



Rep. Greg Harris

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10200SB1720ham002

LRB102 15815 JDS 42467 a

1 AMENDMENT TO SENATE BILL 1720

2 AMENDMENT NO. _____. Amend Senate Bill 1720 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Administrative Procedure Act is
5 amended by adding Section 5-45.35 as follows:

6 (5 ILCS 100/5-45.35 new)

7 Sec. 5-45.35. Emergency rulemaking; Hate Crimes and Bias
8 Incident Prevention and Response Fund. To provide for the
9 expeditious and timely implementation of this amendatory Act
10 of the 102nd General Assembly, emergency rules implementing
11 Section 6z-138 of the State Finance Act may be adopted in
12 accordance with Section 5-45 by the Department of Human
13 Rights. The adoption of emergency rules authorized by Section
14 5-45 and this Section is deemed to be necessary for the public
15 interest, safety, and welfare.

16 This Section is repealed one year after the effective date

1 of this amendatory Act of the 102nd General Assembly.

2 Section 10. The State Employees Group Insurance Act of
3 1971 is amended by changing Section 11 as follows:

4 (5 ILCS 375/11) (from Ch. 127, par. 531)

5 Sec. 11. The amount of contribution in any fiscal year
6 from funds other than the General Revenue Fund or the Road Fund
7 shall be at the same contribution rate as the General Revenue
8 Fund or the Road Fund except that, in State Fiscal Year 2009,
9 no contributions shall be required from the FY09 Budget Relief
10 Fund. Contributions and payments for life insurance shall be
11 deposited in the Group Insurance Premium Fund. Contributions
12 and payments for health coverages and other benefits shall be
13 deposited in the Health Insurance Reserve Fund. Federal funds
14 which are available for cooperative extension purposes shall
15 also be charged for the contributions which are made for
16 retired employees formerly employed in the Cooperative
17 Extension Service. In the case of departments or any division
18 thereof receiving a fraction of its requirements for
19 administration from the Federal Government, the contributions
20 hereunder shall be such fraction of the amount determined
21 under the provisions hereof and the remainder shall be
22 contributed by the State.

23 Every department which has members paid from funds other
24 than the General Revenue Fund shall cooperate with the

1 Department of Central Management Services and the Governor's
2 Office of Management and Budget in order to assure that the
3 specified proportion of the State's cost for group life
4 insurance, the program of health benefits and other employee
5 benefits is paid by such funds; except that contributions
6 under this Act need not be paid from any other fund where both
7 the Director of Central Management Services and the Director
8 of the Governor's Office of Management and Budget have
9 designated in writing that the necessary contributions are
10 included in the General Revenue Fund contribution amount.

11 Universities having employees who are ~~totally~~ compensated
12 out of the following funds or sources are not required to
13 submit the contribution described in this Section for such
14 employees:

15 (1) income funds, as described in Section 6a of the
16 State Finance Act, including tuition, laboratory, and
17 library fees and any interest earned on those fees ~~Income~~
18 ~~Funds;~~

19 (2) local auxiliary funds, as described in the
20 Legislative Audit Commission's University Guidelines, as
21 published on November 17, 2020, including the following:

22 (i) funds from auxiliary enterprises, which are
23 operations that support the overall objectives of the
24 university but are not directly related to
25 instruction, research, or service organizational
26 units;

1 (ii) funds from auxiliary activities, which are
2 functions that are self-supporting, in whole or in
3 part, and are directly related to instruction,
4 research, or service units; ~~Local auxiliary funds; and~~

5 (3) the Agricultural Premium Fund as established by
6 Section 5.01 of the State Finance Act;

7 (4) appropriations from the General Revenue Fund,
8 Education Assistance Fund, or other State appropriations
9 that are made for the purposes of instruction, research,
10 public service, or economic development;

11 (5) funds to the University of Illinois Hospital for
12 health care professional services that are performed by
13 University of Illinois faculty or University of Illinois
14 health care programs established under the University of
15 Illinois Hospital Act; or

16 (6) funds designated for the Cooperative Extension
17 Service, as defined in Section 3 of the County Cooperative
18 Extension Law.

19 ~~shall not be required to submit such contribution for such~~
20 ~~employees.~~

21 If an employee of a university is partially compensated
22 from the funds or sources of funds identified in paragraphs
23 (1) through (6) above, universities shall be required to
24 submit a pro rata contribution for the portion of the
25 employee's compensation that is derived out of funds or
26 sources other than those identified in paragraphs (1) through

1 (6) above.

2 The Department of Central Management Services may conduct
3 a post-payment review of university reimbursements to assess
4 or address any discrepancies. Universities shall cooperate
5 with the Department of Central Management Services during any
6 post-payment review, that may require universities to provide
7 documentation to support payment calculations or funding
8 sources used for calculating reimbursements. The Department of
9 Central Management Services reserves the right to reconcile
10 any discrepancies in reimbursement subtotals or total
11 obligations and to notify universities of all final
12 reconciliations, which shall include the Department of Central
13 Management Services calculations and the amount of any credits
14 or obligations that may be due.

15 For each employee of the Illinois Toll Highway Authority
16 ~~person~~ covered under this Act whose eligibility for such
17 coverage is as an annuitant ~~based upon the person's status as~~
18 ~~the recipient of a benefit under the Illinois Pension Code,~~
19 ~~which benefit is based in whole or in part upon service with~~
20 ~~the Toll Highway Authority,~~ the Authority shall annually
21 contribute an amount, as determined by the Director of the
22 Department of Central Management Services, that represents the
23 average employer's share of the cost of retiree coverage per
24 participating employee in the State Employees Group Insurance
25 Program ~~a pro rata share of the State's cost for the benefits~~
26 ~~of that person.~~

1 (Source: P.A. 102-1071, eff. 6-10-22.)

2 Section 15. The Illinois Lottery Law is amended by
3 changing Section 9.1 as follows:

4 (20 ILCS 1605/9.1)

5 Sec. 9.1. Private manager and management agreement.

6 (a) As used in this Section:

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

9 "Request for qualifications" means all materials and
10 documents prepared by the Department to solicit the following
11 from offerors:

12 (1) Statements of qualifications.

13 (2) Proposals to enter into a management agreement,
14 including the identity of any prospective vendor or
15 vendors that the offeror intends to initially engage to
16 assist the offeror in performing its obligations under the
17 management agreement.

18 "Final offer" means the last proposal submitted by an
19 offeror in response to the request for qualifications,
20 including the identity of any prospective vendor or vendors
21 that the offeror intends to initially engage to assist the
22 offeror in performing its obligations under the management
23 agreement.

24 "Final offeror" means the offeror ultimately selected by

1 the Governor to be the private manager for the Lottery under
2 subsection (h) of this Section.

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

8 (c) Pursuant to the terms of this subsection, the
9 Department shall endeavor to expeditiously terminate the
10 existing contracts in support of the Lottery in effect on July
11 13, 2009 (the effective date of Public Act 96-37) in
12 connection with the selection of the private manager. As part
13 of its obligation to terminate these contracts and select the
14 private manager, the Department shall establish a mutually
15 agreeable timetable to transfer the functions of existing
16 contractors to the private manager so that existing Lottery
17 operations are not materially diminished or impaired during
18 the transition. To that end, the Department shall do the
19 following:

20 (1) where such contracts contain a provision
21 authorizing termination upon notice, the Department shall
22 provide notice of termination to occur upon the mutually
23 agreed timetable for transfer of functions;

24 (2) upon the expiration of any initial term or renewal
25 term of the current Lottery contracts, the Department
26 shall not renew such contract for a term extending beyond

1 the mutually agreed timetable for transfer of functions;
2 or

3 (3) in the event any current contract provides for
4 termination of that contract upon the implementation of a
5 contract with the private manager, the Department shall
6 perform all necessary actions to terminate the contract on
7 the date that coincides with the mutually agreed timetable
8 for transfer of functions.

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

15 (c-5) The Department shall include provisions in the
16 management agreement whereby the private manager shall, for a
17 fee, and pursuant to a contract negotiated with the Department
18 (the "Employee Use Contract"), utilize the services of current
19 Department employees to assist in the administration and
20 operation of the Lottery. The Department shall be the employer
21 of all such bargaining unit employees assigned to perform such
22 work for the private manager, and such employees shall be
23 State employees, as defined by the Personnel Code. Department
24 employees shall operate under the same employment policies,
25 rules, regulations, and procedures, as other employees of the
26 Department. In addition, neither historical representation

1 rights under the Illinois Public Labor Relations Act, nor
2 existing collective bargaining agreements, shall be disturbed
3 by the management agreement with the private manager for the
4 management of the Lottery.

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

7 (1) A term not to exceed 10 years, including any
8 renewals.

9 (2) A provision specifying that the Department:

10 (A) shall exercise actual control over all
11 significant business decisions;

12 (A-5) has the authority to direct or countermand
13 operating decisions by the private manager at any
14 time;

15 (B) has ready access at any time to information
16 regarding Lottery operations;

17 (C) has the right to demand and receive
18 information from the private manager concerning any
19 aspect of the Lottery operations at any time; and

20 (D) retains ownership of all trade names,
21 trademarks, and intellectual property associated with
22 the Lottery.

23 (3) A provision imposing an affirmative duty on the
24 private manager to provide the Department with material
25 information and with any information the private manager
26 reasonably believes the Department would want to know to

1 enable the Department to conduct the Lottery.

2 (4) A provision requiring the private manager to
3 provide the Department with advance notice of any
4 operating decision that bears significantly on the public
5 interest, including, but not limited to, decisions on the
6 kinds of games to be offered to the public and decisions
7 affecting the relative risk and reward of the games being
8 offered, so the Department has a reasonable opportunity to
9 evaluate and countermand that decision.

10 (5) A provision providing for compensation of the
11 private manager that may consist of, among other things, a
12 fee for services and a performance based bonus as
13 consideration for managing the Lottery, including terms
14 that may provide the private manager with an increase in
15 compensation if Lottery revenues grow by a specified
16 percentage in a given year.

17 (6) (Blank).

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

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

23 (8-5) A provision encouraging that at least 20% of the
24 cost of contracts entered into for goods and services by
25 the private manager in connection with its management of
26 the Lottery, other than contracts with sales agents or

1 technical advisors, be awarded to businesses that are a
2 minority-owned business, a women-owned business, or a
3 business owned by a person with disability, as those terms
4 are defined in the Business Enterprise for Minorities,
5 Women, and Persons with Disabilities Act.

6 (9) A requirement that so long as the private manager
7 complies with all the conditions of the agreement under
8 the oversight of the Department, the private manager shall
9 have the following duties and obligations with respect to
10 the management of the Lottery:

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

13 (B) The rights and obligations under contracts
14 with retailers and vendors.

15 (C) The implementation of a comprehensive security
16 program by the private manager.

17 (D) The implementation of a comprehensive system
18 of internal audits.

19 (E) The implementation of a program by the private
20 manager to curb compulsive gambling by persons playing
21 the Lottery.

22 (F) A system for determining (i) the type of
23 Lottery games, (ii) the method of selecting winning
24 tickets, (iii) the manner of payment of prizes to
25 holders of winning tickets, (iv) the frequency of
26 drawings of winning tickets, (v) the method to be used

1 in selling tickets, (vi) a system for verifying the
2 validity of tickets claimed to be winning tickets,
3 (vii) the basis upon which retailer commissions are
4 established by the manager, and (viii) minimum
5 payouts.

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

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

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

15 (13) A requirement that the Department monitor and
16 oversee the private manager's practices and take action
17 that the Department considers appropriate to ensure that
18 the private manager is in compliance with the terms of the
19 management agreement, while allowing the manager, unless
20 specifically prohibited by law or the management
21 agreement, to negotiate and sign its own contracts with
22 vendors.

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

1 (15) Cash reserves requirements.

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

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

8 (18) Procedures for amendment of the agreement.

9 (19) A provision requiring the private manager to
10 engage in an open and competitive bidding process for any
11 procurement having a cost in excess of \$50,000 that is not
12 a part of the private manager's final offer. The process
13 shall favor the selection of a vendor deemed to have
14 submitted a proposal that provides the Lottery with the
15 best overall value. The process shall not be subject to
16 the provisions of the Illinois Procurement Code, unless
17 specifically required by the management agreement.

18 (20) The transition of rights and obligations,
19 including any associated equipment or other assets used in
20 the operation of the Lottery, from the manager to any
21 successor manager of the lottery, including the
22 Department, following the termination of or foreclosure
23 upon the management agreement.

24 (21) Right of use of copyrights, trademarks, and
25 service marks held by the Department in the name of the
26 State. The agreement must provide that any use of them by

1 the manager shall only be for the purpose of fulfilling
2 its obligations under the management agreement during the
3 term of the agreement.

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

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

13 (1) the offeror's ability to market the Lottery to
14 those residents who are new, infrequent, or lapsed players
15 of the Lottery, especially those who are most likely to
16 make regular purchases on the Internet;

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

20 (3) the offeror's ability to provide the most
21 successful management of the Lottery for the benefit of
22 the people of the State based on current and past business
23 practices or plans of the offeror; and

24 (4) the offeror's poor or inadequate past performance
25 in servicing, equipping, operating or managing a lottery
26 on behalf of Illinois, another State or foreign government

1 and attracting persons who are not currently regular
2 players of a lottery.

3 (f) The Department may retain the services of an advisor
4 or advisors with significant experience in financial services
5 or the management, operation, and procurement of goods,
6 services, and equipment for a government-run lottery to assist
7 in the preparation of the terms of the request for
8 qualifications and selection of the private manager. Any
9 prospective advisor seeking to provide services under this
10 subsection (f) shall disclose any material business or
11 financial relationship during the past 3 years with any
12 potential offeror, or with a contractor or subcontractor
13 presently providing goods, services, or equipment to the
14 Department to support the Lottery. The Department shall
15 evaluate the material business or financial relationship of
16 each prospective advisor. The Department shall not select any
17 prospective advisor with a substantial business or financial
18 relationship that the Department deems to impair the
19 objectivity of the services to be provided by the prospective
20 advisor. During the course of the advisor's engagement by the
21 Department, and for a period of one year thereafter, the
22 advisor shall not enter into any business or financial
23 relationship with any offeror or any vendor identified to
24 assist an offeror in performing its obligations under the
25 management agreement. Any advisor retained by the Department
26 shall be disqualified from being an offeror. The Department

1 shall not include terms in the request for qualifications that
2 provide a material advantage whether directly or indirectly to
3 any potential offeror, or any contractor or subcontractor
4 presently providing goods, services, or equipment to the
5 Department to support the Lottery, including terms contained
6 in previous responses to requests for proposals or
7 qualifications submitted to Illinois, another State or foreign
8 government when those terms are uniquely associated with a
9 particular potential offeror, contractor, or subcontractor.
10 The request for proposals offered by the Department on
11 December 22, 2008 as "LOT08GAMESYS" and reference number
12 "22016176" is declared void.

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

- 20 (1) The date, time, and place of the hearing.
- 21 (2) The subject matter of the hearing.
- 22 (3) A brief description of the management agreement to
23 be awarded.
- 24 (4) The identity of the offerors that have been
25 selected as finalists to serve as the private manager.
- 26 (5) The address and telephone number of the

1 Department.

2 (h) At the public hearing, the Department shall (i)
3 provide sufficient time for each finalist to present and
4 explain its proposal to the Department and the Governor or the
5 Governor's designee, including an opportunity to respond to
6 questions posed by the Department, Governor, or designee and
7 (ii) allow the public and non-selected offerors to comment on
8 the presentations. The Governor or a designee shall attend the
9 public hearing. After the public hearing, the Department shall
10 have 14 calendar days to recommend to the Governor whether a
11 management agreement should be entered into with a particular
12 finalist. After reviewing the Department's recommendation, the
13 Governor may accept or reject the Department's recommendation,
14 and shall select a final offeror as the private manager by
15 publication of a notice in the Illinois Procurement Bulletin
16 on or before September 15, 2010. The Governor shall include in
17 the notice a detailed explanation and the reasons why the
18 final offeror is superior to other offerors and will provide
19 management services in a manner that best achieves the
20 objectives of this Section. The Governor shall also sign the
21 management agreement with the private manager.

22 (i) Any action to contest the private manager selected by
23 the Governor under this Section must be brought within 7
24 calendar days after the publication of the notice of the
25 designation of the private manager as provided in subsection
26 (h) of this Section.

1 (j) The Lottery shall remain, for so long as a private
2 manager manages the Lottery in accordance with provisions of
3 this Act, a Lottery conducted by the State, and the State shall
4 not be authorized to sell or transfer the Lottery to a third
5 party.

6 (k) Any tangible personal property used exclusively in
7 connection with the lottery that is owned by the Department
8 and leased to the private manager shall be owned by the
9 Department in the name of the State and shall be considered to
10 be public property devoted to an essential public and
11 governmental function.

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

15 (m) Neither this Section nor any management agreement
16 entered into under this Section prohibits the General Assembly
17 from authorizing forms of gambling that are not in direct
18 competition with the Lottery. The forms of gambling authorized
19 by Public Act 101-31 constitute authorized forms of gambling
20 that are not in direct competition with the Lottery.

21 (n) The private manager shall be subject to a complete
22 investigation in the third, seventh, and tenth years of the
23 agreement (if the agreement is for a 10-year term) by the
24 Department in cooperation with the Auditor General to
25 determine whether the private manager has complied with this
26 Section and the management agreement. The private manager

1 shall bear the cost of an investigation or reinvestigation of
2 the private manager under this subsection.

3 (o) The powers conferred by this Section are in addition
4 and supplemental to the powers conferred by any other law. If
5 any other law or rule is inconsistent with this Section,
6 including, but not limited to, provisions of the Illinois
7 Procurement Code, then this Section controls as to any
8 management agreement entered into under this Section. This
9 Section and any rules adopted under this Section contain full
10 and complete authority for a management agreement between the
11 Department and a private manager. No law, procedure,
12 proceeding, publication, notice, consent, approval, order, or
13 act by the Department or any other officer, Department,
14 agency, or instrumentality of the State or any political
15 subdivision is required for the Department to enter into a
16 management agreement under this Section. This Section contains
17 full and complete authority for the Department to approve any
18 contracts entered into by a private manager with a vendor
19 providing goods, services, or both goods and services to the
20 private manager under the terms of the management agreement,
21 including subcontractors of such vendors.

22 Upon receipt of a written request from the Chief
23 Procurement Officer, the Department shall provide to the Chief
24 Procurement Officer a complete and un-redacted copy of the
25 management agreement or any contract that is subject to the
26 Department's approval authority under this subsection (o). The

1 Department shall provide a copy of the agreement or contract
2 to the Chief Procurement Officer in the time specified by the
3 Chief Procurement Officer in his or her written request, but
4 no later than 5 business days after the request is received by
5 the Department. The Chief Procurement Officer must retain any
6 portions of the management agreement or of any contract
7 designated by the Department as confidential, proprietary, or
8 trade secret information in complete confidence pursuant to
9 subsection (g) of Section 7 of the Freedom of Information Act.
10 The Department shall also provide the Chief Procurement
11 Officer with reasonable advance written notice of any contract
12 that is pending Department approval.

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

1 subsection (o), shall select a final offeror as the private
2 manager and sign the management agreement with the private
3 manager.

4 Through June 30, 2022, except as provided in Sections
5 21.5, 21.6, 21.7, 21.8, 21.9, 21.10, 21.11, 21.12, and 21.13
6 of this Act and Section 25-70 of the Sports Wagering Act, the
7 Department shall distribute all proceeds of lottery tickets
8 and shares sold in the following priority and manner:

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

10 (2) The payment of costs incurred in the operation and
11 administration of the Lottery, including the payment of
12 sums due to the private manager under the management
13 agreement with the Department.

14 (3) On the last day of each month or as soon thereafter
15 as possible, the State Comptroller shall direct and the
16 State Treasurer shall transfer from the State Lottery Fund
17 to the Common School Fund an amount that is equal to the
18 proceeds transferred in the corresponding month of fiscal
19 year 2009, as adjusted for inflation, to the Common School
20 Fund.

21 (4) On or before September 30 of each fiscal year,
22 deposit any estimated remaining proceeds from the prior
23 fiscal year, subject to payments under items (1), (2), and
24 (3), into the Capital Projects Fund. Beginning in fiscal
25 year 2019, the amount deposited shall be increased or
26 decreased each year by the amount the estimated payment

1 differs from the amount determined from each year-end
2 financial audit. Only remaining net deficits from prior
3 fiscal years may reduce the requirement to deposit these
4 funds, as determined by the annual financial audit.

5 Beginning July 1, 2022, the Department shall distribute
6 all proceeds of lottery tickets and shares sold in the manner
7 and priority described in Section 9.3 of this Act, except that
8 the Department shall make the transfer into the Capital
9 Projects Fund that would have occurred under item (4) of this
10 subsection (o) on or before September 30, 2022, but for the
11 changes made to this subsection by Public Act 102-699.

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

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

18 (2) upon request of the Chief Procurement Officer, the
19 Department shall promptly produce information related to
20 the procurement activities of the Department and the
21 private manager requested by the Chief Procurement
22 Officer; the Chief Procurement Officer must retain
23 confidential, proprietary, or trade secret information
24 designated by the Department in complete confidence
25 pursuant to subsection (g) of Section 7 of the Freedom of
26 Information Act; and

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

6 (Source: P.A. 101-31, eff. 6-28-19; 101-81, eff. 7-12-19;
7 101-561, eff. 8-23-19; 102-558, eff. 8-20-21; 102-699, eff.
8 4-19-22.)

9 Section 20. The State Finance Act is amended by changing
10 Section 6z-130, as added by Public Act 102-699, and Sections
11 6z-114 and 8g-1 and by adding Sections 5.990 and 6z-138 as
12 follows:

13 (30 ILCS 105/5.990 new)

14 Sec. 5.990. The Hate Crimes and Bias Incident Prevention
15 and Response Fund.

16 (30 ILCS 105/6z-114)

17 Sec. 6z-114. The Ronald McDonald House Charities Fund;
18 creation. The Ronald McDonald House Charities Fund is created
19 as a special fund in the State treasury. From appropriations
20 to the Department of Human Services from the Fund, the
21 Department shall ~~Subject to appropriation, moneys in the Fund~~
22 ~~shall be used to~~ make grants to Ronald McDonald House
23 Charities for services in Illinois.

1 (Source: P.A. 102-73, eff. 7-9-21.)

2 (30 ILCS 105/6z-134)

3 Sec. 6z-134 ~~6z-130~~. Statewide 9-8-8 Trust Fund.

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

13 (1) appropriations by the General Assembly;

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

15 (3) interest, premiums, gains, or other earnings on
16 the Fund;

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

19 (b) Moneys in the Fund:

20 (1) do not revert at the end of any State fiscal year
21 but remain available for the purposes of the Fund in
22 subsequent State fiscal years; and

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

1 (c) An annual report of Fund deposits and expenditures
2 shall be made to the General Assembly and the Federal
3 Communications Commission.

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

9 (Source: P.A. 102-699, eff. 4-19-22; revised 8-1-22.)

10 (30 ILCS 105/6z-138 new)

11 Sec. 6z-138. Hate Crimes and Bias Incident Prevention and
12 Response Fund.

13 (a) The Hate Crimes and Bias Incident Prevention and
14 Response Fund is created as a special fund in the State
15 treasury. The Fund may accept moneys from any lawful source.
16 Any interest earned on moneys in the Fund shall be deposited
17 into the Fund.

18 (b) Subject to appropriation, moneys in the Hate Crimes
19 and Bias Incident Prevention and Response Fund shall be used
20 by the Department of Human Rights, in its capacity as
21 administrator and fiscal agent for the Commission on
22 Discrimination and Hate Crimes, for operational and
23 administrative expenditures related to, as well as the award
24 of grants that support the eradication of, hate crimes and
25 bias incidents.

1 (c) The Department of Human Rights shall adopt rules
2 establishing requirements for the distribution of grant moneys
3 and the determination of which persons or entities are
4 eligible for grants and may adopt any other rules necessary to
5 implement this Section and administer the Fund.

6 (30 ILCS 105/8g-1)

7 Sec. 8g-1. Fund transfers.

8 (a) (Blank).

9 (b) (Blank).

10 (c) (Blank).

11 (d) (Blank).

12 (e) (Blank).

13 (f) (Blank).

14 (g) (Blank).

15 (h) (Blank).

16 (i) (Blank).

17 (j) (Blank).

18 (k) (Blank).

19 (l) (Blank).

20 (m) (Blank).

21 (n) (Blank).

22 (o) (Blank).

23 (p) (Blank).

24 (q) (Blank).

25 (r) (Blank).

1 (s) (Blank).

2 (t) (Blank).

3 (u) In addition to any other transfers that may be
4 provided for by law, on July 1, 2021, or as soon thereafter as
5 practical, only as directed by the Director of the Governor's
6 Office of Management and Budget, the State Comptroller shall
7 direct and the State Treasurer shall transfer the sum of
8 \$5,000,000 from the General Revenue Fund to the DoIT Special
9 Projects Fund, and on June 1, 2022, or as soon thereafter as
10 practical, but no later than June 30, 2022, the State
11 Comptroller shall direct and the State Treasurer shall
12 transfer the sum so transferred from the DoIT Special Projects
13 Fund to the General Revenue Fund.

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

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

25 (x) In addition to any other transfers that may be
26 provided for by law, at a time or times during Fiscal Year 2022

1 as directed by the Governor, the State Comptroller shall
2 direct and the State Treasurer shall transfer up to a total of
3 \$20,000,000 from the General Revenue Fund to the Illinois
4 Sports Facilities Fund to be credited to the Advance Account
5 within the Fund.

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

12 (z) In addition to any other transfers that may be
13 provided for by law, on April 19, 2022 (the effective date of
14 Public Act 102-699) ~~this amendatory Act of the 102nd General~~
15 ~~Assembly~~, or as soon thereafter as practical, but no later
16 than June 30, 2022, the State Comptroller shall direct and the
17 State Treasurer shall transfer the sum of \$148,000,000 from
18 the General Revenue Fund to the Build Illinois Bond Fund.

19 (aa) In addition to any other transfers that may be
20 provided for by law, on April 19, 2022 (the effective date of
21 Public Act 102-699) ~~this amendatory Act of the 102nd General~~
22 ~~Assembly~~, or as soon thereafter as practical, but no later
23 than June 30, 2022, the State Comptroller shall direct and the
24 State Treasurer shall transfer the sum of \$180,000,000 from
25 the General Revenue Fund to the Rebuild Illinois Projects
26 Fund.

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

6 (cc) 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 Grant Accountability and Transparency
11 Fund.

12 (dd) ~~(z)~~ In addition to any other transfers that may be
13 provided by law, on April 19, 2022 (the effective date of
14 Public Act 102-700) ~~this amendatory Act of the 102nd General~~
15 ~~Assembly~~, or as soon thereafter as practical, but no later
16 than June 30, 2022, the State Comptroller shall direct and the
17 State Treasurer shall transfer the sum of \$685,000,000 from
18 the General Revenue Fund to the Income Tax Refund Fund. Moneys
19 from this transfer shall be used for the purpose of making the
20 one-time rebate payments provided under Section 212.1 of the
21 Illinois Income Tax Act.

22 (ee) ~~(aa)~~ In addition to any other transfers that may be
23 provided by law, beginning on April 19, 2022 (the effective
24 date of Public Act 102-700) ~~this amendatory Act of the 102nd~~
25 ~~General Assembly~~ and until December 31, 2023, at the direction
26 of the Department of Revenue, the State Comptroller shall

1 direct and the State Treasurer shall transfer from the General
2 Revenue Fund to the Income Tax Refund Fund any amounts needed
3 beyond the amounts transferred in subsection (dd) ~~(z)~~ to make
4 payments of the one-time rebate payments provided under
5 Section 212.1 of the Illinois Income Tax Act.

6 (ff) ~~(z)~~ In addition to any other transfers that may be
7 provided for by law, on April 19, 2022 (the effective date of
8 Public Act 102-700) ~~this amendatory Act of the 102nd General~~
9 ~~Assembly~~, or as soon thereafter as practical, but no later
10 than June 30, 2022, the State Comptroller shall direct and the
11 State Treasurer shall transfer the sum of \$720,000,000 from
12 the General Revenue Fund to the Budget Stabilization Fund.

13 (gg) ~~(aa)~~ In addition to any other transfers that may be
14 provided for by law, on July 1, 2022, or as soon thereafter as
15 practical, the State Comptroller shall direct and the State
16 Treasurer shall transfer the sum of \$280,000,000 from the
17 General Revenue Fund to the Budget Stabilization Fund.

18 (hh) ~~(bb)~~ In addition to any other transfers that may be
19 provided for by law, on July 1, 2022, or as soon thereafter as
20 practical, the State Comptroller shall direct and the State
21 Treasurer shall transfer the sum of \$200,000,000 from the
22 General Revenue Fund to the Pension Stabilization Fund.

23 (ii) In addition to any other transfers that may be
24 provided for by law, on January 1, 2023, or as soon thereafter
25 as practical, the State Comptroller shall direct and the State
26 Treasurer shall transfer the sum of \$850,000,000 from the

1 General Revenue Fund to the Budget Stabilization Fund.

2 (jj) In addition to any other transfers that may be
3 provided for by law, at a time or times during Fiscal Year 2023
4 as directed by the Governor, the State Comptroller shall
5 direct and the State Treasurer shall transfer up to a total of
6 \$400,000,000 from the General Revenue Fund to the Large
7 Business Attraction Fund.

8 (kk) In addition to any other transfers that may be
9 provided for by law, on January 1, 2023, or as soon thereafter
10 as practical, the State Comptroller shall direct and the State
11 Treasurer shall transfer the sum of \$75,000,000 from the
12 General Revenue Fund to the Disaster Response and Recovery
13 Fund.

14 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;
15 102-16, eff. 6-17-21; 102-699, eff. 4-19-22; 102-700, Article
16 40, Section 40-5, eff. 4-19-22; 102-700, Article 80, Section
17 80-5, eff. 4-19-22; revised 6-23-22.)

18 Section 25. The Budget Stabilization Act is amended by
19 changing Section 15 as follows:

20 (30 ILCS 122/15)

21 Sec. 15. Transfers to Budget Stabilization Fund. In
22 furtherance of the State's objective for the Budget
23 Stabilization Fund to have resources representing 7.5% ~~5%~~ of
24 the State's annual general funds revenues:

1 (a) For each fiscal year when the General Assembly's
2 appropriations and transfers or diversions as required by law
3 from general funds do not exceed 99% of the estimated general
4 funds revenues pursuant to subsection (a) of Section 10, the
5 Comptroller shall transfer from the General Revenue Fund as
6 provided by this Section a total amount equal to 0.5% of the
7 estimated general funds revenues to the Budget Stabilization
8 Fund.

9 (b) For each fiscal year when the General Assembly's
10 appropriations and transfers or diversions as required by law
11 from general funds do not exceed 98% of the estimated general
12 funds revenues pursuant to subsection (b) of Section 10, the
13 Comptroller shall transfer from the General Revenue Fund as
14 provided by this Section a total amount equal to 1% of the
15 estimated general funds revenues to the Budget Stabilization
16 Fund.

17 (c) The Comptroller shall transfer 1/12 of the total
18 amount to be transferred each fiscal year under this Section
19 into the Budget Stabilization Fund on the first day of each
20 month of that fiscal year or as soon thereafter as possible.
21 The balance of the Budget Stabilization Fund shall not exceed
22 7.5% ~~5%~~ of the total of general funds revenues estimated for
23 that fiscal year except as provided by subsection (d) of this
24 Section.

25 (d) If the balance of the Budget Stabilization Fund
26 exceeds 7.5% ~~5%~~ of the total general funds revenues estimated

1 for that fiscal year, the additional transfers are not
2 required unless there are outstanding liabilities under
3 Section 25 of the State Finance Act from prior fiscal years. If
4 there are such outstanding Section 25 liabilities, then the
5 Comptroller shall continue to transfer 1/12 of the total
6 amount identified for transfer to the Budget Stabilization
7 Fund on the first day of each month of that fiscal year or as
8 soon thereafter as possible to be reserved for those Section
9 25 liabilities. Nothing in this Act prohibits the General
10 Assembly from appropriating additional moneys into the Budget
11 Stabilization Fund.

12 (e) On or before August 31 of each fiscal year, the amount
13 determined to be transferred to the Budget Stabilization Fund
14 shall be reconciled to actual general funds revenues for that
15 fiscal year. The final transfer for each fiscal year shall be
16 adjusted so that the total amount transferred under this
17 Section is equal to the percentage specified in subsection (a)
18 or (b) of this Section, as applicable, based on actual general
19 funds revenues calculated consistently with subsection (c) of
20 Section 10 of this Act for each fiscal year.

21 (f) For the fiscal year beginning July 1, 2006 and for each
22 fiscal year thereafter, the budget proposal to the General
23 Assembly shall identify liabilities incurred in a prior fiscal
24 year under Section 25 of the State Finance Act and the budget
25 proposal shall provide funding as allowable pursuant to
26 subsection (d) of this Section, if applicable.

1 (Source: P.A. 93-660, eff. 7-1-04; 94-839, eff. 6-6-06.)

2 Section 30. The Illinois Police Training Act is amended by
3 changing Section 6 as follows:

4 (50 ILCS 705/6) (from Ch. 85, par. 506)

5 Sec. 6. Powers and duties of the Board; selection and
6 certification of schools. The Board shall select and certify
7 schools within the State of Illinois for the purpose of
8 providing basic training for probationary law enforcement
9 officers, probationary county corrections officers, and court
10 security officers and of providing advanced or in-service
11 training for permanent law enforcement officers or permanent
12 county corrections officers, which schools may be either
13 publicly or privately owned and operated. In addition, the
14 Board has the following power and duties:

15 a. To require law enforcement agencies to furnish such
16 reports and information as the Board deems necessary to
17 fully implement this Act.

18 b. To establish appropriate mandatory minimum
19 standards relating to the training of probationary local
20 law enforcement officers or probationary county
21 corrections officers, and in-service training of permanent
22 law enforcement officers.

23 c. To provide appropriate certification to those
24 probationary officers who successfully complete the

1 prescribed minimum standard basic training course.

2 d. To review and approve annual training curriculum
3 for county sheriffs.

4 e. To review and approve applicants to ensure that no
5 applicant is admitted to a certified academy unless the
6 applicant is a person of good character and has not been
7 convicted of, found guilty of, entered a plea of guilty
8 to, or entered a plea of nolo contendere to a felony
9 offense, any of the misdemeanors in Sections 11-1.50,
10 11-6, 11-6.5, 11-6.6, 11-9.1, 11-9.1B, 11-14, 11-14.1,
11 11-30, 12-2, 12-3.2, 12-3.4, 12-3.5, 16-1, 17-1, 17-2,
12 26.5-1, 26.5-2, 26.5-3, 28-3, 29-1, any misdemeanor in
13 violation of any Section of Part E of Title III of the
14 Criminal Code of 1961 or the Criminal Code of 2012, or
15 subsection (a) of Section 17-32 of the Criminal Code of
16 1961 or the Criminal Code of 2012, or Section 5 or 5.2 of
17 the Cannabis Control Act, or a crime involving moral
18 turpitude under the laws of this State or any other state
19 which if committed in this State would be punishable as a
20 felony or a crime of moral turpitude, or any felony or
21 misdemeanor in violation of federal law or the law of any
22 state that is the equivalent of any of the offenses
23 specified therein. The Board may appoint investigators who
24 shall enforce the duties conferred upon the Board by this
25 Act.

26 For purposes of this paragraph e, a person is

1 considered to have been convicted of, found guilty of, or
2 entered a plea of guilty to, plea of nolo contendere to
3 regardless of whether the adjudication of guilt or
4 sentence is withheld or not entered thereon. This includes
5 sentences of supervision, conditional discharge, or first
6 offender probation, or any similar disposition provided
7 for by law.

8 f. To establish statewide standards for minimum
9 standards regarding regular mental health screenings for
10 probationary and permanent police officers, ensuring that
11 counseling sessions and screenings remain confidential.

12 g. To review and ensure all law enforcement officers
13 remain in compliance with this Act, and any administrative
14 rules adopted under this Act.

15 h. To suspend any certificate for a definite period,
16 limit or restrict any certificate, or revoke any
17 certificate.

18 i. The Board and the Panel shall have power to secure
19 by its subpoena and bring before it any person or entity in
20 this State and to take testimony either orally or by
21 deposition or both with the same fees and mileage and in
22 the same manner as prescribed by law in judicial
23 proceedings in civil cases in circuit courts of this
24 State. The Board and the Panel shall also have the power to
25 subpoena the production of documents, papers, files,
26 books, documents, and records, whether in physical or

1 electronic form, in support of the charges and for
2 defense, and in connection with a hearing or
3 investigation.

4 j. The Executive Director, the administrative law
5 judge designated by the Executive Director, and each
6 member of the Board and the Panel shall have the power to
7 administer oaths to witnesses at any hearing that the
8 Board is authorized to conduct under this Act and any
9 other oaths required or authorized to be administered by
10 the Board under this Act.

11 k. In case of the neglect or refusal of any person to
12 obey a subpoena issued by the Board and the Panel, any
13 circuit court, upon application of the Board and the
14 Panel, through the Illinois Attorney General, may order
15 such person to appear before the Board and the Panel give
16 testimony or produce evidence, and any failure to obey
17 such order is punishable by the court as a contempt
18 thereof. This order may be served by personal delivery, by
19 email, or by mail to the address of record or email address
20 of record.

21 l. The Board shall have the power to administer state
22 certification examinations. Any and all records related to
23 these examinations, including, but not limited to, test
24 questions, test formats, digital files, answer responses,
25 answer keys, and scoring information shall be exempt from
26 disclosure.

1 m. To make grants, subject to appropriation, to units
2 of local government and public institutions of higher
3 education for the purposes of hiring and retaining law
4 enforcement officers.

5 (Source: P.A. 101-187, eff. 1-1-20; 101-652, Article 10,
6 Section 10-143, eff. 7-1-21; 101-652, Article 25, Section
7 25-40, eff. 1-1-22; 102-687, eff. 12-17-21; 102-694, eff.
8 1-7-22.)

9 Section 35. The Liquor Control Act of 1934 is amended by
10 adding Section 3-4.1 as follows:

11 (235 ILCS 5/3-4.1 new)

12 Sec. 3-4.1. Obtaining evidence. The State Commission has
13 the power to expend sums that the Executive Director deems
14 necessary for the purchase of evidence and for the employment
15 of persons to obtain evidence. The sums shall be advanced to
16 employees authorized by the Executive Director to expend
17 funds, on vouchers signed by the Executive Director.

18 In addition, the Executive Director is authorized to
19 maintain one or more commercial checking accounts with any
20 State banking corporation or corporations organized under or
21 subject to the Illinois Banking Act for the deposit and
22 withdrawal of moneys to be used solely for the purchase of
23 evidence and for the employment of persons to obtain evidence.
24 No check may be written on nor any withdrawal made from such an

1 account except on the written signature of 2 persons
2 designated by the Executive Director to write those checks and
3 make those withdrawals. The balance of moneys on deposit in
4 any such account shall not exceed \$25,000 at any time, nor
5 shall any one check written on or single withdrawal made from
6 any such account exceed \$25,000.

7 Section 40. The Illinois Human Rights Act is amended by
8 changing Section 7-101 as follows:

9 (775 ILCS 5/7-101) (from Ch. 68, par. 7-101)

10 Sec. 7-101. Powers and Duties. In addition to other powers
11 and duties prescribed in this Act, the Department shall have
12 the following powers:

13 (A) Rules and Regulations. To adopt, promulgate, amend,
14 and rescind rules and regulations not inconsistent with the
15 provisions of this Act pursuant to the Illinois Administrative
16 Procedure Act.

17 (B) Charges. To issue, receive, investigate, conciliate,
18 settle, and dismiss charges filed in conformity with this Act.

19 (C) Compulsory Process. To request subpoenas as it deems
20 necessary for its investigations.

21 (D) Complaints. To file complaints with the Commission in
22 conformity with this Act.

23 (E) Judicial Enforcement. To seek temporary relief and to
24 enforce orders of the Commission in conformity with this Act.

1 (F) Equal Employment Opportunities. To take such action as
2 may be authorized to provide for equal employment
3 opportunities and affirmative action.

4 (G) Recruitment; Research; Public Communication; Advisory
5 Councils. To engage in such recruitment, research and public
6 communication and create such advisory councils as may be
7 authorized to effectuate the purposes of this Act.

8 (H) Coordination with other Agencies. To coordinate its
9 activities with federal, state, and local agencies in
10 conformity with this Act.

11 (I) ~~Public~~ Grants; Private Gifts.

12 (1) To accept public grants and private gifts as may
13 be authorized.

14 (2) To design grant programs and award grants to
15 eligible recipients.

16 (J) Education and Training. To implement a formal and
17 unbiased program of education and training for all employees
18 assigned to investigate and conciliate charges under Articles
19 7A and 7B. The training program shall include the following:

20 (1) substantive and procedural aspects of the
21 investigation and conciliation positions;

22 (2) current issues in human rights law and practice;

23 (3) lectures by specialists in substantive areas
24 related to human rights matters;

25 (4) orientation to each operational unit of the
26 Department and Commission;

1 (5) observation of experienced Department
2 investigators and attorneys conducting conciliation
3 conferences, combined with the opportunity to discuss
4 evidence presented and rulings made;

5 (6) the use of hypothetical cases requiring the
6 Department investigator and conciliation conference
7 attorney to issue judgments as a means to evaluating
8 knowledge and writing ability;

9 (7) writing skills;

10 (8) computer skills, including but not limited to word
11 processing and document management.

12 A formal, unbiased and ongoing professional development
13 program including, but not limited to, the above-noted areas
14 shall be implemented to keep Department investigators and
15 attorneys informed of recent developments and issues and to
16 assist them in maintaining and enhancing their professional
17 competence.

18 (Source: P.A. 99-74, eff. 7-20-15.)

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.".