assess and collect a fee in the amount
9 set forth herein from the owner or operator of each sanitary
10 landfill permitted or required to be permitted by the Agency
11 to dispose of solid waste if the sanitary landfill is located
12 off the site where such waste was produced and if such sanitary
13 landfill is owned, controlled, and operated by a person other
14 than the generator of such waste. The Agency shall deposit all
15 fees collected into the Solid Waste Management Fund. If a site
16 is contiguous to one or more landfills owned or operated by the
17 same person, the volumes permanently disposed of by each
18 landfill shall be combined for purposes of determining the fee
19 under this subsection. Beginning on July 1, 2018, and on the
20 first day of each month thereafter during fiscal years 2019
21 through 2023 ~~2022~~, the State Comptroller shall direct and
22 State Treasurer shall transfer an amount equal to 1/12 of
23 \$5,000,000 per fiscal year from the Solid Waste Management
24 Fund to the General Revenue Fund.

25 (1) If more than 150,000 cubic yards of non-hazardous
26 solid waste is permanently disposed of at a site in a

1 calendar year, the owner or operator shall either pay a
2 fee of 95 cents per cubic yard or, alternatively, the
3 owner or operator may weigh the quantity of the solid
4 waste permanently disposed of with a device for which
5 certification has been obtained under the Weights and
6 Measures Act and pay a fee of \$2.00 per ton of solid waste
7 permanently disposed of. In no case shall the fee
8 collected or paid by the owner or operator under this
9 paragraph exceed \$1.55 per cubic yard or \$3.27 per ton.

10 (2) If more than 100,000 cubic yards but not more than
11 150,000 cubic yards of non-hazardous waste is permanently
12 disposed of at a site in a calendar year, the owner or
13 operator shall pay a fee of \$52,630.

14 (3) If more than 50,000 cubic yards but not more than
15 100,000 cubic yards of non-hazardous solid waste is
16 permanently disposed of at a site in a calendar year, the
17 owner or operator shall pay a fee of \$23,790.

18 (4) If more than 10,000 cubic yards but not more than
19 50,000 cubic yards of non-hazardous solid waste is
20 permanently disposed of at a site in a calendar year, the
21 owner or operator shall pay a fee of \$7,260.

22 (5) If not more than 10,000 cubic yards of
23 non-hazardous solid waste is permanently disposed of at a
24 site in a calendar year, the owner or operator shall pay a
25 fee of \$1050.

26 (c) (Blank).

1 (d) The Agency shall establish rules relating to the
2 collection of the fees authorized by this Section. Such rules
3 shall include, but not be limited to:

4 (1) necessary records identifying the quantities of
5 solid waste received or disposed;

6 (2) the form and submission of reports to accompany
7 the payment of fees to the Agency;

8 (3) the time and manner of payment of fees to the
9 Agency, which payments shall not be more often than
10 quarterly; and

11 (4) procedures setting forth criteria establishing
12 when an owner or operator may measure by weight or volume
13 during any given quarter or other fee payment period.

14 (e) Pursuant to appropriation, all monies in the Solid
15 Waste Management Fund shall be used by the Agency for the
16 purposes set forth in this Section and in the Illinois Solid
17 Waste Management Act, including for the costs of fee
18 collection and administration, and for the administration of
19 (1) the Consumer Electronics Recycling Act and (2) until
20 January 1, 2020, the Electronic Products Recycling and Reuse
21 Act.

22 (f) The Agency is authorized to enter into such agreements
23 and to promulgate such rules as are necessary to carry out its
24 duties under this Section and the Illinois Solid Waste
25 Management Act.

26 (g) On the first day of January, April, July, and October

1 of each year, beginning on July 1, 1996, the State Comptroller
2 and Treasurer shall transfer \$500,000 from the Solid Waste
3 Management Fund to the Hazardous Waste Fund. Moneys
4 transferred under this subsection (g) shall be used only for
5 the purposes set forth in item (1) of subsection (d) of Section
6 22.2.

7 (h) The Agency is authorized to provide financial
8 assistance to units of local government for the performance of
9 inspecting, investigating and enforcement activities pursuant
10 to Section 4(r) at nonhazardous solid waste disposal sites.

11 (i) The Agency is authorized to conduct household waste
12 collection and disposal programs.

13 (j) A unit of local government, as defined in the Local
14 Solid Waste Disposal Act, in which a solid waste disposal
15 facility is located may establish a fee, tax, or surcharge
16 with regard to the permanent disposal of solid waste. All
17 fees, taxes, and surcharges collected under this subsection
18 shall be utilized for solid waste management purposes,
19 including long-term monitoring and maintenance of landfills,
20 planning, implementation, inspection, enforcement and other
21 activities consistent with the Solid Waste Management Act and
22 the Local Solid Waste Disposal Act, or for any other
23 environment-related purpose, including, but not limited to, an
24 environment-related public works project, but not for the
25 construction of a new pollution control facility other than a
26 household hazardous waste facility. However, the total fee,

1 tax or surcharge imposed by all units of local government
2 under this subsection (j) upon the solid waste disposal
3 facility shall not exceed:

4 (1) 60¢ per cubic yard if more than 150,000 cubic
5 yards of non-hazardous solid waste is permanently disposed
6 of at the site in a calendar year, unless the owner or
7 operator weighs the quantity of the solid waste received
8 with a device for which certification has been obtained
9 under the Weights and Measures Act, in which case the fee
10 shall not exceed \$1.27 per ton of solid waste permanently
11 disposed of.

12 (2) \$33,350 if more than 100,000 cubic yards, but not
13 more than 150,000 cubic yards, of non-hazardous waste is
14 permanently disposed of at the site in a calendar year.

15 (3) \$15,500 if more than 50,000 cubic yards, but not
16 more than 100,000 cubic yards, of non-hazardous solid
17 waste is permanently disposed of at the site in a calendar
18 year.

19 (4) \$4,650 if more than 10,000 cubic yards, but not
20 more than 50,000 cubic yards, of non-hazardous solid waste
21 is permanently disposed of at the site in a calendar year.

22 (5) \$650 if not more than 10,000 cubic yards of
23 non-hazardous solid waste is permanently disposed of at
24 the site in a calendar year.

25 The corporate authorities of the unit of local government
26 may use proceeds from the fee, tax, or surcharge to reimburse a

1 highway commissioner whose road district lies wholly or
2 partially within the corporate limits of the unit of local
3 government for expenses incurred in the removal of
4 nonhazardous, nonfluid municipal waste that has been dumped on
5 public property in violation of a State law or local
6 ordinance.

7 For the disposal of solid waste from general construction
8 or demolition debris recovery facilities as defined in
9 subsection (a-1) of Section 3.160, the total fee, tax, or
10 surcharge imposed by all units of local government under this
11 subsection (j) upon the solid waste disposal facility shall
12 not exceed 50% of the applicable amount set forth above. A unit
13 of local government, as defined in the Local Solid Waste
14 Disposal Act, in which a general construction or demolition
15 debris recovery facility is located may establish a fee, tax,
16 or surcharge on the general construction or demolition debris
17 recovery facility with regard to the permanent disposal of
18 solid waste by the general construction or demolition debris
19 recovery facility at a solid waste disposal facility, provided
20 that such fee, tax, or surcharge shall not exceed 50% of the
21 applicable amount set forth above, based on the total amount
22 of solid waste transported from the general construction or
23 demolition debris recovery facility for disposal at solid
24 waste disposal facilities, and the unit of local government
25 and fee shall be subject to all other requirements of this
26 subsection (j).

1 A county or Municipal Joint Action Agency that imposes a
2 fee, tax, or surcharge under this subsection may use the
3 proceeds thereof to reimburse a municipality that lies wholly
4 or partially within its boundaries for expenses incurred in
5 the removal of nonhazardous, nonfluid municipal waste that has
6 been dumped on public property in violation of a State law or
7 local ordinance.

8 If the fees are to be used to conduct a local sanitary
9 landfill inspection or enforcement program, the unit of local
10 government must enter into a written delegation agreement with
11 the Agency pursuant to subsection (r) of Section 4. The unit of
12 local government and the Agency shall enter into such a
13 written delegation agreement within 60 days after the
14 establishment of such fees. At least annually, the Agency
15 shall conduct an audit of the expenditures made by units of
16 local government from the funds granted by the Agency to the
17 units of local government for purposes of local sanitary
18 landfill inspection and enforcement programs, to ensure that
19 the funds have been expended for the prescribed purposes under
20 the grant.

21 The fees, taxes or surcharges collected under this
22 subsection (j) shall be placed by the unit of local government
23 in a separate fund, and the interest received on the moneys in
24 the fund shall be credited to the fund. The monies in the fund
25 may be accumulated over a period of years to be expended in
26 accordance with this subsection.

1 A unit of local government, as defined in the Local Solid
2 Waste Disposal Act, shall prepare and post on its website, in
3 April of each year, a report that details spending plans for
4 monies collected in accordance with this subsection. The
5 report will at a minimum include the following:

6 (1) The total monies collected pursuant to this
7 subsection.

8 (2) The most current balance of monies collected
9 pursuant to this subsection.

10 (3) An itemized accounting of all monies expended for
11 the previous year pursuant to this subsection.

12 (4) An estimation of monies to be collected for the
13 following 3 years pursuant to this subsection.

14 (5) A narrative detailing the general direction and
15 scope of future expenditures for one, 2 and 3 years.

16 The exemptions granted under Sections 22.16 and 22.16a,
17 and under subsection (k) of this Section, shall be applicable
18 to any fee, tax or surcharge imposed under this subsection
19 (j); except that the fee, tax or surcharge authorized to be
20 imposed under this subsection (j) may be made applicable by a
21 unit of local government to the permanent disposal of solid
22 waste after December 31, 1986, under any contract lawfully
23 executed before June 1, 1986 under which more than 150,000
24 cubic yards (or 50,000 tons) of solid waste is to be
25 permanently disposed of, even though the waste is exempt from
26 the fee imposed by the State under subsection (b) of this

1 Section pursuant to an exemption granted under Section 22.16.

2 (k) In accordance with the findings and purposes of the
3 Illinois Solid Waste Management Act, beginning January 1, 1989
4 the fee under subsection (b) and the fee, tax or surcharge
5 under subsection (j) shall not apply to:

6 (1) waste which is hazardous waste;

7 (2) waste which is pollution control waste;

8 (3) waste from recycling, reclamation or reuse
9 processes which have been approved by the Agency as being
10 designed to remove any contaminant from wastes so as to
11 render such wastes reusable, provided that the process
12 renders at least 50% of the waste reusable; the exemption
13 set forth in this paragraph (3) of this subsection (k)
14 shall not apply to general construction or demolition
15 debris recovery facilities as defined in subsection (a-1)
16 of Section 3.160;

17 (4) non-hazardous solid waste that is received at a
18 sanitary landfill and composted or recycled through a
19 process permitted by the Agency; or

20 (5) any landfill which is permitted by the Agency to
21 receive only demolition or construction debris or
22 landscape waste.

23 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;
24 102-16, eff. 6-17-21; 102-310, eff. 8-6-21; 102-444, eff.
25 8-20-21; revised 9-28-21.)

1 (415 ILCS 5/57.11)

2 Sec. 57.11. Underground Storage Tank Fund; creation.

3 (a) There is hereby created in the State Treasury a
4 special fund to be known as the Underground Storage Tank Fund.
5 There shall be deposited into the Underground Storage Tank
6 Fund all moneys received by the Office of the State Fire
7 Marshal as fees for underground storage tanks under Sections 4
8 and 5 of the Gasoline Storage Act, fees pursuant to the Motor
9 Fuel Tax Law, and beginning July 1, 2013, payments pursuant to
10 the Use Tax Act, the Service Use Tax Act, the Service
11 Occupation Tax Act, and the Retailers' Occupation Tax Act. All
12 amounts held in the Underground Storage Tank Fund shall be
13 invested at interest by the State Treasurer. All income earned
14 from the investments shall be deposited into the Underground
15 Storage Tank Fund no less frequently than quarterly. In
16 addition to any other transfers that may be provided for by
17 law, beginning on July 1, 2018 and on the first day of each
18 month thereafter during fiscal years 2019 through 2023 ~~2022~~
19 only, the State Comptroller shall direct and the State
20 Treasurer shall transfer an amount equal to 1/12 of
21 \$10,000,000 from the Underground Storage Tank Fund to the
22 General Revenue Fund. Moneys in the Underground Storage Tank
23 Fund, pursuant to appropriation, may be used by the Agency and
24 the Office of the State Fire Marshal for the following
25 purposes:

26 (1) To take action authorized under Section 57.12 to

1 recover costs under Section 57.12.

2 (2) To assist in the reduction and mitigation of
3 damage caused by leaks from underground storage tanks,
4 including but not limited to, providing alternative water
5 supplies to persons whose drinking water has become
6 contaminated as a result of those leaks.

7 (3) To be used as a matching amount towards federal
8 assistance relative to the release of petroleum from
9 underground storage tanks.

10 (4) For the costs of administering activities of the
11 Agency and the Office of the State Fire Marshal relative
12 to the Underground Storage Tank Fund.

13 (5) For payment of costs of corrective action incurred
14 by and indemnification to operators of underground storage
15 tanks as provided in this Title.

16 (6) For a total of 2 demonstration projects in amounts
17 in excess of a \$10,000 deductible charge designed to
18 assess the viability of corrective action projects at
19 sites which have experienced contamination from petroleum
20 releases. Such demonstration projects shall be conducted
21 in accordance with the provision of this Title.

22 (7) Subject to appropriation, moneys in the
23 Underground Storage Tank Fund may also be used by the
24 Department of Revenue for the costs of administering its
25 activities relative to the Fund and for refunds provided
26 for in Section 13a.8 of the Motor Fuel Tax ~~Law Act~~.

1 (b) Moneys in the Underground Storage Tank Fund may,
2 pursuant to appropriation, be used by the Office of the State
3 Fire Marshal or the Agency to take whatever emergency action
4 is necessary or appropriate to assure that the public health
5 or safety is not threatened whenever there is a release or
6 substantial threat of a release of petroleum from an
7 underground storage tank and for the costs of administering
8 its activities relative to the Underground Storage Tank Fund.

9 (c) Beginning July 1, 1993, the Governor shall certify to
10 the State Comptroller and State Treasurer the monthly amount
11 necessary to pay debt service on State obligations issued
12 pursuant to Section 6 of the General Obligation Bond Act. On
13 the last day of each month, the Comptroller shall order
14 transferred and the Treasurer shall transfer from the
15 Underground Storage Tank Fund to the General Obligation Bond
16 Retirement and Interest Fund the amount certified by the
17 Governor, plus any cumulative deficiency in those transfers
18 for prior months.

19 (d) Except as provided in subsection (c) of this Section,
20 the Underground Storage Tank Fund is not subject to
21 administrative charges authorized under Section 8h of the
22 State Finance Act that would in any way transfer any funds from
23 the Underground Storage Tank Fund into any other fund of the
24 State.

25 (e) Each fiscal year, subject to appropriation, the Agency
26 may commit up to \$10,000,000 of the moneys in the Underground

1 Storage Tank Fund to the payment of corrective action costs
2 for legacy sites that meet one or more of the following
3 criteria as a result of the underground storage tank release:

4 (i) the presence of free product, (ii) contamination within a
5 regulated recharge area, a wellhead protection area, or the
6 setback zone of a potable water supply well, (iii)
7 contamination extending beyond the boundaries of the site
8 where the release occurred, or (iv) such other criteria as may
9 be adopted in Agency rules.

10 (1) Fund moneys committed under this subsection (e)
11 shall be held in the Fund for payment of the corrective
12 action costs for which the moneys were committed.

13 (2) The Agency may adopt rules governing the
14 commitment of Fund moneys under this subsection (e).

15 (3) This subsection (e) does not limit the use of Fund
16 moneys at legacy sites as otherwise provided under this
17 Title.

18 (4) For the purposes of this subsection (e), the term
19 "legacy site" means a site for which (i) an underground
20 storage tank release was reported prior to January 1,
21 2005, (ii) the owner or operator has been determined
22 eligible to receive payment from the Fund for corrective
23 action costs, and (iii) the Agency did not receive any
24 applications for payment prior to January 1, 2010.

25 (f) Beginning July 1, 2013, if the amounts deposited into
26 the Fund from moneys received by the Office of the State Fire

1 Marshal as fees for underground storage tanks under Sections 4
2 and 5 of the Gasoline Storage Act and as fees pursuant to the
3 Motor Fuel Tax Law during a State fiscal year are sufficient to
4 pay all claims for payment by the fund received during that
5 State fiscal year, then the amount of any payments into the
6 fund pursuant to the Use Tax Act, the Service Use Tax Act, the
7 Service Occupation Tax Act, and the Retailers' Occupation Tax
8 Act during that State fiscal year shall be deposited as
9 follows: 75% thereof shall be paid into the State treasury and
10 25% shall be reserved in a special account and used only for
11 the transfer to the Common School Fund as part of the monthly
12 transfer from the General Revenue Fund in accordance with
13 Section 8a of the State Finance Act.

14 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;
15 102-16, eff. 6-17-21.)

16 Section 5-106. The Open Space Lands Acquisition and
17 Development Act is amended by changing Section 3 as follows:

18 (525 ILCS 35/3) (from Ch. 85, par. 2103)

19 Sec. 3. From appropriations made from the Capital
20 Development Fund, Build Illinois Bond Fund or other available
21 or designated funds for such purposes, the Department shall
22 make grants to local governments as financial assistance for
23 the capital development and improvement of park, recreation or
24 conservation areas, marinas and shorelines, including planning

1 and engineering costs, and for the acquisition of open space
2 lands, including acquisition of easements and other property
3 interests less than fee simple ownership if the Department
4 determines that such property interests are sufficient to
5 carry out the purposes of this Act, subject to the conditions
6 and limitations set forth in this Act.

7 No more than 10% of the amount so appropriated for any
8 fiscal year may be committed or expended on any one project
9 described in an application under this Act.

10 Except for grants awarded from new appropriations in
11 fiscal year 2023, any ~~Any~~ grant under this Act to a local
12 government shall be conditioned upon the state providing
13 assistance on a 50/50 matching basis for the acquisition of
14 open space lands and for capital development and improvement
15 proposals. However, a local government defined as "distressed"
16 under criteria adopted by the Department through
17 administrative rule shall be eligible for assistance up to 90%
18 for the acquisition of open space lands and for capital
19 development and improvement proposals, provided that no more
20 than 10% of the amount appropriated under this Act in any
21 fiscal year is made available as grants to distressed local
22 governments. For grants awarded from new appropriations in
23 fiscal year 2023 only, a local government defined as
24 "distressed" is eligible for assistance up to 100% for the
25 acquisition of open space lands and for capital development
26 and improvement proposals. The Department may make more than

1 10% of the amount appropriated in fiscal year 2023 available
2 as grants to distressed local governments.

3 An advance payment of a minimum of 50% of any grant made to
4 a unit of local government under this Act must be paid to the
5 unit of local government at the time the Department awards the
6 grant. A unit of local government may opt out of the advanced
7 payment option at the time of the award of the grant. The
8 remainder of the grant shall be distributed to the local
9 government quarterly on a reimbursement basis. The Department
10 shall consider an applicant's request for an extension to a
11 grant under this Act if (i) the advanced payment is expended or
12 legally obligated within the 2 years required by Section 5 of
13 the Illinois Grant Funds Recovery Act or (ii) no advanced
14 payment was made.

15 (Source: P.A. 102-200, eff. 7-30-21.)

16 Section 5-107. The Illinois Vehicle Code is amended by
17 changing Section 3-659 and 6-206.1 as follows:

18 (625 ILCS 5/3-659)

19 Sec. 3-659. Pan Hellenic license plates.

20 (a) The Secretary, upon receipt of all applicable fees and
21 applications made in the form prescribed by the Secretary, may
22 issue special registration plates designated as Pan Hellenic
23 license plates. The special plates issued under this Section
24 shall be affixed only to passenger vehicles of the first

1 division or motor vehicles of the second division weighing not
2 more than 8,000 pounds. Plates issued under this Section shall
3 expire according to the multi-year procedure established by
4 Section 3-414.1 of this Code.

5 (b) The design and color of the special plates shall be
6 wholly within the discretion of the Secretary, except that an
7 emblem of a Pan Hellenic eligible member shall be on the plate.
8 Appropriate documentation, as determined by the Secretary,
9 shall accompany each application. The Secretary may, in his or
10 her discretion, allow the plates to be issued as vanity or
11 personalized plates in accordance with Section 3-405.1 of this
12 Code. The plates are not required to designate "Land of
13 Lincoln" as prescribed in subsection (b) of Section 3-412 of
14 this Code. The Secretary, in his or her discretion, may
15 prescribe rules governing the requirements and approval of the
16 special plates.

17 (c) An applicant for the special plate shall be charged a
18 \$40 fee for original issuance in addition to the appropriate
19 registration fee. Of this fee, \$25 shall be deposited into the
20 Illinois Pan Hellenic Trust Fund and \$15 shall be deposited
21 into the Secretary of State Special License Plate Fund, to be
22 used by the Secretary to help defray the administrative
23 processing costs. For each registration renewal period, a \$27
24 fee, in addition to the appropriate registration fee, shall be
25 charged. Of this fee, \$25 shall be deposited into the Illinois
26 Pan Hellenic Trust Fund and \$2 shall be deposited into the

1 Secretary of State Special License Plate Fund.

2 (d) The Illinois Pan Hellenic Trust Fund is created as a
3 special fund in the State Treasury. The State Treasurer shall
4 create separate accounts within the Illinois Pan Hellenic
5 Trust Fund for each eligible member for which Pan Hellenic
6 license plates have been issued. Moneys in the Illinois Pan
7 Hellenic Trust Fund shall be allocated to each account in
8 proportion to the number of plates sold in regard to each
9 fraternity or sorority. All moneys in the Illinois Pan
10 Hellenic Trust Fund shall be distributed, subject to
11 appropriation by the General Assembly and distribution by the
12 Secretary, as grants to the Illinois Alpha Kappa Alpha
13 Charitable Foundation, Illinois Delta Sigma Theta Charitable
14 Foundation, Illinois Zeta Phi Beta Charitable Foundation,
15 Illinois Sigma Gamma Rho Charitable Foundation, Alpha Illinois
16 Leadership Foundation ~~Illinois Alpha Phi Alpha Charitable~~
17 ~~Foundation~~, Illinois Omega Psi Phi Charitable Foundation,
18 Illinois Kappa Alpha Psi Charitable Foundation, Illinois Phi
19 Beta Sigma Charitable Foundation, or Illinois Iota Phi Theta
20 Charitable Foundation for charitable purposes sponsored by the
21 African-American fraternity or sorority.

22 (Source: P.A. 97-409, eff. 1-1-12.)

23 (625 ILCS 5/6-206.1) (from Ch. 95 1/2, par. 6-206.1)

24 Sec. 6-206.1. Monitoring Device Driving Permit.
25 Declaration of Policy. It is hereby declared a policy of the

1 State of Illinois that the driver who is impaired by alcohol,
2 other drug or drugs, or intoxicating compound or compounds is
3 a threat to the public safety and welfare. Therefore, to
4 provide a deterrent to such practice, a statutory summary
5 driver's license suspension is appropriate. It is also
6 recognized that driving is a privilege and therefore, that the
7 granting of driving privileges, in a manner consistent with
8 public safety, is warranted during the period of suspension in
9 the form of a monitoring device driving permit. A person who
10 drives and fails to comply with the requirements of the
11 monitoring device driving permit commits a violation of
12 Section 6-303 of this Code.

13 The following procedures shall apply whenever a first
14 offender, as defined in Section 11-500 of this Code, is
15 arrested for any offense as defined in Section 11-501 or a
16 similar provision of a local ordinance and is subject to the
17 provisions of Section 11-501.1:

18 (a) Upon mailing of the notice of suspension of driving
19 privileges as provided in subsection (h) of Section 11-501.1
20 of this Code, the Secretary shall also send written notice
21 informing the person that he or she will be issued a monitoring
22 device driving permit (MDDP). The notice shall include, at
23 minimum, information summarizing the procedure to be followed
24 for issuance of the MDDP, installation of the breath alcohol
25 ignition installation device (BAIID), as provided in this
26 Section, exemption from BAIID installation requirements, and

1 procedures to be followed by those seeking indigent status, as
2 provided in this Section. The notice shall also include
3 information summarizing the procedure to be followed if the
4 person wishes to decline issuance of the MDDP. A copy of the
5 notice shall also be sent to the court of venue together with
6 the notice of suspension of driving privileges, as provided in
7 subsection (h) of Section 11-501. However, a MDDP shall not be
8 issued if the Secretary finds that:

9 (1) the offender's driver's license is otherwise
10 invalid;

11 (2) death or great bodily harm to another resulted
12 from the arrest for Section 11-501;

13 (3) the offender has been previously convicted of
14 reckless homicide or aggravated driving under the
15 influence involving death; or

16 (4) the offender is less than 18 years of age.

17 Any offender participating in the MDDP program must pay
18 the Secretary a MDDP Administration Fee in an amount not to
19 exceed \$30 per month, to be deposited into the Monitoring
20 Device Driving Permit Administration Fee Fund. The Secretary
21 shall establish by rule the amount and the procedures, terms,
22 and conditions relating to these fees. The offender must have
23 an ignition interlock device installed within 14 days of the
24 date the Secretary issues the MDDP. The ignition interlock
25 device provider must notify the Secretary, in a manner and
26 form prescribed by the Secretary, of the installation. If the

1 Secretary does not receive notice of installation, the
2 Secretary shall cancel the MDDP.

3 Upon receipt of the notice, as provided in paragraph (a)
4 of this Section, the person may file a petition to decline
5 issuance of the MDDP with the court of venue. The court shall
6 admonish the offender of all consequences of declining
7 issuance of the MDDP including, but not limited to, the
8 enhanced penalties for driving while suspended. After being so
9 admonished, the offender shall be permitted, in writing, to
10 execute a notice declining issuance of the MDDP. This notice
11 shall be filed with the court and forwarded by the clerk of the
12 court to the Secretary. The offender may, at any time
13 thereafter, apply to the Secretary for issuance of a MDDP.

14 (a-1) A person issued a MDDP may drive for any purpose and
15 at any time, subject to the rules adopted by the Secretary
16 under subsection (g). The person must, at his or her own
17 expense, drive only vehicles equipped with an ignition
18 interlock device as defined in Section 1-129.1, but in no
19 event shall such person drive a commercial motor vehicle.

20 (a-2) Persons who are issued a MDDP and must drive
21 employer-owned vehicles in the course of their employment
22 duties may seek permission to drive an employer-owned vehicle
23 that does not have an ignition interlock device. The employer
24 shall provide to the Secretary a form, as prescribed by the
25 Secretary, completed by the employer verifying that the
26 employee must drive an employer-owned vehicle in the course of

1 employment. If approved by the Secretary, the form must be in
2 the driver's possession while operating an employer-owner
3 vehicle not equipped with an ignition interlock device. No
4 person may use this exemption to drive a school bus, school
5 vehicle, or a vehicle designed to transport more than 15
6 passengers. No person may use this exemption to drive an
7 employer-owned motor vehicle that is owned by an entity that
8 is wholly or partially owned by the person holding the MDDP, or
9 by a family member of the person holding the MDDP. No person
10 may use this exemption to drive an employer-owned vehicle that
11 is made available to the employee for personal use. No person
12 may drive the exempted vehicle more than 12 hours per day, 6
13 days per week.

14 (a-3) Persons who are issued a MDDP and who must drive a
15 farm tractor to and from a farm, within 50 air miles from the
16 originating farm are exempt from installation of a BAIID on
17 the farm tractor, so long as the farm tractor is being used for
18 the exclusive purpose of conducting farm operations.

19 (b) (Blank).

20 (c) (Blank).

21 (c-1) If the holder of the MDDP is convicted of or receives
22 court supervision for a violation of Section 6-206.2, 6-303,
23 11-204, 11-204.1, 11-401, 11-501, 11-503, 11-506 or a similar
24 provision of a local ordinance or a similar out-of-state
25 offense or is convicted of or receives court supervision for
26 any offense for which alcohol or drugs is an element of the

1 offense and in which a motor vehicle was involved (for an
2 arrest other than the one for which the MDDP is issued), or
3 de-installs the BAIID without prior authorization from the
4 Secretary, the MDDP shall be cancelled.

5 (c-5) If the Secretary determines that the person seeking
6 the MDDP is indigent, the Secretary shall provide the person
7 with a written document as evidence of that determination, and
8 the person shall provide that written document to an ignition
9 interlock device provider. The provider shall install an
10 ignition interlock device on that person's vehicle without
11 charge to the person, and seek reimbursement from the Indigent
12 BAIID Fund. If the Secretary has deemed an offender indigent,
13 the BAIID provider shall also provide the normal monthly
14 monitoring services and the de-installation without charge to
15 the offender and seek reimbursement from the Indigent BAIID
16 Fund. Any other monetary charges, such as a lockout fee or
17 reset fee, shall be the responsibility of the MDDP holder. A
18 BAIID provider may not seek a security deposit from the
19 Indigent BAIID Fund.

20 (d) MDDP information shall be available only to the
21 courts, police officers, and the Secretary, except during the
22 actual period the MDDP is valid, during which time it shall be
23 a public record.

24 (e) (Blank).

25 (f) (Blank).

26 (g) The Secretary shall adopt rules for implementing this

1 Section. The rules adopted shall address issues including, but
2 not limited to: compliance with the requirements of the MDDP;
3 methods for determining compliance with those requirements;
4 the consequences of noncompliance with those requirements;
5 what constitutes a violation of the MDDP; methods for
6 determining indigency; and the duties of a person or entity
7 that supplies the ignition interlock device.

8 (h) The rules adopted under subsection (g) shall provide,
9 at a minimum, that the person is not in compliance with the
10 requirements of the MDDP if he or she:

11 (1) tampers or attempts to tamper with or circumvent
12 the proper operation of the ignition interlock device;

13 (2) provides valid breath samples that register blood
14 alcohol levels in excess of the number of times allowed
15 under the rules;

16 (3) fails to provide evidence sufficient to satisfy
17 the Secretary that the ignition interlock device has been
18 installed in the designated vehicle or vehicles; or

19 (4) fails to follow any other applicable rules adopted
20 by the Secretary.

21 (i) Any person or entity that supplies an ignition
22 interlock device as provided under this Section shall, in
23 addition to supplying only those devices which fully comply
24 with all the rules adopted under subsection (g), provide the
25 Secretary, within 7 days of inspection, all monitoring reports
26 of each person who has had an ignition interlock device

1 installed. These reports shall be furnished in a manner or
2 form as prescribed by the Secretary.

3 (j) Upon making a determination that a violation of the
4 requirements of the MDDP has occurred, the Secretary shall
5 extend the summary suspension period for an additional 3
6 months beyond the originally imposed summary suspension
7 period, during which time the person shall only be allowed to
8 drive vehicles equipped with an ignition interlock device;
9 provided further there are no limitations on the total number
10 of times the summary suspension may be extended. The Secretary
11 may, however, limit the number of extensions imposed for
12 violations occurring during any one monitoring period, as set
13 forth by rule. Any person whose summary suspension is extended
14 pursuant to this Section shall have the right to contest the
15 extension through a hearing with the Secretary, pursuant to
16 Section 2-118 of this Code. If the summary suspension has
17 already terminated prior to the Secretary receiving the
18 monitoring report that shows a violation, the Secretary shall
19 be authorized to suspend the person's driving privileges for 3
20 months, provided that the Secretary may, by rule, limit the
21 number of suspensions to be entered pursuant to this paragraph
22 for violations occurring during any one monitoring period. Any
23 person whose license is suspended pursuant to this paragraph,
24 after the summary suspension had already terminated, shall
25 have the right to contest the suspension through a hearing
26 with the Secretary, pursuant to Section 2-118 of this Code.

1 The only permit the person shall be eligible for during this
2 new suspension period is a MDDP.

3 (k) A person who has had his or her summary suspension
4 extended for the third time, or has any combination of 3
5 extensions and new suspensions, entered as a result of a
6 violation that occurred while holding the MDDP, so long as the
7 extensions and new suspensions relate to the same summary
8 suspension, shall have his or her vehicle impounded for a
9 period of 30 days, at the person's own expense. A person who
10 has his or her summary suspension extended for the fourth
11 time, or has any combination of 4 extensions and new
12 suspensions, entered as a result of a violation that occurred
13 while holding the MDDP, so long as the extensions and new
14 suspensions relate to the same summary suspension, shall have
15 his or her vehicle subject to seizure and forfeiture. The
16 Secretary shall notify the prosecuting authority of any third
17 or fourth extensions or new suspension entered as a result of a
18 violation that occurred while the person held a MDDP. Upon
19 receipt of the notification, the prosecuting authority shall
20 impound or forfeit the vehicle. The impoundment or forfeiture
21 of a vehicle shall be conducted pursuant to the procedure
22 specified in Article 36 of the Criminal Code of 2012.

23 (l) A person whose driving privileges have been suspended
24 under Section 11-501.1 of this Code and who had a MDDP that was
25 cancelled, or would have been cancelled had notification of a
26 violation been received prior to expiration of the MDDP,

1 pursuant to subsection (c-1) of this Section, shall not be
2 eligible for reinstatement when the summary suspension is
3 scheduled to terminate. Instead, the person's driving
4 privileges shall be suspended for a period of not less than
5 twice the original summary suspension period, or for the
6 length of any extensions entered under subsection (j),
7 whichever is longer. During the period of suspension, the
8 person shall be eligible only to apply for a restricted
9 driving permit. If a restricted driving permit is granted, the
10 offender may only operate vehicles equipped with a BAIID in
11 accordance with this Section.

12 (m) Any person or entity that supplies an ignition
13 interlock device under this Section shall, for each ignition
14 interlock device installed, pay 5% of the total gross revenue
15 received for the device, including monthly monitoring fees,
16 into the Indigent BAIID Fund. This 5% shall be clearly
17 indicated as a separate surcharge on each invoice that is
18 issued. The Secretary shall conduct an annual review of the
19 fund to determine whether the surcharge is sufficient to
20 provide for indigent users. The Secretary may increase or
21 decrease this surcharge requirement as needed.

22 (n) Any person or entity that supplies an ignition
23 interlock device under this Section that is requested to
24 provide an ignition interlock device to a person who presents
25 written documentation of indigency from the Secretary, as
26 provided in subsection (c-5) of this Section, shall install

1 the device on the person's vehicle without charge to the
2 person and shall seek reimbursement from the Indigent BAIID
3 Fund.

4 (o) The Indigent BAIID Fund is created as a special fund in
5 the State treasury. The Secretary shall, subject to
6 appropriation by the General Assembly, use all money in the
7 Indigent BAIID Fund to reimburse ignition interlock device
8 providers who have installed devices in vehicles of indigent
9 persons. The Secretary shall make payments to such providers
10 every 3 months. If the amount of money in the fund at the time
11 payments are made is not sufficient to pay all requests for
12 reimbursement submitted during that 3 month period, the
13 Secretary shall make payments on a pro-rata basis, and those
14 payments shall be considered payment in full for the requests
15 submitted. If the amount of money in the fund exceeds the
16 amount necessary to pay all requests for reimbursement during
17 that 3-month period, the Secretary shall disburse the excess
18 to the providers on a pro rata basis.

19 (p) The Monitoring Device Driving Permit Administration
20 Fee Fund is created as a special fund in the State treasury.
21 The Secretary shall, subject to appropriation by the General
22 Assembly, use the money paid into this fund to offset its
23 administrative costs for administering MDDPs.

24 (q) The Secretary is authorized to prescribe such forms as
25 it deems necessary to carry out the provisions of this
26 Section.

1 (Source: P.A. 101-363, eff. 8-9-19; 101-593, eff. 12-4-19.)

2 Section 5-110. The Lawyers' Assistance Program Act is
3 amended by changing Sections 15 and 30 as follows:

4 (705 ILCS 235/15)

5 (Section scheduled to be repealed on July 1, 2022)

6 Sec. 15. Transfer of program funds. An amount equal to the
7 balance of the money in the Lawyers' Assistance Program Fund
8 ~~as it existed on December 31, 2021~~ shall be transferred to the
9 Attorney Registration and Disciplinary Commission ~~by June 30,~~
10 ~~2022~~. As soon as is practical after completion of the
11 transfers, the Lawyers' Assistance Program Fund is dissolved.

12 (Source: P.A. 102-190, eff. 1-1-22.)

13 (705 ILCS 235/30)

14 (Section scheduled to be repealed on July 1, 2022)

15 Sec. 30. Repeal. This Act is repealed on July 1, 2023 ~~2022~~.

16 (Source: P.A. 102-190, eff. 1-1-22.)

17 Section 5-115. The Unified Code of Corrections is amended
18 by changing Sections 3-12-3a and 3-12-6 as follows:

19 (730 ILCS 5/3-12-3a) (from Ch. 38, par. 1003-12-3a)

20 Sec. 3-12-3a. Contracts, leases, and business agreements.

21 (a) The Department shall promulgate such rules and

1 policies as it deems necessary to establish, manage, and
2 operate its Illinois Correctional Industries division for the
3 purpose of utilizing committed persons in the manufacture of
4 food stuffs, finished goods or wares. To the extent not
5 inconsistent with the function and role of the ICI, the
6 Department may enter into a contract, lease, or other type of
7 business agreement, not to exceed 20 years, with any private
8 corporation, partnership, person, or other business entity for
9 the purpose of utilizing committed persons in the provision of
10 services or for any other business or commercial enterprise
11 deemed by the Department to be consistent with proper training
12 and rehabilitation of committed persons.

13 In fiscal years ~~year~~ 2021 through 2023 ~~and 2022~~, the
14 Department shall oversee the Illinois Correctional Industries
15 accounting processes and budget requests to the General
16 Assembly, other budgetary processes, audits by the Office of
17 the Auditor General, and computer processes. For fiscal years
18 ~~year~~ 2021 through 2023 ~~and 2022~~, the spending authority of
19 Illinois Correctional Industries shall no longer be separate
20 and apart from the Department's budget and appropriations, and
21 the Department shall control its accounting processes,
22 budgets, audits and computer processes in accordance with any
23 Department rules and policies.

24 (b) The Department shall be permitted to construct
25 buildings on State property for the purposes identified in
26 subsection (a) and to lease for a period not to exceed 20 years

1 any building or portion thereof on State property for the
2 purposes identified in subsection (a).

3 (c) Any contract or other business agreement referenced in
4 subsection (a) shall include a provision requiring that all
5 committed persons assigned receive in connection with their
6 assignment such vocational training and/or apprenticeship
7 programs as the Department deems appropriate.

8 (d) Committed persons assigned in accordance with this
9 Section shall be compensated in accordance with the provisions
10 of Section 3-12-5.

11 (Source: P.A. 101-636, eff. 6-10-20; 102-16, eff. 6-17-21.)

12 (730 ILCS 5/3-12-6) (from Ch. 38, par. 1003-12-6)

13 Sec. 3-12-6. Programs. Through its Illinois Correctional
14 Industries division, the Department shall establish
15 commercial, business, and manufacturing programs for the sale
16 of finished goods and processed food and beverages to the
17 State, its political units, agencies, and other public
18 institutions. Illinois Correctional Industries shall
19 establish, operate, and maintain manufacturing and food and
20 beverage production in the Department facilities and provide
21 food for the Department institutions and for the mental health
22 and developmental disabilities institutions of the Department
23 of Human Services and the institutions of the Department of
24 Veterans' Affairs.

25 Illinois Correctional Industries shall be administered by

1 a chief executive officer. The chief executive officer shall
2 report to the Director of the Department or the Director's
3 designee. The chief executive officer shall administer the
4 commercial and business programs of ICI for inmate workers in
5 the custody of the Department of Corrections.

6 The chief executive officer shall have such assistants as
7 are required for sales staff, manufacturing, budget, fiscal,
8 accounting, computer, human services, and personnel as
9 necessary to run its commercial and business programs.

10 Illinois Correctional Industries shall have a financial
11 officer who shall report to the chief executive officer. The
12 financial officer shall: (i) assist in the development and
13 presentation of the Department budget submission; (ii) manage
14 and control the spending authority of ICI; and (iii) provide
15 oversight of the financial activities of ICI, both internally
16 and through coordination with the Department fiscal operations
17 personnel, including accounting processes, budget submissions,
18 other budgetary processes, audits by the Office of the Auditor
19 General, and computer processes. For fiscal years ~~year~~ 2021
20 through 2023 ~~and 2022~~, the financial officer shall coordinate
21 and cooperate with the Department's chief financial officer to
22 perform the functions listed in this paragraph.

23 Illinois Correctional Industries shall be located in
24 Springfield. The chief executive officer of Illinois
25 Correctional Industries shall assign personnel to direct the
26 production of goods and shall employ committed persons

1 assigned by the chief administrative officer. The Department
2 of Corrections may direct such other vocational programs as it
3 deems necessary for the rehabilitation of inmates, which shall
4 be separate and apart from, and not in conflict with, programs
5 of Illinois Correctional Industries.

6 (Source: P.A. 101-636, eff. 6-10-20; 102-16, eff. 6-17-21.)

7 Section 5-117. The Probation and Probation Officers Act is
8 amended by changing Sections 9b and 15 as follows:

9 (730 ILCS 110/9b) (from Ch. 38, par. 204-1b)

10 Sec. 9b. For the purposes of this Act, the words and
11 phrases described in this Section have the meanings designated
12 in this Section, except when a particular context clearly
13 requires a different meaning.

14 (1) "Division" means the Division of Probation Services of
15 the Supreme Court.

16 (2) "Department" means a probation or court services
17 department that provides probation or court services and such
18 other related services assigned to it by the circuit court or
19 by law.

20 (3) "Probation Officer" means a person employed full time
21 in a probation or court services department or a person
22 employed full-time or part-time as a detention officer
23 providing services to a court under this Act or the Juvenile
24 Court Act of 1987. A probation officer includes detention

1 staff, non-secure group home staff and management personnel
2 who meet minimum standards established by the Supreme Court
3 and who are hired under the direction of the circuit court.
4 These probation officers are judicial employees designated on
5 a circuit wide or county basis and compensated by the
6 appropriate county board or boards.

7 (4) "Basic Services" means the number of personnel
8 determined by the Division as necessary to comply with adult,
9 juvenile, and detention services workload standards and to
10 operate authorized programs of intermediate sanctions,
11 intensive probation supervision, public or community service,
12 intake services, secure detention services, non-secure group
13 home services and home confinement.

14 (5) "New or Expanded Services" means personnel necessary
15 to operate pretrial programs, victim and restitution programs,
16 psychological services, drunk driving programs, specialized
17 caseloads, community resource coordination programs, and other
18 programs designed to generally improve the quality of
19 probation and court services.

20 (6) "Individualized Services and Programs" means
21 individualized services provided through purchase of service
22 agreements with individuals, specialists, and local public or
23 private agencies providing non-residential services for the
24 rehabilitation of adult and juvenile offenders as an
25 alternative to local or state incarceration.

26 (7) "Jurisdiction" means the geographical area of

1 authority of a probation department as designated by the chief
2 judge of each circuit court under Section 15 of this Act.

3 (8) "Transfer case" means any case where an adult or
4 juvenile offender seeks to have supervision transferred from
5 one county to another or from another state to a county in
6 Illinois, and the transfer is approved by a judicial officer,
7 a department, or through an interstate compact.

8 (Source: P.A. 98-575, eff. 1-1-14.)

9 (730 ILCS 110/15) (from Ch. 38, par. 204-7)

10 Sec. 15. (1) The Supreme Court of Illinois may establish a
11 Division of Probation Services whose purpose shall be the
12 development, establishment, promulgation, and enforcement of
13 uniform standards for probation services in this State, and to
14 otherwise carry out the intent of this Act. The Division may:

15 (a) establish qualifications for chief probation
16 officers and other probation and court services personnel
17 as to hiring, promotion, and training.

18 (b) make available, on a timely basis, lists of those
19 applicants whose qualifications meet the regulations
20 referred to herein, including on said lists all candidates
21 found qualified.

22 (c) establish a means of verifying the conditions for
23 reimbursement under this Act and develop criteria for
24 approved costs for reimbursement.

25 (d) develop standards and approve employee

1 compensation schedules for probation and court services
2 departments.

3 (e) employ sufficient personnel in the Division to
4 carry out the functions of the Division.

5 (f) establish a system of training and establish
6 standards for personnel orientation and training.

7 (g) develop standards for a system of record keeping
8 for cases and programs, gather statistics, establish a
9 system of uniform forms, and develop research for planning
10 of Probation Services.

11 (h) develop standards to assure adequate support
12 personnel, office space, equipment and supplies, travel
13 expenses, and other essential items necessary for
14 Probation and Court Services Departments to carry out
15 their duties.

16 (i) review and approve annual plans submitted by
17 Probation and Court Services Departments.

18 (j) monitor and evaluate all programs operated by
19 Probation and Court Services Departments, and may include
20 in the program evaluation criteria such factors as the
21 percentage of Probation sentences for felons convicted of
22 Probationable offenses.

23 (k) seek the cooperation of local and State government
24 and private agencies to improve the quality of probation
25 and court services.

26 (l) where appropriate, establish programs and

1 corresponding standards designed to generally improve the
2 quality of probation and court services and reduce the
3 rate of adult or juvenile offenders committed to the
4 Department of Corrections.

5 (m) establish such other standards and regulations and
6 do all acts necessary to carry out the intent and purposes
7 of this Act.

8 The Division shall develop standards to implement the
9 Domestic Violence Surveillance Program established under
10 Section 5-8A-7 of the Unified Code of Corrections, including
11 (i) procurement of equipment and other services necessary to
12 implement the program and (ii) development of uniform
13 standards for the delivery of the program through county
14 probation departments, and develop standards for collecting
15 data to evaluate the impact and costs of the Domestic Violence
16 Surveillance Program.

17 The Division shall establish a model list of structured
18 intermediate sanctions that may be imposed by a probation
19 agency for violations of terms and conditions of a sentence of
20 probation, conditional discharge, or supervision.

21 The Division shall establish training standards for
22 continuing education of probation officers and supervisors and
23 broaden access to available training programs.

24 The State of Illinois shall provide for the costs of
25 personnel, travel, equipment, telecommunications, postage,
26 commodities, printing, space, contractual services and other

1 related costs necessary to carry out the intent of this Act.

2 (2) (a) The chief judge of each circuit shall provide
3 full-time probation services for all counties within the
4 circuit, in a manner consistent with the annual probation
5 plan, the standards, policies, and regulations established by
6 the Supreme Court. A probation district of two or more
7 counties within a circuit may be created for the purposes of
8 providing full-time probation services. Every county or group
9 of counties within a circuit shall maintain a probation
10 department which shall be under the authority of the Chief
11 Judge of the circuit or some other judge designated by the
12 Chief Judge. The Chief Judge, through the Probation and Court
13 Services Department shall submit annual plans to the Division
14 for probation and related services.

15 (b) The Chief Judge of each circuit shall appoint the
16 Chief Probation Officer and all other probation officers for
17 his or her circuit from lists of qualified applicants supplied
18 by the Supreme Court. Candidates for chief managing officer
19 and other probation officer positions must apply with both the
20 Chief Judge of the circuit and the Supreme Court.

21 (3) A Probation and Court Service Department shall apply
22 to the Supreme Court for funds for basic services, and may
23 apply for funds for new and expanded programs or
24 Individualized Services and Programs. Costs shall be
25 reimbursed monthly based on a plan and budget approved by the
26 Supreme Court. No Department may be reimbursed for costs which

1 exceed or are not provided for in the approved annual plan and
2 budget. After the effective date of this amendatory Act of
3 1985, each county must provide basic services in accordance
4 with the annual plan and standards created by the division. No
5 department may receive funds for new or expanded programs or
6 individualized services and programs unless they are in
7 compliance with standards as enumerated in paragraph (h) of
8 subsection (1) of this Section, the annual plan, and standards
9 for basic services.

10 (4) The Division shall reimburse the county or counties
11 for probation services as follows:

12 (a) 100% of the salary of all chief managing officers
13 designated as such by the Chief Judge and the division.

14 (b) 100% of the salary for all probation officer and
15 supervisor positions approved for reimbursement by the
16 division after April 1, 1984, to meet workload standards
17 and to implement intensive sanction and probation
18 supervision programs and other basic services as defined
19 in this Act.

20 (c) 100% of the salary for all secure detention
21 personnel and non-secure group home personnel approved for
22 reimbursement after December 1, 1990. For all such
23 positions approved for reimbursement before December 1,
24 1990, the counties shall be reimbursed \$1,250 per month
25 beginning July 1, 1995, and an additional \$250 per month
26 beginning each July 1st thereafter until the positions

1 receive 100% salary reimbursement. Allocation of such
2 positions will be based on comparative need considering
3 capacity, staff/resident ratio, physical plant and
4 program.

5 (d) \$1,000 per month for salaries for the remaining
6 probation officer positions engaged in basic services and
7 new or expanded services. All such positions shall be
8 approved by the division in accordance with this Act and
9 division standards.

10 (e) 100% of the travel expenses in accordance with
11 Division standards for all Probation positions approved
12 under paragraph (b) of subsection 4 of this Section.

13 (f) If the amount of funds reimbursed to the county
14 under paragraphs (a) through (e) of subsection 4 of this
15 Section on an annual basis is less than the amount the
16 county had received during the 12 month period immediately
17 prior to the effective date of this amendatory Act of
18 1985, then the Division shall reimburse the amount of the
19 difference to the county. The effect of paragraph (b) of
20 subsection 7 of this Section shall be considered in
21 implementing this supplemental reimbursement provision.

22 (5) The Division shall provide funds beginning on April 1,
23 1987 for the counties to provide Individualized Services and
24 Programs as provided in Section 16 of this Act.

25 (6) A Probation and Court Services Department in order to
26 be eligible for the reimbursement must submit to the Supreme

1 Court an application containing such information and in such a
2 form and by such dates as the Supreme Court may require.
3 Departments to be eligible for funding must satisfy the
4 following conditions:

5 (a) The Department shall have on file with the Supreme
6 Court an annual Probation plan for continuing, improved,
7 and new Probation and Court Services Programs approved by
8 the Supreme Court or its designee. This plan shall
9 indicate the manner in which Probation and Court Services
10 will be delivered and improved, consistent with the
11 minimum standards and regulations for Probation and Court
12 Services, as established by the Supreme Court. In counties
13 with more than one Probation and Court Services Department
14 eligible to receive funds, all Departments within that
15 county must submit plans which are approved by the Supreme
16 Court.

17 (b) The annual probation plan shall seek to generally
18 improve the quality of probation services and to reduce
19 the commitment of adult offenders to the Department of
20 Corrections and to reduce the commitment of juvenile
21 offenders to the Department of Juvenile Justice and shall
22 require, when appropriate, coordination with the
23 Department of Corrections, the Department of Juvenile
24 Justice, and the Department of Children and Family
25 Services in the development and use of community
26 resources, information systems, case review and permanency

1 planning systems to avoid the duplication of services.

2 (c) The Department shall be in compliance with
3 standards developed by the Supreme Court for basic, new
4 and expanded services, training, personnel hiring and
5 promotion.

6 (d) The Department shall in its annual plan indicate
7 the manner in which it will support the rights of crime
8 victims and in which manner it will implement Article I,
9 Section 8.1 of the Illinois Constitution and in what
10 manner it will coordinate crime victims' support services
11 with other criminal justice agencies within its
12 jurisdiction, including but not limited to, the State's
13 Attorney, the Sheriff and any municipal police department.

14 (7) No statement shall be verified by the Supreme Court or
15 its designee or vouchered by the Comptroller unless each of
16 the following conditions have been met:

17 (a) The probation officer is a full-time employee
18 appointed by the Chief Judge to provide probation services
19 or a part-time employee who serves as a detention officer.

20 (b) The probation officer, in order to be eligible for
21 State reimbursement, is receiving a salary of at least
22 \$17,000 per year, unless serving as a part-time detention
23 officer.

24 (c) The probation officer is appointed or was
25 reappointed in accordance with minimum qualifications or
26 criteria established by the Supreme Court; however, all

1 probation officers appointed prior to January 1, 1978,
2 shall be exempted from the minimum requirements
3 established by the Supreme Court. Payments shall be made
4 to counties employing these exempted probation officers as
5 long as they are employed in the position held on the
6 effective date of this amendatory Act of 1985. Promotions
7 shall be governed by minimum qualifications established by
8 the Supreme Court.

9 (d) The Department has an established compensation
10 schedule approved by the Supreme Court. The compensation
11 schedule shall include salary ranges with necessary
12 increments to compensate each employee. The increments
13 shall, within the salary ranges, be based on such factors
14 as bona fide occupational qualifications, performance, and
15 length of service. Each position in the Department shall
16 be placed on the compensation schedule according to job
17 duties and responsibilities of such position. The policy
18 and procedures of the compensation schedule shall be made
19 available to each employee.

20 (8) In order to obtain full reimbursement of all approved
21 costs, each Department must continue to employ at least the
22 same number of probation officers and probation managers as
23 were authorized for employment for the fiscal year which
24 includes January 1, 1985. This number shall be designated as
25 the base amount of the Department. No positions approved by
26 the Division under paragraph (b) of subsection 4 will be

1 included in the base amount. In the event that the Department
2 employs fewer Probation officers and Probation managers than
3 the base amount for a period of 90 days, funding received by
4 the Department under subsection 4 of this Section may be
5 reduced on a monthly basis by the amount of the current
6 salaries of any positions below the base amount.

7 (9) Before the 15th day of each month, the treasurer of any
8 county which has a Probation and Court Services Department, or
9 the treasurer of the most populous county, in the case of a
10 Probation or Court Services Department funded by more than one
11 county, shall submit an itemized statement of all approved
12 costs incurred in the delivery of Basic Probation and Court
13 Services under this Act to the Supreme Court. The treasurer
14 may also submit an itemized statement of all approved costs
15 incurred in the delivery of new and expanded Probation and
16 Court Services as well as Individualized Services and
17 Programs. The Supreme Court or its designee shall verify
18 compliance with this Section and shall examine and audit the
19 monthly statement and, upon finding them to be correct, shall
20 forward them to the Comptroller for payment to the county
21 treasurer. In the case of payment to a treasurer of a county
22 which is the most populous of counties sharing the salary and
23 expenses of a Probation and Court Services Department, the
24 treasurer shall divide the money between the counties in a
25 manner that reflects each county's share of the cost incurred
26 by the Department.

1 (10) The county treasurer must certify that funds received
2 under this Section shall be used solely to maintain and
3 improve Probation and Court Services. The county or circuit
4 shall remain in compliance with all standards, policies and
5 regulations established by the Supreme Court. If at any time
6 the Supreme Court determines that a county or circuit is not in
7 compliance, the Supreme Court shall immediately notify the
8 Chief Judge, county board chairman and the Director of Court
9 Services Chief Probation Officer. If after 90 days of written
10 notice the noncompliance still exists, the Supreme Court shall
11 be required to reduce the amount of monthly reimbursement by
12 10%. An additional 10% reduction of monthly reimbursement
13 shall occur for each consecutive month of noncompliance.
14 Except as provided in subsection 5 of Section 15, funding to
15 counties shall commence on April 1, 1986. Funds received under
16 this Act shall be used to provide for Probation Department
17 expenses including those required under Section 13 of this
18 Act. The Mandatory Arbitration Fund may be used to provide for
19 Probation Department expenses, including those required under
20 Section 13 of this Act.

21 (11) The respective counties shall be responsible for
22 capital and space costs, fringe benefits, clerical costs,
23 equipment, telecommunications, postage, commodities and
24 printing.

25 (12) For purposes of this Act only, probation officers
26 shall be considered peace officers. In the exercise of their

1 official duties, probation officers, sheriffs, and police
2 officers may, anywhere within the State, arrest any
3 probationer who is in violation of any of the conditions of his
4 or her probation, conditional discharge, or supervision, and
5 it shall be the duty of the officer making the arrest to take
6 the probationer before the Court having jurisdiction over the
7 probationer for further order.

8 (Source: P.A. 100-91, eff. 8-11-17.)

9 Section 5-120. The Revised Uniform Unclaimed Property Act
10 is amended by changing Section 15-801 as follows:

11 (765 ILCS 1026/15-801)

12 Sec. 15-801. Deposit of funds by administrator.

13 (a) Except as otherwise provided in this Section, the
14 administrator shall deposit in the Unclaimed Property Trust
15 Fund all funds received under this Act, including proceeds
16 from the sale of property under Article 7. The administrator
17 may deposit any amount in the Unclaimed Property Trust Fund
18 into the State Pensions Fund during the fiscal year at his or
19 her discretion; however, he or she shall, on April 15 and
20 October 15 of each year, deposit any amount in the Unclaimed
21 Property Trust Fund exceeding \$2,500,000 into the State
22 Pensions Fund. If on either April 15 or October 15, the
23 administrator determines that a balance of \$2,500,000 is
24 insufficient for the prompt payment of unclaimed property

1 claims authorized under this Act, the administrator may retain
2 more than \$2,500,000 in the Unclaimed Property Trust Fund in
3 order to ensure the prompt payment of claims. Beginning in
4 State fiscal year 2024 ~~2023~~, all amounts that are deposited
5 into the State Pensions Fund from the Unclaimed Property Trust
6 Fund shall be apportioned to the designated retirement systems
7 as provided in subsection (c-6) of Section 8.12 of the State
8 Finance Act to reduce their actuarial reserve deficiencies.

9 (b) The administrator shall make prompt payment of claims
10 he or she duly allows as provided for in this Act from the
11 Unclaimed Property Trust Fund. This shall constitute an
12 irrevocable and continuing appropriation of all amounts in the
13 Unclaimed Property Trust Fund necessary to make prompt payment
14 of claims duly allowed by the administrator pursuant to this
15 Act.

16 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;
17 102-16, eff. 6-17-21.)

18 ARTICLE 10.

19 Section 10-5. The Illinois Administrative Procedure Act is
20 amended by adding Sections 5-45.21, 5-45.22, 5-45.23, and
21 5-45.26 as follows:

22 (5 ILCS 100/5-45.21 new)

23 Sec. 5-45.21. Emergency rulemaking; Mental Health and

1 Developmental Disabilities Administrative Act. To provide for
2 the expeditious and timely implementation of the changes made
3 to Section 74 of the Mental Health and Developmental
4 Disabilities Administrative Act by this amendatory Act of the
5 102nd General Assembly, emergency rules implementing the
6 changes made to Section 74 of the Mental Health and
7 Developmental Disabilities Administrative Act by this
8 amendatory Act of the 102nd General Assembly may be adopted in
9 accordance with Section 5-45 by the Department of Human
10 Services or other department essential to the implementation
11 of the changes. The adoption of emergency rules authorized by
12 Section 5-45 and this Section is deemed to be necessary for the
13 public interest, safety, and welfare.

14 This Section is repealed one year after the effective date
15 of this amendatory Act of the 102nd General Assembly.

16 (5 ILCS 100/5-45.22 new)

17 Sec. 5-45.22. Emergency rulemaking; Illinois Public Aid
18 Code. To provide for the expeditious and timely implementation
19 of the changes made to Article 5 of the Illinois Public Aid
20 Code by this amendatory Act of the 102nd General Assembly,
21 emergency rules implementing the changes made to Article 5 of
22 the Illinois Public Aid Code by this amendatory Act of the
23 102nd General Assembly may be adopted in accordance with
24 Section 5-45 by the Department of Healthcare and Family
25 Services or other department essential to the implementation

1 of the changes. The adoption of emergency rules authorized by
2 Section 5-45 and this Section is deemed to be necessary for the
3 public interest, safety, and welfare.

4 This Section is repealed one year after the effective date
5 of this amendatory Act of the 102nd General Assembly.

6 (5 ILCS 100/5-45.23 new)

7 Sec. 5-45.23. Emergency rulemaking; Medical services for
8 certain noncitizens. To provide for the expeditious and timely
9 implementation of the changes made to Article 12 of the
10 Illinois Public Aid Code by this amendatory Act of the 102nd
11 General Assembly, emergency rules implementing the changes
12 made to Section 12-4.35 of the Illinois Public Aid Code by this
13 amendatory Act of the 102nd General Assembly may be adopted in
14 accordance with Section 5-45 by the Department of Healthcare
15 and Family Services. The adoption of emergency rules
16 authorized by Section 5-45 and this Section is deemed to be
17 necessary for the public interest, safety, and welfare.

18 This Section is repealed one year after the effective date
19 of this amendatory Act of the 102nd General Assembly.

20 (5 ILCS 100/5-45.26 new)

21 Sec. 5-45.26. Emergency rulemaking. To provide for the
22 expeditious and timely implementation of this amendatory Act
23 of the 102nd General Assembly, emergency rules implementing
24 Sections 605-1095 and 605-1100 of the Department of Commerce

1 and Economic Opportunity Law of the Civil Administrative Code
2 of Illinois may be adopted in accordance with Section 5-45 by
3 the Department of Commerce and Economic Opportunity. The
4 adoption of emergency rules authorized by Section 5-45 and
5 this Section is deemed to be necessary for the public
6 interest, safety, and welfare.

7 This Section is repealed one year after the effective date
8 of this amendatory Act of the 102nd General Assembly.

9 Section 10-10. The Mental Health and Developmental
10 Disabilities Administrative Act is amended by changing Section
11 74 as follows:

12 (20 ILCS 1705/74)

13 Sec. 74. Rates and reimbursements.

14 (a) Within 30 days after July 6, 2017 (the effective date
15 of Public Act 100-23), the Department shall increase rates and
16 reimbursements to fund a minimum of a \$0.75 per hour wage
17 increase for front-line personnel, including, but not limited
18 to, direct support persons, aides, front-line supervisors,
19 qualified intellectual disabilities professionals, nurses, and
20 non-administrative support staff working in community-based
21 provider organizations serving individuals with developmental
22 disabilities. The Department shall adopt rules, including
23 emergency rules under subsection (y) of Section 5-45 of the
24 Illinois Administrative Procedure Act, to implement the

1 provisions of this Section.

2 (b) Rates and reimbursements. Within 30 days after the
3 effective date of this amendatory Act of the 100th General
4 Assembly, the Department shall increase rates and
5 reimbursements to fund a minimum of a \$0.50 per hour wage
6 increase for front-line personnel, including, but not limited
7 to, direct support persons, aides, front-line supervisors,
8 qualified intellectual disabilities professionals, nurses, and
9 non-administrative support staff working in community-based
10 provider organizations serving individuals with developmental
11 disabilities. The Department shall adopt rules, including
12 emergency rules under subsection (bb) of Section 5-45 of the
13 Illinois Administrative Procedure Act, to implement the
14 provisions of this Section.

15 (c) Rates and reimbursements. Within 30 days after the
16 effective date of this amendatory Act of the 101st General
17 Assembly, subject to federal approval, the Department shall
18 increase rates and reimbursements in effect on June 30, 2019
19 for community-based providers for persons with Developmental
20 Disabilities by 3.5% The Department shall adopt rules,
21 including emergency rules under subsection (jj) of Section
22 5-45 of the Illinois Administrative Procedure Act, to
23 implement the provisions of this Section, including wage
24 increases for direct care staff.

25 (d) For community-based providers serving persons with
26 intellectual/developmental disabilities, subject to federal

1 approval of any relevant Waiver Amendment, the rates taking
2 effect for services delivered on or after January 1, 2022,
3 shall include an increase in the rate methodology sufficient
4 to provide a \$1.50 per hour wage increase for direct support
5 personnel in residential settings and sufficient to provide
6 wages for all residential non-executive direct care staff,
7 excluding direct support personnel, at the federal Department
8 of Labor, Bureau of Labor Statistics' average wage as defined
9 in rule by the Department.

10 The establishment of and any changes to the rate
11 methodologies for community-based services provided to persons
12 with intellectual/developmental disabilities are subject to
13 federal approval of any relevant Waiver Amendment and shall be
14 defined in rule by the Department. The Department shall adopt
15 rules, including emergency rules as authorized by Section 5-45
16 of the Illinois Administrative Procedure Act, to implement the
17 provisions of this subsection (d).

18 (e) For community-based providers serving persons with
19 intellectual/developmental disabilities, subject to federal
20 approval of any relevant Waiver Amendment, the rates taking
21 effect for services delivered on or after January 1, 2023,
22 shall include an increase in the rate methodology sufficient
23 to provide a \$1.00 per hour wage increase for all direct
24 support personnel and all other frontline personnel who are
25 not subject to the Bureau of Labor Statistics' average wage
26 increases, who work in residential and community day services

1 settings, with at least \$0.50 of those funds to be provided as
2 a direct increase to base wages, with the remaining \$0.50 to be
3 used flexibly for base wage increases. In addition, the rates
4 taking effect for services delivered on or after January 1,
5 2023 shall include an increase sufficient to provide wages for
6 all residential non-executive direct care staff, excluding
7 direct support personnel, at the federal Department of Labor,
8 Bureau of Labor Statistics' average wage as defined in rule by
9 the Department.

10 The establishment of and any changes to the rate
11 methodologies for community-based services provided to persons
12 with intellectual/developmental disabilities are subject to
13 federal approval of any relevant Waiver Amendment and shall be
14 defined in rule by the Department. The Department shall adopt
15 rules, including emergency rules as authorized by Section 5-45
16 of the Illinois Administrative Procedure Act, to implement the
17 provisions of this subsection.

18 (Source: P.A. 101-10, eff. 6-5-19; 102-16, eff. 6-17-21.)

19 Section 10-15. The Illinois Public Aid Code is amended by
20 changing Sections 3-2.6 and 5-5.4 as follows:

21 (305 ILCS 5/3-2.6)

22 Sec. 3-2.6. Sheltered care rates. The Department of Human
23 Services shall increase the sheltered care rates in effect on
24 June 30, 2022 ~~2008~~, by 10%.

1 (Source: P.A. 95-780, eff. 8-5-08.)

2 (305 ILCS 5/5-5.4) (from Ch. 23, par. 5-5.4)

3 Sec. 5-5.4. Standards of Payment - Department of
4 Healthcare and Family Services. The Department of Healthcare
5 and Family Services shall develop standards of payment of
6 nursing facility and ICF/DD services in facilities providing
7 such services under this Article which:

8 (1) Provide for the determination of a facility's payment
9 for nursing facility or ICF/DD services on a prospective
10 basis. The amount of the payment rate for all nursing
11 facilities certified by the Department of Public Health under
12 the ID/DD Community Care Act or the Nursing Home Care Act as
13 Intermediate Care for the Developmentally Disabled facilities,
14 Long Term Care for Under Age 22 facilities, Skilled Nursing
15 facilities, or Intermediate Care facilities under the medical
16 assistance program shall be prospectively established annually
17 on the basis of historical, financial, and statistical data
18 reflecting actual costs from prior years, which shall be
19 applied to the current rate year and updated for inflation,
20 except that the capital cost element for newly constructed
21 facilities shall be based upon projected budgets. The annually
22 established payment rate shall take effect on July 1 in 1984
23 and subsequent years. No rate increase and no update for
24 inflation shall be provided on or after July 1, 1994, unless
25 specifically provided for in this Section. The changes made by

1 Public Act 93-841 extending the duration of the prohibition
2 against a rate increase or update for inflation are effective
3 retroactive to July 1, 2004.

4 For facilities licensed by the Department of Public Health
5 under the Nursing Home Care Act as Intermediate Care for the
6 Developmentally Disabled facilities or Long Term Care for
7 Under Age 22 facilities, the rates taking effect on July 1,
8 1998 shall include an increase of 3%. For facilities licensed
9 by the Department of Public Health under the Nursing Home Care
10 Act as Skilled Nursing facilities or Intermediate Care
11 facilities, the rates taking effect on July 1, 1998 shall
12 include an increase of 3% plus \$1.10 per resident-day, as
13 defined by the Department. For facilities licensed by the
14 Department of Public Health under the Nursing Home Care Act as
15 Intermediate Care Facilities for the Developmentally Disabled
16 or Long Term Care for Under Age 22 facilities, the rates taking
17 effect on January 1, 2006 shall include an increase of 3%. For
18 facilities licensed by the Department of Public Health under
19 the Nursing Home Care Act as Intermediate Care Facilities for
20 the Developmentally Disabled or Long Term Care for Under Age
21 22 facilities, the rates taking effect on January 1, 2009
22 shall include an increase sufficient to provide a \$0.50 per
23 hour wage increase for non-executive staff. For facilities
24 licensed by the Department of Public Health under the ID/DD
25 Community Care Act as ID/DD Facilities the rates taking effect
26 within 30 days after July 6, 2017 (the effective date of Public

1 Act 100-23) shall include an increase sufficient to provide a
2 \$0.75 per hour wage increase for non-executive staff. The
3 Department shall adopt rules, including emergency rules under
4 subsection (y) of Section 5-45 of the Illinois Administrative
5 Procedure Act, to implement the provisions of this paragraph.
6 For facilities licensed by the Department of Public Health
7 under the ID/DD Community Care Act as ID/DD Facilities and
8 under the MC/DD Act as MC/DD Facilities, the rates taking
9 effect within 30 days after the effective date of this
10 amendatory Act of the 100th General Assembly shall include an
11 increase sufficient to provide a \$0.50 per hour wage increase
12 for non-executive front-line personnel, including, but not
13 limited to, direct support persons, aides, front-line
14 supervisors, qualified intellectual disabilities
15 professionals, nurses, and non-administrative support staff.
16 The Department shall adopt rules, including emergency rules
17 under subsection (bb) of Section 5-45 of the Illinois
18 Administrative Procedure Act, to implement the provisions of
19 this paragraph.

20 For facilities licensed by the Department of Public Health
21 under the Nursing Home Care Act as Intermediate Care for the
22 Developmentally Disabled facilities or Long Term Care for
23 Under Age 22 facilities, the rates taking effect on July 1,
24 1999 shall include an increase of 1.6% plus \$3.00 per
25 resident-day, as defined by the Department. For facilities
26 licensed by the Department of Public Health under the Nursing

1 Home Care Act as Skilled Nursing facilities or Intermediate
2 Care facilities, the rates taking effect on July 1, 1999 shall
3 include an increase of 1.6% and, for services provided on or
4 after October 1, 1999, shall be increased by \$4.00 per
5 resident-day, as defined by the Department.

6 For facilities licensed by the Department of Public Health
7 under the Nursing Home Care Act as Intermediate Care for the
8 Developmentally Disabled facilities or Long Term Care for
9 Under Age 22 facilities, the rates taking effect on July 1,
10 2000 shall include an increase of 2.5% per resident-day, as
11 defined by the Department. For facilities licensed by the
12 Department of Public Health under the Nursing Home Care Act as
13 Skilled Nursing facilities or Intermediate Care facilities,
14 the rates taking effect on July 1, 2000 shall include an
15 increase of 2.5% per resident-day, as defined by the
16 Department.

17 For facilities licensed by the Department of Public Health
18 under the Nursing Home Care Act as skilled nursing facilities
19 or intermediate care facilities, a new payment methodology
20 must be implemented for the nursing component of the rate
21 effective July 1, 2003. The Department of Public Aid (now
22 Healthcare and Family Services) shall develop the new payment
23 methodology using the Minimum Data Set (MDS) as the instrument
24 to collect information concerning nursing home resident
25 condition necessary to compute the rate. The Department shall
26 develop the new payment methodology to meet the unique needs

1 of Illinois nursing home residents while remaining subject to
2 the appropriations provided by the General Assembly. A
3 transition period from the payment methodology in effect on
4 June 30, 2003 to the payment methodology in effect on July 1,
5 2003 shall be provided for a period not exceeding 3 years and
6 184 days after implementation of the new payment methodology
7 as follows:

8 (A) For a facility that would receive a lower nursing
9 component rate per patient day under the new system than
10 the facility received effective on the date immediately
11 preceding the date that the Department implements the new
12 payment methodology, the nursing component rate per
13 patient day for the facility shall be held at the level in
14 effect on the date immediately preceding the date that the
15 Department implements the new payment methodology until a
16 higher nursing component rate of reimbursement is achieved
17 by that facility.

18 (B) For a facility that would receive a higher nursing
19 component rate per patient day under the payment
20 methodology in effect on July 1, 2003 than the facility
21 received effective on the date immediately preceding the
22 date that the Department implements the new payment
23 methodology, the nursing component rate per patient day
24 for the facility shall be adjusted.

25 (C) Notwithstanding paragraphs (A) and (B), the
26 nursing component rate per patient day for the facility

1 shall be adjusted subject to appropriations provided by
2 the General Assembly.

3 For facilities licensed by the Department of Public Health
4 under the Nursing Home Care Act as Intermediate Care for the
5 Developmentally Disabled facilities or Long Term Care for
6 Under Age 22 facilities, the rates taking effect on March 1,
7 2001 shall include a statewide increase of 7.85%, as defined
8 by the Department.

9 Notwithstanding any other provision of this Section, for
10 facilities licensed by the Department of Public Health under
11 the Nursing Home Care Act as skilled nursing facilities or
12 intermediate care facilities, except facilities participating
13 in the Department's demonstration program pursuant to the
14 provisions of Title 77, Part 300, Subpart T of the Illinois
15 Administrative Code, the numerator of the ratio used by the
16 Department of Healthcare and Family Services to compute the
17 rate payable under this Section using the Minimum Data Set
18 (MDS) methodology shall incorporate the following annual
19 amounts as the additional funds appropriated to the Department
20 specifically to pay for rates based on the MDS nursing
21 component methodology in excess of the funding in effect on
22 December 31, 2006:

23 (i) For rates taking effect January 1, 2007,
24 \$60,000,000.

25 (ii) For rates taking effect January 1, 2008,
26 \$110,000,000.

1 (iii) For rates taking effect January 1, 2009,
2 \$194,000,000.

3 (iv) For rates taking effect April 1, 2011, or the
4 first day of the month that begins at least 45 days after
5 the effective date of this amendatory Act of the 96th
6 General Assembly, \$416,500,000 or an amount as may be
7 necessary to complete the transition to the MDS
8 methodology for the nursing component of the rate.
9 Increased payments under this item (iv) are not due and
10 payable, however, until (i) the methodologies described in
11 this paragraph are approved by the federal government in
12 an appropriate State Plan amendment and (ii) the
13 assessment imposed by Section 5B-2 of this Code is
14 determined to be a permissible tax under Title XIX of the
15 Social Security Act.

16 Notwithstanding any other provision of this Section, for
17 facilities licensed by the Department of Public Health under
18 the Nursing Home Care Act as skilled nursing facilities or
19 intermediate care facilities, the support component of the
20 rates taking effect on January 1, 2008 shall be computed using
21 the most recent cost reports on file with the Department of
22 Healthcare and Family Services no later than April 1, 2005,
23 updated for inflation to January 1, 2006.

24 For facilities licensed by the Department of Public Health
25 under the Nursing Home Care Act as Intermediate Care for the
26 Developmentally Disabled facilities or Long Term Care for

1 Under Age 22 facilities, the rates taking effect on April 1,
2 2002 shall include a statewide increase of 2.0%, as defined by
3 the Department. This increase terminates on July 1, 2002;
4 beginning July 1, 2002 these rates are reduced to the level of
5 the rates in effect on March 31, 2002, as defined by the
6 Department.

7 For facilities licensed by the Department of Public Health
8 under the Nursing Home Care Act as skilled nursing facilities
9 or intermediate care facilities, the rates taking effect on
10 July 1, 2001 shall be computed using the most recent cost
11 reports on file with the Department of Public Aid no later than
12 April 1, 2000, updated for inflation to January 1, 2001. For
13 rates effective July 1, 2001 only, rates shall be the greater
14 of the rate computed for July 1, 2001 or the rate effective on
15 June 30, 2001.

16 Notwithstanding any other provision of this Section, for
17 facilities licensed by the Department of Public Health under
18 the Nursing Home Care Act as skilled nursing facilities or
19 intermediate care facilities, the Illinois Department shall
20 determine by rule the rates taking effect on July 1, 2002,
21 which shall be 5.9% less than the rates in effect on June 30,
22 2002.

23 Notwithstanding any other provision of this Section, for
24 facilities licensed by the Department of Public Health under
25 the Nursing Home Care Act as skilled nursing facilities or
26 intermediate care facilities, if the payment methodologies

1 required under Section 5A-12 and the waiver granted under 42
2 CFR 433.68 are approved by the United States Centers for
3 Medicare and Medicaid Services, the rates taking effect on
4 July 1, 2004 shall be 3.0% greater than the rates in effect on
5 June 30, 2004. These rates shall take effect only upon
6 approval and implementation of the payment methodologies
7 required under Section 5A-12.

8 Notwithstanding any other provisions of this Section, for
9 facilities licensed by the Department of Public Health under
10 the Nursing Home Care Act as skilled nursing facilities or
11 intermediate care facilities, the rates taking effect on
12 January 1, 2005 shall be 3% more than the rates in effect on
13 December 31, 2004.

14 Notwithstanding any other provision of this Section, for
15 facilities licensed by the Department of Public Health under
16 the Nursing Home Care Act as skilled nursing facilities or
17 intermediate care facilities, effective January 1, 2009, the
18 per diem support component of the rates effective on January
19 1, 2008, computed using the most recent cost reports on file
20 with the Department of Healthcare and Family Services no later
21 than April 1, 2005, updated for inflation to January 1, 2006,
22 shall be increased to the amount that would have been derived
23 using standard Department of Healthcare and Family Services
24 methods, procedures, and inflators.

25 Notwithstanding any other provisions of this Section, for
26 facilities licensed by the Department of Public Health under

1 the Nursing Home Care Act as intermediate care facilities that
2 are federally defined as Institutions for Mental Disease, or
3 facilities licensed by the Department of Public Health under
4 the Specialized Mental Health Rehabilitation Act of 2013, a
5 socio-development component rate equal to 6.6% of the
6 facility's nursing component rate as of January 1, 2006 shall
7 be established and paid effective July 1, 2006. The
8 socio-development component of the rate shall be increased by
9 a factor of 2.53 on the first day of the month that begins at
10 least 45 days after January 11, 2008 (the effective date of
11 Public Act 95-707). As of August 1, 2008, the
12 socio-development component rate shall be equal to 6.6% of the
13 facility's nursing component rate as of January 1, 2006,
14 multiplied by a factor of 3.53. For services provided on or
15 after April 1, 2011, or the first day of the month that begins
16 at least 45 days after the effective date of this amendatory
17 Act of the 96th General Assembly, whichever is later, the
18 Illinois Department may by rule adjust these socio-development
19 component rates, and may use different adjustment
20 methodologies for those facilities participating, and those
21 not participating, in the Illinois Department's demonstration
22 program pursuant to the provisions of Title 77, Part 300,
23 Subpart T of the Illinois Administrative Code, but in no case
24 may such rates be diminished below those in effect on August 1,
25 2008.

26 For facilities licensed by the Department of Public Health

1 under the Nursing Home Care Act as Intermediate Care for the
2 Developmentally Disabled facilities or as long-term care
3 facilities for residents under 22 years of age, the rates
4 taking effect on July 1, 2003 shall include a statewide
5 increase of 4%, as defined by the Department.

6 For facilities licensed by the Department of Public Health
7 under the Nursing Home Care Act as Intermediate Care for the
8 Developmentally Disabled facilities or Long Term Care for
9 Under Age 22 facilities, the rates taking effect on the first
10 day of the month that begins at least 45 days after the
11 effective date of this amendatory Act of the 95th General
12 Assembly shall include a statewide increase of 2.5%, as
13 defined by the Department.

14 Notwithstanding any other provision of this Section, for
15 facilities licensed by the Department of Public Health under
16 the Nursing Home Care Act as skilled nursing facilities or
17 intermediate care facilities, effective January 1, 2005,
18 facility rates shall be increased by the difference between
19 (i) a facility's per diem property, liability, and malpractice
20 insurance costs as reported in the cost report filed with the
21 Department of Public Aid and used to establish rates effective
22 July 1, 2001 and (ii) those same costs as reported in the
23 facility's 2002 cost report. These costs shall be passed
24 through to the facility without caps or limitations, except
25 for adjustments required under normal auditing procedures.

26 Rates established effective each July 1 shall govern

1 payment for services rendered throughout that fiscal year,
2 except that rates established on July 1, 1996 shall be
3 increased by 6.8% for services provided on or after January 1,
4 1997. Such rates will be based upon the rates calculated for
5 the year beginning July 1, 1990, and for subsequent years
6 thereafter until June 30, 2001 shall be based on the facility
7 cost reports for the facility fiscal year ending at any point
8 in time during the previous calendar year, updated to the
9 midpoint of the rate year. The cost report shall be on file
10 with the Department no later than April 1 of the current rate
11 year. Should the cost report not be on file by April 1, the
12 Department shall base the rate on the latest cost report filed
13 by each skilled care facility and intermediate care facility,
14 updated to the midpoint of the current rate year. In
15 determining rates for services rendered on and after July 1,
16 1985, fixed time shall not be computed at less than zero. The
17 Department shall not make any alterations of regulations which
18 would reduce any component of the Medicaid rate to a level
19 below what that component would have been utilizing in the
20 rate effective on July 1, 1984.

21 (2) Shall take into account the actual costs incurred by
22 facilities in providing services for recipients of skilled
23 nursing and intermediate care services under the medical
24 assistance program.

25 (3) Shall take into account the medical and psycho-social
26 characteristics and needs of the patients.

1 (4) Shall take into account the actual costs incurred by
2 facilities in meeting licensing and certification standards
3 imposed and prescribed by the State of Illinois, any of its
4 political subdivisions or municipalities and by the U.S.
5 Department of Health and Human Services pursuant to Title XIX
6 of the Social Security Act.

7 The Department of Healthcare and Family Services shall
8 develop precise standards for payments to reimburse nursing
9 facilities for any utilization of appropriate rehabilitative
10 personnel for the provision of rehabilitative services which
11 is authorized by federal regulations, including reimbursement
12 for services provided by qualified therapists or qualified
13 assistants, and which is in accordance with accepted
14 professional practices. Reimbursement also may be made for
15 utilization of other supportive personnel under appropriate
16 supervision.

17 The Department shall develop enhanced payments to offset
18 the additional costs incurred by a facility serving
19 exceptional need residents and shall allocate at least
20 \$4,000,000 of the funds collected from the assessment
21 established by Section 5B-2 of this Code for such payments.
22 For the purpose of this Section, "exceptional needs" means,
23 but need not be limited to, ventilator care and traumatic
24 brain injury care. The enhanced payments for exceptional need
25 residents under this paragraph are not due and payable,
26 however, until (i) the methodologies described in this

1 paragraph are approved by the federal government in an
2 appropriate State Plan amendment and (ii) the assessment
3 imposed by Section 5B-2 of this Code is determined to be a
4 permissible tax under Title XIX of the Social Security Act.

5 Beginning January 1, 2014 the methodologies for
6 reimbursement of nursing facility services as provided under
7 this Section 5-5.4 shall no longer be applicable for services
8 provided on or after January 1, 2014.

9 No payment increase under this Section for the MDS
10 methodology, exceptional care residents, or the
11 socio-development component rate established by Public Act
12 96-1530 of the 96th General Assembly and funded by the
13 assessment imposed under Section 5B-2 of this Code shall be
14 due and payable until after the Department notifies the
15 long-term care providers, in writing, that the payment
16 methodologies to long-term care providers required under this
17 Section have been approved by the Centers for Medicare and
18 Medicaid Services of the U.S. Department of Health and Human
19 Services and the waivers under 42 CFR 433.68 for the
20 assessment imposed by this Section, if necessary, have been
21 granted by the Centers for Medicare and Medicaid Services of
22 the U.S. Department of Health and Human Services. Upon
23 notification to the Department of approval of the payment
24 methodologies required under this Section and the waivers
25 granted under 42 CFR 433.68, all increased payments otherwise
26 due under this Section prior to the date of notification shall

1 be due and payable within 90 days of the date federal approval
2 is received.

3 On and after July 1, 2012, the Department shall reduce any
4 rate of reimbursement for services or other payments or alter
5 any methodologies authorized by this Code to reduce any rate
6 of reimbursement for services or other payments in accordance
7 with Section 5-5e.

8 For facilities licensed by the Department of Public Health
9 under the ID/DD Community Care Act as ID/DD Facilities and
10 under the MC/DD Act as MC/DD Facilities, subject to federal
11 approval, the rates taking effect for services delivered on or
12 after August 1, 2019 shall be increased by 3.5% over the rates
13 in effect on June 30, 2019. The Department shall adopt rules,
14 including emergency rules under subsection (ii) of Section
15 5-45 of the Illinois Administrative Procedure Act, to
16 implement the provisions of this Section, including wage
17 increases for direct care staff.

18 For facilities licensed by the Department of Public Health
19 under the ID/DD Community Care Act as ID/DD Facilities and
20 under the MC/DD Act as MC/DD Facilities, subject to federal
21 approval, the rates taking effect on the latter of the
22 approval date of the State Plan Amendment for these facilities
23 or the Waiver Amendment for the home and community-based
24 services settings shall include an increase sufficient to
25 provide a \$0.26 per hour wage increase to the base wage for
26 non-executive staff. The Department shall adopt rules,

1 including emergency rules as authorized by Section 5-45 of the
2 Illinois Administrative Procedure Act, to implement the
3 provisions of this Section, including wage increases for
4 direct care staff.

5 For facilities licensed by the Department of Public Health
6 under the ID/DD Community Care Act as ID/DD Facilities and
7 under the MC/DD Act as MC/DD Facilities, subject to federal
8 approval of the State Plan Amendment and the Waiver Amendment
9 for the home and community-based services settings, the rates
10 taking effect for the services delivered on or after July 1,
11 2020 shall include an increase sufficient to provide a \$1.00
12 per hour wage increase for non-executive staff. For services
13 delivered on or after January 1, 2021, subject to federal
14 approval of the State Plan Amendment and the Waiver Amendment
15 for the home and community-based services settings, shall
16 include an increase sufficient to provide a \$0.50 per hour
17 increase for non-executive staff. The Department shall adopt
18 rules, including emergency rules as authorized by Section 5-45
19 of the Illinois Administrative Procedure Act, to implement the
20 provisions of this Section, including wage increases for
21 direct care staff.

22 For facilities licensed by the Department of Public Health
23 under the ID/DD Community Care Act as ID/DD Facilities and
24 under the MC/DD Act as MC/DD Facilities, subject to federal
25 approval of the State Plan Amendment, the rates taking effect
26 for the residential services delivered on or after July 1,

1 2021, shall include an increase sufficient to provide a \$0.50
2 per hour increase for aides in the rate methodology. For
3 facilities licensed by the Department of Public Health under
4 the ID/DD Community Care Act as ID/DD Facilities and under the
5 MC/DD Act as MC/DD Facilities, subject to federal approval of
6 the State Plan Amendment, the rates taking effect for the
7 residential services delivered on or after January 1, 2022
8 shall include an increase sufficient to provide a \$1.00 per
9 hour increase for aides in the rate methodology. In addition,
10 for residential services delivered on or after January 1, 2022
11 such rates shall include an increase sufficient to provide
12 wages for all residential non-executive direct care staff,
13 excluding aides, at the federal Department of Labor, Bureau of
14 Labor Statistics' average wage as defined in rule by the
15 Department. The Department shall adopt rules, including
16 emergency rules as authorized by Section 5-45 of the Illinois
17 Administrative Procedure Act, to implement the provisions of
18 this Section.

19 For facilities licensed by the Department of Public Health
20 under the ID/DD Community Care Act as ID/DD facilities and
21 under the MC/DD Act as MC/DD facilities, subject to federal
22 approval of the State Plan Amendment, the rates taking effect
23 for services delivered on or after January 1, 2023, shall
24 include a \$1.00 per hour wage increase for all direct support
25 personnel and all other frontline personnel who are not
26 subject to the Bureau of Labor Statistics' average wage

1 increases, who work in residential and community day services
2 settings, with at least \$0.50 of those funds to be provided as
3 a direct increase to all aide base wages, with the remaining
4 \$0.50 to be used flexibly for base wage increases to the rate
5 methodology for aides. In addition, for residential services
6 delivered on or after January 1, 2023 the rates shall include
7 an increase sufficient to provide wages for all residential
8 non-executive direct care staff, excluding aides, at the
9 federal Department of Labor, Bureau of Labor Statistics'
10 average wage as determined by the Department. Also, for
11 services delivered on or after January 1, 2023, the rates will
12 include adjustments to employment-related expenses as defined
13 in rule by the Department. The Department shall adopt rules,
14 including emergency rules as authorized by Section 5-45 of the
15 Illinois Administrative Procedure Act, to implement the
16 provisions of this Section.

17 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;
18 102-16, eff. 6-17-21.)

19 ARTICLE 15.

20 Section 15-2. The Counties Code is amended by adding
21 Section 3-6007.5 as follows:

22 (55 ILCS 5/3-6007.5 new)

23 Sec. 3-6007.5. Sheriff's salary.

1 (a) As used in this Section, "salary" is exclusive of any
2 other compensation or benefits.

3 (b) The salary of a sheriff elected or appointed after the
4 effective date of this amendatory Act of the 102nd General
5 Assembly in a non-home rule county shall not be less than 80%
6 of the salary set for the State's Attorney under Section
7 4-2001 for the county in which the sheriff is elected or
8 appointed.

9 (c) The State shall furnish 66 2/3% of the total annual
10 salary to be paid to a sheriff. Said amounts furnished by the
11 State shall be payable monthly by the Department of Revenue
12 out of the Personal Property Tax Replacement Fund or the
13 General Revenue Fund to the county in which the sheriff is
14 elected or appointed. The county shall furnish 33 1/3% of the
15 total annual salary.

16 Section 15-5. The School Code is amended by changing
17 Section 10-22.36 and by adding Section 13-44.6 as follows:

18 (105 ILCS 5/10-22.36) (from Ch. 122, par. 10-22.36)

19 Sec. 10-22.36. Buildings for school purposes.

20 (a) To build or purchase a building for school classroom
21 or instructional purposes upon the approval of a majority of
22 the voters upon the proposition at a referendum held for such
23 purpose or in accordance with Section 17-2.11, 19-3.5, or
24 19-3.10. The board may initiate such referendum by resolution.

1 The board shall certify the resolution and proposition to the
2 proper election authority for submission in accordance with
3 the general election law.

4 The questions of building one or more new buildings for
5 school purposes or office facilities, and issuing bonds for
6 the purpose of borrowing money to purchase one or more
7 buildings or sites for such buildings or office sites, to
8 build one or more new buildings for school purposes or office
9 facilities or to make additions and improvements to existing
10 school buildings, may be combined into one or more
11 propositions on the ballot.

12 Before erecting, or purchasing or remodeling such a
13 building the board shall submit the plans and specifications
14 respecting heating, ventilating, lighting, seating, water
15 supply, toilets and safety against fire to the regional
16 superintendent of schools having supervision and control over
17 the district, for approval in accordance with Section 2-3.12.

18 Notwithstanding any of the foregoing, no referendum shall
19 be required if the purchase, construction, or building of any
20 such building (1) occurs while the building is being leased by
21 the school district or (2) is paid with (A) funds derived from
22 the sale or disposition of other buildings, land, or
23 structures of the school district or (B) funds received (i) as
24 a grant under the School Construction Law or (ii) as gifts or
25 donations, provided that no funds to purchase, construct, or
26 build such building, other than lease payments, are derived

1 from the district's bonded indebtedness or the tax levy of the
2 district.

3 Notwithstanding any of the foregoing, no referendum shall
4 be required if the purchase, construction, or building of any
5 such building is paid with funds received from the County
6 School Facility and Resources Occupation Tax Law under Section
7 5-1006.7 of the Counties Code or from the proceeds of bonds or
8 other debt obligations secured by revenues obtained from that
9 Law.

10 Notwithstanding any of the foregoing, for Decatur School
11 District Number 61, no referendum shall be required if at
12 least 50% of the cost of the purchase, construction, or
13 building of any such building is paid, or will be paid, with
14 funds received or expected to be received as part of, or
15 otherwise derived from, any COVID-19 pandemic relief program
16 or funding source, including, but not limited to, Elementary
17 and Secondary School Emergency Relief Fund grant proceeds.

18 (b) Notwithstanding the provisions of subsection (a), for
19 any school district: (i) that is a tier 1 school, (ii) that has
20 a population of less than 50,000 inhabitants, (iii) whose
21 student population is between 5,800 and 6,300, (iv) in which
22 57% to 62% of students are low-income, and (v) whose average
23 district spending is between \$10,000 to \$12,000 per pupil,
24 until July 1, 2025, no referendum shall be required if at least
25 50% ~~70%~~ of the cost of the purchase, construction, or building
26 of any such building is paid, or will be paid, with funds

1 received or expected to be received as part of, or otherwise
2 derived from, the federal Consolidated Appropriations Act and
3 the federal American Rescue Plan Act of 2021.

4 For this subsection (b), the school board must hold at
5 least 2 public hearings, the sole purpose of which shall be to
6 discuss the decision to construct a school building and to
7 receive input from the community. The notice of each public
8 hearing that sets forth the time, date, place, and name or
9 description of the school building that the school board is
10 considering constructing must be provided at least 10 days
11 prior to the hearing by publication on the school board's
12 Internet website.

13 (Source: P.A. 101-455, eff. 8-23-19; 102-16, eff. 6-17-21.)

14 (105 ILCS 5/13-44.6 new)

15 Sec. 13-44.6. Department of Juvenile Justice Reimbursement
16 and Education Fund; budget. Beginning July 1, 2022, all moneys
17 received by the Department of Juvenile Justice from the Common
18 School Fund, federal aid and grants, vocational and
19 educational funds and grants, and gifts and grants by
20 individuals, foundations and corporations for educational
21 purposes shall be deposited into the Department of Juvenile
22 Justice Reimbursement and Education Fund in the State
23 Treasury. Moneys in the Department of Juvenile Justice
24 Reimbursement and Education Fund may be used, subject to
25 appropriation, to pay the expense of the schools and school

1 district of the Department of Juvenile Justice together with
2 and supplemental to regular appropriations to the Department
3 for educational purposes, including, but not limited to, the
4 cost of teacher salaries, supplies and materials, building
5 upkeep and costs, transportation, scholarships, non-academic
6 salaries, contractual services, equipment, and other school
7 costs.

8 Section 15-10. The Unified Code of Corrections is amended
9 by changing Section 3-4-1 as follows:

10 (730 ILCS 5/3-4-1) (from Ch. 38, par. 1003-4-1)

11 Sec. 3-4-1. Gifts and Grants; Special Trusts Funds;
12 Department of Corrections Reimbursement and Education Fund.

13 (a) The Department may accept, receive and use, for and in
14 behalf of the State, any moneys, goods or services given for
15 general purposes of this Code by the federal government or
16 from any other source, public or private, including
17 collections from inmates, reimbursement of payments under the
18 Workers' Compensation Act, and commissions from inmate collect
19 call telephone systems under an agreement with the Department
20 of Central Management Services. For these purposes the
21 Department may comply with such conditions and enter into such
22 agreements upon such covenants, terms, and conditions as the
23 Department may deem necessary or desirable, if the agreement
24 is not in conflict with State law.

1 (a-5) Beginning January 1, 2018, the Department of Central
2 Management Services shall contract with the qualified vendor
3 who proposes the lowest per minute rate not exceeding 7 cents
4 per minute for debit, prepaid, collect calls and who does not
5 bill to any party any tax, service charge, or additional fee
6 exceeding the per minute rate, including, but not limited to,
7 any per call surcharge, account set up fee, bill statement
8 fee, monthly account maintenance charge, or refund fee as
9 established by the Federal Communications Commission Order for
10 state prisons in the Matter of Rates for Interstate Inmate
11 Calling Services, Second Report and Order, WC Docket 12-375,
12 FCC 15-136 (adopted Oct. 22, 2015). Telephone services made
13 available through a prepaid or collect call system shall
14 include international calls; those calls shall be made
15 available at reasonable rates subject to Federal
16 Communications Commission rules and regulations, but not to
17 exceed 23 cents per minute. Public Act 99-878 ~~This amendatory~~
18 ~~Act of the 99th General Assembly~~ applies to any new or renewal
19 contract for inmate calling services.

20 (b) On July 1, 1998, the Department of Corrections
21 Reimbursement Fund and the Department of Corrections Education
22 Fund shall be combined into a single fund to be known as the
23 Department of Corrections Reimbursement and Education Fund,
24 which is hereby created as a special fund in the State
25 Treasury. The moneys deposited into the Department of
26 Corrections Reimbursement and Education Fund shall be

1 appropriated to the Department of Corrections for the expenses
2 of the Department.

3 The following shall be deposited into the Department of
4 Corrections Reimbursement and Education Fund:

5 (i) Moneys received or recovered by the Department of
6 Corrections as reimbursement for expenses incurred for the
7 incarceration of committed persons.

8 (ii) Moneys received or recovered by the Department as
9 reimbursement of payments made under the Workers'
10 Compensation Act.

11 (iii) Moneys received by the Department as commissions
12 from inmate collect call telephone systems.

13 (iv) Moneys received or recovered by the Department as
14 reimbursement for expenses incurred by the employment of
15 persons referred to the Department as participants in the
16 federal Job Training Partnership Act programs.

17 (v) Federal moneys, including reimbursement and
18 advances for services rendered or to be rendered and
19 moneys for other than educational purposes, under grant or
20 contract.

21 (vi) Moneys identified for deposit into the Fund under
22 Section 13-44.4 of the School Code.

23 (vii) Moneys in the Department of Corrections
24 Reimbursement Fund and the Department of Corrections
25 Education Fund at the close of business on June 30, 1998.

26 (c) The Department of Juvenile Justice Reimbursement and

1 Education Fund is created as a special fund in the State
2 Treasury. The moneys deposited into the Department of Juvenile
3 Justice Reimbursement Fund and Education shall be appropriated
4 to the Department of Juvenile Justice for the expenses of the
5 Department. The following moneys shall be deposited into the
6 Department of Juvenile Justice Reimbursement Fund and
7 Education Fund:

8 (i) received or recovered by the Department of
9 Juvenile Justice as reimbursement for expenses incurred
10 for the incarceration of committed youth;

11 (ii) received or recovered by the Department as
12 reimbursement of payments made under the Workers'
13 Compensation Act;

14 (iii) received or recovered by the Department as
15 reimbursement for expenses incurred by the employment of
16 persons referred to the Department as participants in the
17 federal Job Training Partnership Act programs;

18 (iv) federal moneys, including reimbursement and
19 advances for services rendered or to be rendered and
20 moneys for other than educational purposes, under grant or
21 contract; and

22 (v) moneys identified for deposit into the Fund under
23 Section 13-44.6 ~~13-44.4~~ of the School Code.

24 (Source: P.A. 102-350, eff. 8-13-21.)

1 Section 20-1. Short title. This Article may be cited as
2 the Rebuild Illinois Mental Health Workforce Act. References
3 in this Article to "this Act" mean this Article.

4 Section 20-5. Purpose. The purpose of this Act is to
5 preserve and expand access to Medicaid community mental health
6 care in Illinois to prevent unnecessary hospitalizations and
7 avoid the criminalization of mental health conditions.

8 Section 20-10. Medicaid funding for community mental
9 health services. Medicaid funding for the specific community
10 mental health services listed in this Act shall be adjusted
11 and paid as set forth in this Act. Such payments shall be paid
12 in addition to the base Medicaid reimbursement rate and add-on
13 payment rates per service unit. The payment adjustments shall
14 begin on July 1, 2022 for State Fiscal Year 2023 and shall
15 continue for every State fiscal year thereafter.

16 (1) Individual Therapy Medicaid Payment rate for
17 services provided under the H0004 Code:

18 (A) The Medicaid total payment rate for individual
19 therapy provided by a qualified mental health
20 professional shall be increased by no less than \$9 per
21 service unit.

22 (B) The Medicaid total payment rate for individual
23 therapy provided by a mental health professional shall

1 be increased by no less than \$9 per service unit.

2 (2) Community Support - Individual Medicaid Payment
3 rate for services provided under the H2015 Code: All
4 community support - individual services shall be increased
5 by no less than \$15 per service unit.

6 (3) Case Management Medicaid Add-on Payment for
7 services provided under the T1016 code: All case
8 management services rates shall be increased by no less
9 than \$15 per service unit.

10 (4) Assertive Community Treatment Medicaid Add-on
11 Payment for services provided under the H0039 code: The
12 Medicaid total payment rate for assertive community
13 treatment services shall increase by no less than \$8 per
14 service unit.

15 (5) Medicaid user-based directed payments.

16 (A) For each State fiscal year, a monthly directed
17 payment shall be paid to a community mental health
18 provider of community support team services based on
19 the number of Medicaid users of community support team
20 services documented by Medicaid fee-for-service and
21 managed care encounter claims delivered by that
22 provider in the base year. The Department of
23 Healthcare and Family Services shall make the monthly
24 directed payment to each provider entitled to directed
25 payments under this Act by no later than the last day
26 of each month throughout each State fiscal year.

1 (i) The monthly directed payment for a
2 community support team provider shall be
3 calculated as follows: The sum total number of
4 individual Medicaid users of community support
5 team services delivered by that provider
6 throughout the base year, multiplied by \$4,200 per
7 Medicaid user, divided into 12 equal monthly
8 payments for the State fiscal year.

9 (ii) As used in this subparagraph, "user"
10 means an individual who received at least 200
11 units of community support team services (H2016)
12 during the base year.

13 (B) For each State fiscal year, a monthly directed
14 payment shall be paid to each community mental health
15 provider of assertive community treatment services
16 based on the number of Medicaid users of assertive
17 community treatment services documented by Medicaid
18 fee-for-service and managed care encounter claims
19 delivered by the provider in the base year.

20 (i) The monthly direct payment for an
21 assertive community treatment provider shall be
22 calculated as follows: The sum total number of
23 Medicaid users of assertive community treatment
24 services provided by that provider throughout the
25 base year, multiplied by \$6,000 per Medicaid user,
26 divided into 12 equal monthly payments for that

1 State fiscal year.

2 (ii) As used in this subparagraph, "user"
3 means an individual that received at least 300
4 units of assertive community treatment services
5 during the base year.

6 (C) The base year for directed payments under this
7 Section shall be calendar year 2019 for State Fiscal
8 Year 2023 and State Fiscal Year 2024. For the State
9 fiscal year beginning on July 1, 2024, and for every
10 State fiscal year thereafter, the base year shall be
11 the calendar year that ended 18 months prior to the
12 start of the State fiscal year in which payments are
13 made.

14 Section 20-15. Applicable Medicaid services. The payments
15 listed in Section 20-10 shall apply to Medicaid services
16 provided through contracts with any Medicaid managed care
17 organization or entity and for Medicaid services paid for
18 directly by the Department of Healthcare and Family Services.

19 Section 20-20. Base Medicaid rates or add-on payments. No
20 base Medicaid rate or Medicaid rate add-on payment or any
21 other payment for the provision of Medicaid community mental
22 health services in place on July 1, 2021 shall be diminished or
23 changed to make the reimbursement changes required by this
24 Act. Any payments required under this Act that are delayed due

1 to implementation challenges or federal approval shall be made
2 retroactive to July 1, 2022 for the full amount required by
3 this Act regardless of the amount a provider bills Illinois'
4 Medical Assistance Program (via a Medicaid managed care
5 organization or the Department of Healthcare and Family
6 Services directly) for such services.

7 Section 20-25. Federal approval and Medicaid federal
8 financial participation. The Department of Healthcare and
9 Family Services shall submit any necessary application to the
10 federal Centers for Medicare and Medicaid Services immediately
11 following the effective date of this Act for purposes of
12 implementation of this Act. The payments required under this
13 Act shall only be required as long as Illinois receives
14 federal financial participation for such payments.

15 Article 25.

16 Section 25-1. Short title. This Article may be cited as
17 the Substance Use Disorder Rate Equity Act.

18 Section 25-5. Funding for licensed or certified
19 community-based substance use disorder treatment providers and
20 services. Beginning in State Fiscal Year 2023, and every State
21 fiscal year thereafter, the General Assembly shall appropriate
22 sufficient funds to the Department of Human Services for

1 reimbursement rates for licensed or certified community-based
2 substance use disorder treatment providers and services under
3 community service grant programs for persons with substance
4 use disorders, including, but not limited to, all of the
5 following services:

6 (1) Admission and Discharge Assessment.

7 (2) Level 1 (Individual).

8 (3) Level 1 (Group).

9 (4) Level 2 (Individual).

10 (5) Level 2 (Group).

11 (6) Case Management.

12 (7) Psychiatric Evaluation.

13 (8) Medication Assisted Recovery.

14 (9) Community Intervention.

15 (10) Early Intervention (Individual).

16 (11) Early Intervention (Group).

17 Reimbursement rates for such services shall be adjusted
18 upward by an amount equal to the Consumer Price Index-U from
19 the previous year, not to exceed 2% in any State fiscal year.
20 If there is a decrease in the Consumer Price Index-U, rates
21 shall remain unchanged for that State fiscal year. The
22 Department shall adopt rules, including emergency rules in
23 accordance with the Illinois Administrative Procedure Act, to
24 implement the provisions of this Section.

25 For the purposes of this Section, "consumer price index-u"
26 means the index published by the Bureau of Labor Statistics of

1 the United States Department of Labor that measures the
2 average change in prices of goods and services purchased by
3 all urban consumers, United States city average, all items,
4 1982-84 = 100.

5 Article 26.

6 Section 26-5. The Illinois Administrative Procedure Act is
7 amended by adding Section 5-45.24 as follows:

8 (5 ILCS 100/5-45.24 new)

9 Sec. 5-45.24. Emergency rulemaking; Departments of
10 Healthcare and Family Services and Human Services. To provide
11 for the expeditious and timely implementation of the Substance
12 Use Disorder Rate Equity Act, Section 55-30 of the Substance
13 Use Disorder Act, and Section 5-5.05a of the Illinois Public
14 Aid Code, emergency rules implementing the Substance Use
15 Disorder Rate Equity Act and changes made to Section 55-30 of
16 the Substance Use Disorder Act and Section 5-5.05a of the
17 Illinois Public Aid Code may be adopted in accordance with
18 Section 5-45 by the respective Department. The adoption of
19 emergency rules authorized by Section 5-45 and this Section is
20 deemed to be necessary for the public interest, safety, and
21 welfare.

22 This Section is repealed one year after the effective date
23 of this amendatory Act of the 102nd General Assembly.

1 Section 26-10. The Substance Use Disorder Act is amended
2 by changing Section 55-30 as follows:

3 (20 ILCS 301/55-30)

4 Sec. 55-30. Rate increase.

5 (a) The Department shall by rule develop the increased
6 rate methodology and annualize the increased rate beginning
7 with State fiscal year 2018 contracts to licensed providers of
8 community-based substance use disorder intervention or
9 treatment, based on the additional amounts appropriated for
10 the purpose of providing a rate increase to licensed
11 providers. The Department shall adopt rules, including
12 emergency rules under subsection (y) of Section 5-45 of the
13 Illinois Administrative Procedure Act, to implement the
14 provisions of this Section.

15 (b) (Blank). ~~Within 30 days after June 4, 2018 (the~~
16 ~~effective date of Public Act 100-587), the Division of~~
17 ~~Substance Use Prevention and Recovery shall apply an increase~~
18 ~~in rates of 3% above the rate paid on June 30, 2017 to all~~
19 ~~Medicaid and non-Medicaid reimbursable service rates. The~~
20 ~~Department shall adopt rules, including emergency rules under~~
21 ~~subsection (bb) of Section 5-45 of the Illinois Administrative~~
22 ~~Procedure Act, to implement the provisions of this subsection~~
23 ~~(b).~~

24 (c) Beginning on July 1, 2022, the Division of Substance

1 Use Prevention and Recovery shall increase reimbursement rates
2 for all community-based substance use disorder treatment and
3 intervention services by 47%, including, but not limited to,
4 all of the following:

5 (1) Admission and Discharge Assessment.

6 (2) Level 1 (Individual).

7 (3) Level 1 (Group).

8 (4) Level 2 (Individual).

9 (5) Level 2 (Group).

10 (6) Case Management.

11 (7) Psychiatric Evaluation.

12 (8) Medication Assisted Recovery.

13 (9) Community Intervention.

14 (10) Early Intervention (Individual).

15 (11) Early Intervention (Group).

16 Beginning in State Fiscal Year 2023, and every State
17 fiscal year thereafter, reimbursement rates for those
18 community-based substance use disorder treatment and
19 intervention services shall be adjusted upward by an amount
20 equal to the Consumer Price Index-U from the previous year,
21 not to exceed 2% in any State fiscal year. If there is a
22 decrease in the Consumer Price Index-U, rates shall remain
23 unchanged for that State fiscal year. The Department shall
24 adopt rules, including emergency rules in accordance with the
25 Illinois Administrative Procedure Act, to implement the
26 provisions of this Section.

1 As used in this subsection, "consumer price index-u" means
2 the index published by the Bureau of Labor Statistics of the
3 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.

7 (Source: P.A. 100-23, eff. 7-6-17; 100-587, eff. 6-4-18;
8 100-759, eff. 1-1-19; 101-81, eff. 7-12-19.)

9 Section 26-15. Illinois Public Aid Code is amended by
10 adding Section 5-45 as follows:

11 (305 ILCS 5/5-45 new)

12 Sec. 5-45. Reimbursement rates; substance use disorder
13 treatment providers and facilities. Beginning on July 1, 2022,
14 the Department of Human Services' Division of Substance Use
15 Prevention and Recovery in conjunction with the Department of
16 Healthcare and Family Services, shall provide for an increase
17 in reimbursement rates by way of an increase to existing rates
18 of 47% for all community-based substance use disorder
19 treatment services, including, but not limited to, all of the
20 following:

21 (1) Admission and Discharge Assessment.

22 (2) Level 1 (Individual).

23 (3) Level 1 (Group).

24 (4) Level 2 (Individual).

1 (5) Level 2 (Group).

2 (6) Psychiatric/Diagnostic.

3 (7) Medication Monitoring (Individual).

4 (8) Methadone as an Adjunct to Treatment.

5 No existing or future reimbursement rates or add-ons shall
6 be reduced or changed to address the rate increase proposed
7 under this Section. The Department of Healthcare and Family
8 Services shall immediately, no later than 3 months following
9 the effective date of this amendatory Act of the 102nd General
10 Assembly, submit any necessary application to the federal
11 Centers for Medicare and Medicaid Services for a waiver or
12 State Plan amendment to implement the requirements of this
13 Section. Beginning in State Fiscal year 2023, and every State
14 fiscal year thereafter, reimbursement rates for those
15 community-based substance use disorder treatment services
16 shall be adjusted upward by an amount equal to the Consumer
17 Price Index-U from the previous year, not to exceed 2% in any
18 State fiscal year. If there is a decrease in the Consumer Price
19 Index-U, rates shall remain unchanged for that State fiscal
20 year. The Department of Human Services shall adopt rules,
21 including emergency rules under Section 5-45.1 of the Illinois
22 Administrative Procedure Act, to implement the provisions of
23 this Section.

24 As used in this Section, "consumer price index-u" means
25 the index published by the Bureau of Labor Statistics of the
26 United States Department of Labor that measures the average

1 change in prices of goods and services purchased by all urban
2 consumers, United States city average, all items, 1982-84 =
3 100.

4 ARTICLE 30.

5 Section 30-5. The Sexual Assault Survivors Emergency
6 Treatment Act is amended by changing Sections 7 and 7-1 as
7 follows:

8 (410 ILCS 70/7) (from Ch. 111 1/2, par. 87-7)

9 Sec. 7. Reimbursement.

10 (a) A hospital, approved pediatric health care facility,
11 or health care professional furnishing medical forensic
12 services, an ambulance provider furnishing transportation to a
13 sexual assault survivor, a hospital, health care professional,
14 or laboratory providing follow-up healthcare, or a pharmacy
15 dispensing prescribed medications to any sexual assault
16 survivor shall furnish such services or medications to that
17 person without charge and shall seek payment as follows:

18 (1) If a sexual assault survivor is eligible to
19 receive benefits under the medical assistance program
20 under Article V of the Illinois Public Aid Code, the
21 ambulance provider, hospital, approved pediatric health
22 care facility, health care professional, laboratory, or
23 pharmacy must submit the bill to the Department of

1 Healthcare and Family Services or the appropriate Medicaid
2 managed care organization and accept the amount paid as
3 full payment.

4 (2) If a sexual assault survivor is covered by one or
5 more policies of health insurance or is a beneficiary
6 under a public or private health coverage program, the
7 ambulance provider, hospital, approved pediatric health
8 care facility, health care professional, laboratory, or
9 pharmacy shall bill the insurance company or program. With
10 respect to such insured patients, applicable deductible,
11 co-pay, co-insurance, denial of claim, or any other
12 out-of-pocket insurance-related expense may be submitted
13 to the Illinois Sexual Assault Emergency Treatment Program
14 of the Department of Healthcare and Family Services in
15 accordance with 89 Ill. Adm. Code 148.510 for payment at
16 the Department of Healthcare and Family Services'
17 allowable rates under the Illinois Public Aid Code. The
18 ambulance provider, hospital, approved pediatric health
19 care facility, health care professional, laboratory, or
20 pharmacy shall accept the amounts paid by the insurance
21 company or health coverage program and the Illinois Sexual
22 Assault Treatment Program as full payment.

23 (3) If a sexual assault survivor is neither eligible
24 to receive benefits under the medical assistance program
25 under Article V of the Illinois Public Aid Code nor
26 covered by a policy of insurance or a public or private

1 health coverage program, the ambulance provider, hospital,
2 approved pediatric health care facility, health care
3 professional, laboratory, or pharmacy shall submit the
4 request for reimbursement to the Illinois Sexual Assault
5 Emergency Treatment Program under the Department of
6 Healthcare and Family Services in accordance with 89 Ill.
7 Adm. Code 148.510 at the Department of Healthcare and
8 Family Services' allowable rates under the Illinois Public
9 Aid Code.

10 (4) If a sexual assault survivor presents a sexual
11 assault services voucher for follow-up healthcare, the
12 healthcare professional, pediatric health care facility,
13 or laboratory that provides follow-up healthcare or the
14 pharmacy that dispenses prescribed medications to a sexual
15 assault survivor shall submit the request for
16 reimbursement for follow-up healthcare, pediatric health
17 care facility, laboratory, or pharmacy services to the
18 Illinois Sexual Assault Emergency Treatment Program under
19 the Department of Healthcare and Family Services in
20 accordance with 89 Ill. Adm. Code 148.510 at the
21 Department of Healthcare and Family Services' allowable
22 rates under the Illinois Public Aid Code. Nothing in this
23 subsection (a) precludes hospitals or approved pediatric
24 health care facilities from providing follow-up healthcare
25 and receiving reimbursement under this Section.

26 (b) Nothing in this Section precludes a hospital, health

1 care provider, ambulance provider, laboratory, or pharmacy
2 from billing the sexual assault survivor or any applicable
3 health insurance or coverage for inpatient services.

4 (b-5) Medical forensic services furnished by a person or
5 entity described under subsection (a) to any sexual assault
6 survivor on or after July 1, 2022 that are required under this
7 Act to be reimbursed by the Department of Healthcare and
8 Family Services, the Illinois Sexual Assault Emergency
9 Treatment Program under the Department of Healthcare and
10 Family Services, or the appropriate Medicaid managed care
11 organization shall be reimbursed at a rate of at least \$1,000.

12 (c) (Blank).

13 (d) (Blank). ~~On and after July 1, 2012, the Department~~
14 ~~shall reduce any rate of reimbursement for services or other~~
15 ~~payments or alter any methodologies authorized by this Act or~~
16 ~~the Illinois Public Aid Code to reduce any rate of~~
17 ~~reimbursement for services or other payments in accordance~~
18 ~~with Section 5-5c of the Illinois Public Aid Code.~~

19 (e) The Department of Healthcare and Family Services shall
20 establish standards, rules, and regulations to implement this
21 Section.

22 (f) This Section is effective on and after January 1,
23 2024.

24 (Source: P.A. 101-634, eff. 6-5-20; 102-22, eff. 6-25-21;
25 102-674, eff. 11-30-21.)

1 (410 ILCS 70/7-1)

2 (Section scheduled to be repealed on December 31, 2023)

3 Sec. 7-1. Reimbursement

4 (a) A hospital, approved pediatric health care facility,
5 approved federally qualified health center, or health care
6 professional furnishing medical forensic services, an
7 ambulance provider furnishing transportation to a sexual
8 assault survivor, a hospital, health care professional, or
9 laboratory providing follow-up healthcare, or a pharmacy
10 dispensing prescribed medications to any sexual assault
11 survivor shall furnish such services or medications to that
12 person without charge and shall seek payment as follows:

13 (1) If a sexual assault survivor is eligible to
14 receive benefits under the medical assistance program
15 under Article V of the Illinois Public Aid Code, the
16 ambulance provider, hospital, approved pediatric health
17 care facility, approved federally qualified health center,
18 health care professional, laboratory, or pharmacy must
19 submit the bill to the Department of Healthcare and Family
20 Services or the appropriate Medicaid managed care
21 organization and accept the amount paid as full payment.

22 (2) If a sexual assault survivor is covered by one or
23 more policies of health insurance or is a beneficiary
24 under a public or private health coverage program, the
25 ambulance provider, hospital, approved pediatric health
26 care facility, approved federally qualified health center,

1 health care professional, laboratory, or pharmacy shall
2 bill the insurance company or program. With respect to
3 such insured patients, applicable deductible, co-pay,
4 co-insurance, denial of claim, or any other out-of-pocket
5 insurance-related expense may be submitted to the Illinois
6 Sexual Assault Emergency Treatment Program of the
7 Department of Healthcare and Family Services in accordance
8 with 89 Ill. Adm. Code 148.510 for payment at the
9 Department of Healthcare and Family Services' allowable
10 rates under the Illinois Public Aid Code. The ambulance
11 provider, hospital, approved pediatric health care
12 facility, approved federally qualified health center,
13 health care professional, laboratory, or pharmacy shall
14 accept the amounts paid by the insurance company or health
15 coverage program and the Illinois Sexual Assault Treatment
16 Program as full payment.

17 (3) If a sexual assault survivor is neither eligible
18 to receive benefits under the medical assistance program
19 under Article V of the Illinois Public Aid Code nor
20 covered by a policy of insurance or a public or private
21 health coverage program, the ambulance provider, hospital,
22 approved pediatric health care facility, approved
23 federally qualified health center, health care
24 professional, laboratory, or pharmacy shall submit the
25 request for reimbursement to the Illinois Sexual Assault
26 Emergency Treatment Program under the Department of

1 Healthcare and Family Services in accordance with 89 Ill.
2 Adm. Code 148.510 at the Department of Healthcare and
3 Family Services' allowable rates under the Illinois Public
4 Aid Code.

5 (4) If a sexual assault survivor presents a sexual
6 assault services voucher for follow-up healthcare, the
7 healthcare professional, pediatric health care facility,
8 federally qualified health center, or laboratory that
9 provides follow-up healthcare or the pharmacy that
10 dispenses prescribed medications to a sexual assault
11 survivor shall submit the request for reimbursement for
12 follow-up healthcare, pediatric health care facility,
13 laboratory, or pharmacy services to the Illinois Sexual
14 Assault Emergency Treatment Program under the Department
15 of Healthcare and Family Services in accordance with 89
16 Ill. Adm. Code 148.510 at the Department of Healthcare and
17 Family Services' allowable rates under the Illinois Public
18 Aid Code. Nothing in this subsection (a) precludes
19 hospitals, or approved pediatric health care facilities or
20 approved federally qualified health centers from providing
21 follow-up healthcare and receiving reimbursement under
22 this Section.

23 (b) Nothing in this Section precludes a hospital, health
24 care provider, ambulance provider, laboratory, or pharmacy
25 from billing the sexual assault survivor or any applicable
26 health insurance or coverage for inpatient services.

1 Survivors Emergency Treatment Act is amended by changing
2 Sections 7 and 7-1 as follows:

3 (410 ILCS 70/7) (from Ch. 111 1/2, par. 87-7)

4 Sec. 7. Reimbursement.

5 (a) A hospital, approved pediatric health care facility,
6 or health care professional furnishing medical forensic
7 services, an ambulance provider furnishing transportation to a
8 sexual assault survivor, a hospital, health care professional,
9 or laboratory providing follow-up healthcare, or a pharmacy
10 dispensing prescribed medications to any sexual assault
11 survivor shall furnish such services or medications to that
12 person without charge and shall seek payment as follows:

13 (1) If a sexual assault survivor is eligible to
14 receive benefits under the medical assistance program
15 under Article V of the Illinois Public Aid Code, the
16 ambulance provider, hospital, approved pediatric health
17 care facility, health care professional, laboratory, or
18 pharmacy must submit the bill to the Department of
19 Healthcare and Family Services or the appropriate Medicaid
20 managed care organization and accept the amount paid as
21 full payment.

22 (2) If a sexual assault survivor is covered by one or
23 more policies of health insurance or is a beneficiary
24 under a public or private health coverage program, the
25 ambulance provider, hospital, approved pediatric health

1 care facility, health care professional, laboratory, or
2 pharmacy shall bill the insurance company or program. With
3 respect to such insured patients, applicable deductible,
4 co-pay, co-insurance, denial of claim, or any other
5 out-of-pocket insurance-related expense may be submitted
6 to the Illinois Sexual Assault Emergency Treatment Program
7 of the Department of Healthcare and Family Services in
8 accordance with 89 Ill. Adm. Code 148.510 for payment at
9 the Department of Healthcare and Family Services'
10 allowable rates under the Illinois Public Aid Code. The
11 ambulance provider, hospital, approved pediatric health
12 care facility, health care professional, laboratory, or
13 pharmacy shall accept the amounts paid by the insurance
14 company or health coverage program and the Illinois Sexual
15 Assault Treatment Program as full payment.

16 (3) If a sexual assault survivor (i) is neither
17 eligible to receive benefits under the medical assistance
18 program under Article V of the Illinois Public Aid Code
19 nor covered by a policy of insurance or a public or private
20 health coverage program or (ii) opts out of billing a
21 private insurance provider, as permitted under subsection
22 (a-5) of Section 7.5, the ambulance provider, hospital,
23 approved pediatric health care facility, health care
24 professional, laboratory, or pharmacy shall submit the
25 request for reimbursement to the Illinois Sexual Assault
26 Emergency Treatment Program under the Department of

1 Healthcare and Family Services in accordance with 89 Ill.
2 Adm. Code 148.510 at the Department of Healthcare and
3 Family Services' allowable rates under the Illinois Public
4 Aid Code.

5 (4) If a sexual assault survivor presents a sexual
6 assault services voucher for follow-up healthcare, the
7 healthcare professional, pediatric health care facility,
8 or laboratory that provides follow-up healthcare or the
9 pharmacy that dispenses prescribed medications to a sexual
10 assault survivor shall submit the request for
11 reimbursement for follow-up healthcare, pediatric health
12 care facility, laboratory, or pharmacy services to the
13 Illinois Sexual Assault Emergency Treatment Program under
14 the Department of Healthcare and Family Services in
15 accordance with 89 Ill. Adm. Code 148.510 at the
16 Department of Healthcare and Family Services' allowable
17 rates under the Illinois Public Aid Code. Nothing in this
18 subsection (a) precludes hospitals or approved pediatric
19 health care facilities from providing follow-up healthcare
20 and receiving reimbursement under this Section.

21 (b) Nothing in this Section precludes a hospital, health
22 care provider, ambulance provider, laboratory, or pharmacy
23 from billing the sexual assault survivor or any applicable
24 health insurance or coverage for inpatient services.

25 (c) (Blank).

26 (d) On and after July 1, 2012, the Department shall reduce

1 any rate of reimbursement for services or other payments or
2 alter any methodologies authorized by this Act or the Illinois
3 Public Aid Code to reduce any rate of reimbursement for
4 services or other payments in accordance with Section 5-5e of
5 the Illinois Public Aid Code.

6 (e) The Department of Healthcare and Family Services shall
7 establish standards, rules, and regulations to implement this
8 Section.

9 (f) This Section is effective on and after January 1,
10 2024.

11 (Source: P.A. 101-634, eff. 6-5-20; 102-22, eff. 6-25-21;
12 102-674, eff. 11-30-21.)

13 (410 ILCS 70/7-1)

14 (Section scheduled to be repealed on December 31, 2023)

15 Sec. 7-1. Reimbursement

16 (a) A hospital, approved pediatric health care facility,
17 approved federally qualified health center, or health care
18 professional furnishing medical forensic services, an
19 ambulance provider furnishing transportation to a sexual
20 assault survivor, a hospital, health care professional, or
21 laboratory providing follow-up healthcare, or a pharmacy
22 dispensing prescribed medications to any sexual assault
23 survivor shall furnish such services or medications to that
24 person without charge and shall seek payment as follows:

25 (1) If a sexual assault survivor is eligible to

1 receive benefits under the medical assistance program
2 under Article V of the Illinois Public Aid Code, the
3 ambulance provider, hospital, approved pediatric health
4 care facility, approved federally qualified health center,
5 health care professional, laboratory, or pharmacy must
6 submit the bill to the Department of Healthcare and Family
7 Services or the appropriate Medicaid managed care
8 organization and accept the amount paid as full payment.

9 (2) If a sexual assault survivor is covered by one or
10 more policies of health insurance or is a beneficiary
11 under a public or private health coverage program, the
12 ambulance provider, hospital, approved pediatric health
13 care facility, approved federally qualified health center,
14 health care professional, laboratory, or pharmacy shall
15 bill the insurance company or program. With respect to
16 such insured patients, applicable deductible, co-pay,
17 co-insurance, denial of claim, or any other out-of-pocket
18 insurance-related expense may be submitted to the Illinois
19 Sexual Assault Emergency Treatment Program of the
20 Department of Healthcare and Family Services in accordance
21 with 89 Ill. Adm. Code 148.510 for payment at the
22 Department of Healthcare and Family Services' allowable
23 rates under the Illinois Public Aid Code. The ambulance
24 provider, hospital, approved pediatric health care
25 facility, approved federally qualified health center,
26 health care professional, laboratory, or pharmacy shall

1 accept the amounts paid by the insurance company or health
2 coverage program and the Illinois Sexual Assault Treatment
3 Program as full payment.

4 (3) If a sexual assault survivor (i) is neither
5 eligible to receive benefits under the medical assistance
6 program under Article V of the Illinois Public Aid Code
7 nor covered by a policy of insurance or a public or private
8 health coverage program or (ii) opts out of billing a
9 private insurance provider, as permitted under subsection
10 (a-5) of Section 7.5, the ambulance provider, hospital,
11 approved pediatric health care facility, approved
12 federally qualified health center, health care
13 professional, laboratory, or pharmacy shall submit the
14 request for reimbursement to the Illinois Sexual Assault
15 Emergency Treatment Program under the Department of
16 Healthcare and Family Services in accordance with 89 Ill.
17 Adm. Code 148.510 at the Department of Healthcare and
18 Family Services' allowable rates under the Illinois Public
19 Aid Code.

20 (4) If a sexual assault survivor presents a sexual
21 assault services voucher for follow-up healthcare, the
22 healthcare professional, pediatric health care facility,
23 federally qualified health center, or laboratory that
24 provides follow-up healthcare or the pharmacy that
25 dispenses prescribed medications to a sexual assault
26 survivor shall submit the request for reimbursement for

1 follow-up healthcare, pediatric health care facility,
2 laboratory, or pharmacy services to the Illinois Sexual
3 Assault Emergency Treatment Program under the Department
4 of Healthcare and Family Services in accordance with 89
5 Ill. Adm. Code 148.510 at the Department of Healthcare and
6 Family Services' allowable rates under the Illinois Public
7 Aid Code. Nothing in this subsection (a) precludes
8 hospitals, or approved pediatric health care facilities or
9 approved federally qualified health centers from providing
10 follow-up healthcare and receiving reimbursement under
11 this Section.

12 (b) Nothing in this Section precludes a hospital, health
13 care provider, ambulance provider, laboratory, or pharmacy
14 from billing the sexual assault survivor or any applicable
15 health insurance or coverage for inpatient services.

16 (c) (Blank).

17 (d) On and after July 1, 2012, the Department shall reduce
18 any rate of reimbursement for services or other payments or
19 alter any methodologies authorized by this Act or the Illinois
20 Public Aid Code to reduce any rate of reimbursement for
21 services or other payments in accordance with Section 5-5e of
22 the Illinois Public Aid Code.

23 (e) The Department of Healthcare and Family Services shall
24 establish standards, rules, and regulations to implement this
25 Section.

26 (f) This Section is repealed on December 31, 2023.

1 (Source: P.A. 101-634, eff. 6-5-20; 102-22, eff. 6-25-21;
2 102-674, eff. 11-30-21.)

3 ARTICLE 40.

4 Section 40-1. Short title. This Article may be cited as
5 the Illinois Creative Recovery Grant Program Act. References
6 in this Article to "this Act" mean this Article.

7 Section 40-5. Grant program. The Department may receive
8 State funds and, directly or indirectly, federal funds under
9 the authority of legislation passed in response to the
10 Coronavirus epidemic including, but not limited to, the
11 American Rescue Plan Act of 2021, P.L. 117-2 (the "ARPA Act");
12 such funds shall be used in accordance with the ARPA Act
13 legislation and published guidance. Upon receipt or
14 availability of such State or federal funds, and subject to
15 appropriations for their use, the Department shall administer
16 a program to provide financial assistance to qualifying
17 businesses that have experienced interruption of business,
18 incurred debt, or experienced other adverse conditions as a
19 result of the COVID-19 public health emergency. Support may be
20 provided directly by the Department to businesses and
21 organizations or in cooperation with a qualified partner.
22 Financial assistance may include, but is not limited to
23 grants, expense reimbursements, or subsidies.

1 From appropriations for the program, the Department shall
2 provide financial assistance through grants, expense
3 reimbursements, or subsidies to qualifying businesses or a
4 qualified partner to cover expenses, debt, or losses incurred
5 due to the COVID-19 public health emergency. The program shall
6 reimburse costs, debt, or losses incurred by qualifying
7 businesses due to business interruption or other adverse
8 conditions caused by closures, loss of revenues, or efforts to
9 contain the pandemic.

10 The Department may establish by rule administrative
11 procedures for the grant program, including any application
12 procedures, grant agreements, certifications, payment
13 methodologies, and other accountability measures that may be
14 imposed upon participants in the program. The emergency
15 rulemaking process may be used to promulgate the initial rules
16 of the grant program.

17 Section 40-10. Definitions. As used in this Act:

18 "COVID-19" means the novel coronavirus disease deemed
19 COVID-19 by the World Health Organization on February 11,
20 2020.

21 "Department" means the Department of Commerce and Economic
22 Opportunity.

23 "Qualifying Business" means a business or organization,
24 either for-profit or non-profit, that is experiencing or has
25 experienced business interruption due to the COVID-19 public

1 health emergency and that is:

- 2 (1) an independent live venue operator;
- 3 (2) a performing or presenting arts organization;
- 4 (3) an arts education organization;
- 5 (4) a museum; or
- 6 (5) a cultural heritage organization.

7 "Independent live venue operator" means a business or
8 organization that is not a publicly traded corporation listed
9 on a stock exchange and that is a destination for live
10 entertainment consumers and that has its artistic programming
11 as a main driver of its attendance, as indicated by meeting the
12 following criteria:

13 (1) the venue clearly enables performers to receive
14 payment for work by percentage of sales (bar or door
15 cover); a guarantee (in writing or standard contract); or
16 another mutually beneficial formal agreement; and

17 (2) The venue has at least 4 of the following
18 characteristics:

19 (A) Defined performance and audience space.

20 (B) Mixing equipment or a public address system.

21 (C) Back line.

22 (D) Engages one or more individuals to carry out
23 at least 2 of the following roles:

24 (i) Sound engineer.

25 (ii) Booker.

26 (iii) Promoter.

1 (iv) Stage manager.

2 (v) Security personnel.

3 (vi) Box office manager.

4 (E) There is a paid ticket or cover charge to
5 attend some performances through ticketing or door
6 entrance fee.

7 (F) Performances are marketed through listings in
8 printed or electronic publications, on websites,
9 visible calendar of events, or on social media.

10 "Performing or presenting arts organization" means a
11 business or organization that has as its primary mission or
12 integral to its primary mission the performance or
13 presentation of the arts to the public, including the artistic
14 disciplines of dance, film, literary arts, media arts, music,
15 theater, and visual arts.

16 "Arts education organization" means a business or
17 organization that has as its primary mission or integral to
18 its primary mission the provision of arts learning, or has a
19 dedicated portion of its business focused on providing arts
20 education.

21 "Museum" means a business or organization that is an
22 institution in service to the public, dedicated to the
23 procurement, care, study, and display of objects, archival
24 materials, ephemera, or live specimens, of lasting interest or
25 value.

26 "Cultural heritage organization" means a business or

1 organization that is a community cultural and arts center; an
2 ethnic and cultural awareness organization; or a festival
3 focused on promoting and preserving ethnic, cultural, racial,
4 regional, linguistic, or religious traditions.

5 "Qualified partner" means a financial institution or
6 nonprofit organization with which the Department has entered
7 into an agreement or contract to provide or incentivize
8 assistance to qualifying businesses.

9 Section 40-15. Powers of the Department. The Department
10 has the power to:

11 (1) provide grants, subsidies and expense
12 reimbursements to qualified businesses or, on behalf of
13 qualified businesses, to qualified partners from
14 appropriations to cover qualified businesses eligible
15 costs, debt, or losses incurred due to the COVID-19 public
16 health emergency, including losses caused by business
17 interruption, closure, or other adverse effects of
18 COVID-19;

19 (2) enter into agreements, accept funds, issue grants,
20 and engage in cooperation with agencies of the federal
21 government, units of local government, financial
22 institutions, and nonprofit organizations to carry out the
23 purposes of the program, and to use funds appropriated for
24 the program;

25 (3) prepare forms for application, notification,

1 contract, and other matters, and establish procedures,
2 rules, or regulations deemed necessary and appropriate to
3 carry out the provisions of this Act;

4 (4) provide staff, administration, and related support
5 required to manage the program and pay for the staffing,
6 administration, and related support; and

7 (5) using consistent, data-informed criteria,
8 determine which qualifying businesses are suffering the
9 greatest negative economic impact due to the COVID-19
10 pandemic, which qualifying businesses are facing the
11 greatest risk of imminent closure due to the COVID-19
12 pandemic, and which qualifying businesses have the least
13 access to business interruption grant programs and similar
14 relief programs.

15 Section 40-20. The Illinois Administrative Procedure Act
16 is amended by adding Section 5-45.27 as follows:

17 (5 ILCS 100/5-45.27 new)

18 Sec. 5-45.27. Emergency rulemaking. To provide for the
19 expeditious and timely implementation of the Illinois Creative
20 Recovery Grant Program Act, emergency rules implementing the
21 Illinois Creative Recovery Grant Program Act may be adopted in
22 accordance with Section 5-45 by the Department of Commerce and
23 Economic Opportunity. The adoption of emergency rules
24 authorized by Section 5-45 and this Section is deemed to be

1 necessary for the public interest, safety, and welfare.

2 This Section is repealed one year after the effective date
3 of this amendatory Act of the 102nd General Assembly.

4 ARTICLE 99.

5 Section 99-99. Effective date. This Act takes effect upon
6 becoming law, except that Article 15 takes effect on July 1,
7 2022, and Article 35 takes effect upon becoming law or on the
8 date Senate Bill 3023 of the 102nd General Assembly takes
9 effect, whichever is later.".