



Rep. Greg Harris

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LRB102 15815 JDS 42540 a

1 AMENDMENT TO SENATE BILL 1720

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1720, AS AMENDED,  
3 by replacing everything after the enacting clause with the  
4 following:

5 "ARTICLE 1

6 Section 1-1. Short title. This Act may be cited as the  
7 Second FY 2023 Budget Implementation Act.

8 Section 1-5. Purpose. It is the purpose of this Act to make  
9 additional changes in State programs that are necessary to  
10 implement the State budget for Fiscal Year 2023 and subsequent  
11 fiscal years.

12 ARTICLE 3

13 Section 3-1. Short title. This Article may be cited as the

1 Warehouse Safety Standards Task Force Act. As used in this  
2 Article, "this Act" refers to this Article.

3 Section 3-5. The Warehouse Safety Standards Task Force.

4 (a) The Warehouse Safety Standards Task Force is created  
5 to study warehouse safety standards. The Task Force shall  
6 consist of the following members:

7 (1) 2 members of the House of Representatives,  
8 appointed by the Speaker of the House of Representatives;

9 (2) 2 members of the House of Representatives,  
10 appointed by the Minority Leader of the House of  
11 Representatives;

12 (3) 2 members of the Senate, appointed by the  
13 President of the Senate;

14 (4) 2 members of the Senate, appointed by the Minority  
15 Leader of the Senate;

16 (5) one representative of an entity representing  
17 retail merchants, appointed by the Governor;

18 (6) one representative of an entity representing  
19 manufacturers, appointed by the Governor;

20 (7) one representative of an entity representing  
21 mayors, appointed by the Governor;

22 (8) one representative of the State Chamber of  
23 Commerce, appointed by the Governor;

24 (9) one representative of the American Federation of  
25 Labor and Congress of Industrial Organizations, appointed

1 by the Governor;

2 (10) one representative of a labor union representing  
3 warehouse workers, appointed by the Governor;

4 (11) one representative of a worker advocacy  
5 organization representing warehouse workers, appointed by  
6 the Governor; and

7 (12) the Director of Labor or his or her designee, who  
8 shall serve as the ex officio chair.

9 (b) The members of the Task Force shall serve without  
10 compensation.

11 (c) The Department of Labor shall provide administrative  
12 support to the Task Force.

13 Section 3-10. Reports. The Task Force must provide  
14 quarterly updates of its findings, discussions, and decisions  
15 to the Governor and the General Assembly. The Task Force shall  
16 submit a final report of its recommendations to the Governor  
17 and the General Assembly no later than January 1, 2025.

18 Section 3-90. Repeal. The Task Force is dissolved and this  
19 Act is repealed on January 1, 2026.

20 ARTICLE 5

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

1 (5 ILCS 100/5-45.35 new)

2 Sec. 5-45.35. Emergency rulemaking; Hate Crimes and Bias  
3 Incident Prevention and Response Fund and Local Chambers of  
4 Commerce Recovery Grants. To provide for the expeditious and  
5 timely implementation of this amendatory Act of the 102nd  
6 General Assembly, emergency rules implementing Section 6z-138  
7 of the State Finance Act may be adopted in accordance with  
8 Section 5-45 by the Department of Human Rights and emergency  
9 rules implementing Section 605-1105 of the Department of  
10 Commerce and Economic Opportunity Law of the Civil  
11 Administrative Code of Illinois may be adopted in accordance  
12 with Section 5-45 by the Department of Commerce and Economic  
13 Opportunity. The adoption of emergency rules authorized by  
14 Section 5-45 and this Section is deemed to be necessary for the  
15 public interest, safety, and welfare.

16 This Section is repealed one year after the effective date  
17 of this amendatory Act of the 102nd General Assembly.

18 Section 5-10. The State Employees Group Insurance Act of  
19 1971 is amended by changing Section 11 as follows:

20 (5 ILCS 375/11) (from Ch. 127, par. 531)

21 Sec. 11. The amount of contribution in any fiscal year  
22 from funds other than the General Revenue Fund or the Road Fund  
23 shall be at the same contribution rate as the General Revenue

1 Fund or the Road Fund except that, in State Fiscal Year 2009,  
2 no contributions shall be required from the FY09 Budget Relief  
3 Fund. Contributions and payments for life insurance shall be  
4 deposited in the Group Insurance Premium Fund. Contributions  
5 and payments for health coverages and other benefits shall be  
6 deposited in the Health Insurance Reserve Fund. Federal funds  
7 which are available for cooperative extension purposes shall  
8 also be charged for the contributions which are made for  
9 retired employees formerly employed in the Cooperative  
10 Extension Service. In the case of departments or any division  
11 thereof receiving a fraction of its requirements for  
12 administration from the Federal Government, the contributions  
13 hereunder shall be such fraction of the amount determined  
14 under the provisions hereof and the remainder shall be  
15 contributed by the State.

16 Every department which has members paid from funds other  
17 than the General Revenue Fund shall cooperate with the  
18 Department of Central Management Services and the Governor's  
19 Office of Management and Budget in order to assure that the  
20 specified proportion of the State's cost for group life  
21 insurance, the program of health benefits and other employee  
22 benefits is paid by such funds; except that contributions  
23 under this Act need not be paid from any other fund where both  
24 the Director of Central Management Services and the Director  
25 of the Governor's Office of Management and Budget have  
26 designated in writing that the necessary contributions are

1 included in the General Revenue Fund contribution amount.

2 Universities having employees who are ~~totally~~ compensated  
3 out of the following funds or sources are not required to  
4 submit the contribution described in this Section for such  
5 employees:

6 (1) income funds, as described in Sections 6a-1,  
7 6a-1a, 6a-1b, 6a-1c, 6a-1d, 6a-1e, 6a-1f, 6a-1g, and 6d of  
8 the State Finance Act, including tuition, laboratory, and  
9 library fees and any interest earned on those fees ~~Income~~  
10 ~~Funds;~~

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

14 (i) funds from auxiliary enterprises, which are  
15 operations that support the overall objectives of the  
16 university but are not directly related to  
17 instruction, research, or service organizational  
18 units;

19 (ii) funds from auxiliary activities, which are  
20 functions that are self-supporting, in whole or in  
21 part, and are directly related to instruction,  
22 research, or service units; ~~Local auxiliary funds; and~~

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

25 (4) appropriations from the General Revenue Fund,  
26 Education Assistance Fund, or other State appropriations

1 that are made for the purposes of instruction, research,  
2 public service, or economic development;

3 (5) funds to the University of Illinois Hospital for  
4 health care professional services that are performed by  
5 University of Illinois faculty or University of Illinois  
6 health care programs established under the University of  
7 Illinois Hospital Act; or

8 (6) funds designated for the Cooperative Extension  
9 Service, as defined in Section 3 of the County Cooperative  
10 Extension Law.

11 ~~shall not be required to submit such contribution for such~~  
12 ~~employees.~~

13 If an employee of a university is partially compensated  
14 from the funds or sources of funds identified in paragraphs  
15 (1) through (6) above, universities shall be required to  
16 submit a pro rata contribution for the portion of the  
17 employee's compensation that is derived out of funds or  
18 sources other than those identified in paragraphs (1) through  
19 (6) above.

20 The Department of Central Management Services may conduct  
21 a post-payment review of university reimbursements to assess  
22 or address any discrepancies. Universities shall cooperate  
23 with the Department of Central Management Services during any  
24 post-payment review, that may require universities to provide  
25 documentation to support payment calculations or funding  
26 sources used for calculating reimbursements. The Department of

1 Central Management Services reserves the right to reconcile  
2 any discrepancies in reimbursement subtotals or total  
3 obligations and to notify universities of all final  
4 reconciliations, which shall include the Department of Central  
5 Management Services calculations and the amount of any credits  
6 or obligations that may be due.

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

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

20 Section 5-12. The Children and Family Services Act is  
21 amended by adding Section 45 as follows:

22 (20 ILCS 505/45 new)

23 Sec. 45. Title IV-E funds for legal services to foster  
24 youth and families.



1       (a) Findings and purpose. The General Assembly finds the  
2 following:

3           (1) Child welfare court proceedings are serious and  
4 life changing. Children and youth are subject to court  
5 decisions that may forever change their family  
6 composition, as well as their connections to culture and  
7 heritage.

8           (2) The gravity of child welfare proceedings and the  
9 rights and liabilities at stake necessitate the provision  
10 of quality legal representation for children and youth  
11 throughout the duration of child welfare proceedings.

12           (3) Legal representation serves to protect and advance  
13 the interests of children and youth in court and provides  
14 confidential attorney-client privilege to ensure children  
15 feel safe sharing with attorneys information that  
16 otherwise may go unvoiced.

17           (4) As the agency responsible for administering the  
18 State's approved Title IV-E State Plan, the Department of  
19 Children and Family Services is the only State agency with  
20 the authority to seek federal matching funds under Title  
21 IV-E of the Social Security Act for children who are  
22 candidates for foster care, children who are in foster  
23 care, and parents who are participating in foster care  
24 legal proceedings.

25           (5) It is the intent of the General Assembly to ensure  
26 the Department leverages and maximizes federal resources

1 to support the provision of quality legal representation  
2 to children and families to improve outcomes in the child  
3 welfare system.

4 (b) Definitions. As used in this Section:

5 "Child's lawyer" means a lawyer who is appointed by the  
6 court to serve as a child's lawyer in a proceeding pending  
7 under Article II of the Juvenile Court Act of 1987 in  
8 accordance with the duties prescribed by State statute, court  
9 rules, standards of practice, and the Illinois Rules of  
10 Professional Conduct, including, but not limited to,  
11 diligence, communication, confidentiality, and the  
12 responsibilities to zealously assert the client's position  
13 under the rules of the adversary system and to abide by the  
14 client's decisions concerning the objectives of  
15 representation, as provided for in the Illinois Rules of  
16 Professional Conduct.

17 "Respondent's lawyer" means a lawyer who provides legal  
18 representation to a parent, guardian, legal custodian, or  
19 responsible relative who is named as a party-respondent in a  
20 proceeding pending under Article II of the Juvenile Court Act  
21 of 1987 in accordance with the duties prescribed by State  
22 statute, court rules, standards of practice, and the Illinois  
23 Rules of Professional Conduct, including, but not limited to,  
24 diligence, communication, confidentiality, and the  
25 responsibilities to zealously assert the client's position  
26 under the rules of the adversary system and to abide by the

1 client's decisions concerning the objectives of  
2 representation, as provided for in the Illinois Rules of  
3 Professional Conduct.

4 (c) The Department shall pursue claiming Title IV-E  
5 administrative costs for independent legal representation by  
6 an attorney for a child who is a candidate for Title IV-E  
7 foster care, or who is in foster care, and the child's parent  
8 to prepare for and participate in all stages of foster care  
9 legal proceedings. Federal reimbursements for these  
10 administrative costs must be deposited into the Due Process  
11 for Youth and Families Fund created under subsection (d).

12 (d) The Due Process for Youth and Families Fund is created  
13 as a special fund in the State treasury. The Fund shall consist  
14 of any moneys appropriated to the Department from federal  
15 Title IV-E reimbursements for administrative costs as  
16 described in subsection (c) and any other moneys deposited  
17 into the Fund in accordance with this Section. Subject to  
18 appropriation, moneys in the Fund shall be disbursed for fees  
19 and costs incurred by organizations or law practitioners that  
20 provide services as a child's lawyer or respondent's lawyer as  
21 those terms are defined in subsection (b) and for no other  
22 purpose. All interest earned on moneys in the Fund shall be  
23 deposited into the Fund. The Department and the State  
24 Treasurer may accept funds as provided under Title IV-E of the  
25 Social Security Act for deposit into the Fund. Annual requests  
26 for appropriations for the purpose of providing independent

1 legal representation under this Section shall be made in  
2 separate and distinct line-items.

3 (e) Units of local government and public and private  
4 agencies may apply for and receive federal or State funds from  
5 the Department in accordance with the purposes of this  
6 Section.

7 Section 5-13. The Department of Commerce and Economic  
8 Opportunity Law of the Civil Administrative Code of Illinois  
9 is amended by adding Section 605-1105 as follows:

10 (20 ILCS 605/605-1105 new)

11 Sec. 605-1105. Local chambers of commerce recovery grants.

12 (a) Upon receipt or availability of the State or federal  
13 funds described in subsection (b), and subject to  
14 appropriation of those funds for the purposes described in  
15 this Section, the Department of Commerce and Economic  
16 Opportunity shall establish a program to award grants to local  
17 chambers of commerce. The Department shall award an aggregate  
18 amount of \$5,000,000 in grants under this Section to eligible  
19 chambers of commerce. Each eligible chamber of commerce that  
20 applies to the Department for a grant under this Section shall  
21 certify to the Department the difference between the chamber  
22 of commerce's total annual revenue in calendar year 2019 and  
23 the chamber of commerce's total annual revenue in calendar  
24 year 2020. The maximum amount that may be awarded to any

1 eligible chamber of commerce during the first round of grants  
2 is one-sixth of the certified amount. In determining grant  
3 amounts awarded under this Act, the Department may consider  
4 any awards that the chamber of commerce has received from the  
5 Back to Business Grant Program or the Business Interruption  
6 Grant Program. If the entire amount of moneys appropriated for  
7 the purposes of this Section has not been allocated after a  
8 first round of grants is made, the Department may award  
9 additional funds to eligible chambers of commerce from the  
10 remaining funds. Grants awarded under this Section shall not  
11 be used to make any direct lobbying expenditure, as defined in  
12 subsection (c) of Section 4911 of the Internal Revenue Code,  
13 or to engage in any political campaign activity described in  
14 Section 501(c)(3) of the Internal Revenue Code.

15 (b) The Department may use State funds and federal funds  
16 that are allocated to the State under the authority of  
17 legislation passed in response to the COVID-19 pandemic to  
18 provide grants under this Section. Those federal funds  
19 include, but are not limited to, funds allocated to the State  
20 under the American Rescue Plan Act of 2021. Any federal moneys  
21 used for this purpose shall be used in accordance with the  
22 federal legislation authorizing the use of those funds and  
23 related federal guidance as well as any other applicable State  
24 and federal laws.

25 (c) The Department may adopt any rules necessary to  
26 implement and administer the grant program created by this

1 Section. The emergency rulemaking process may be used to  
2 promulgate the initial rules of the program following the  
3 effective date of this amendatory Act of the 102nd General  
4 Assembly.

5 (d) As used in this Section, "eligible chamber of  
6 commerce" means a voluntary membership, dues-paying  
7 organization of business and professional persons dedicated to  
8 improving the economic climate and business development of the  
9 community, area, or region in which the organization is  
10 located and that:

11 (1) operates as an approved not-for-profit  
12 corporation;

13 (2) is tax-exempt under Section 501(c)(3) or Section  
14 501(c)(6) of the Internal Revenue Code of 1986;

15 (3) has an annual revenue of \$1,000,000 or less; and

16 (4) has experienced an identifiable negative economic  
17 impact resulting from or exacerbated by the public health  
18 emergency or served a community disproportionately  
19 impacted by a public health emergency.

20 Section 5-15. The Illinois Lottery Law is amended by  
21 changing Section 9.1 as follows:

22 (20 ILCS 1605/9.1)

23 Sec. 9.1. Private manager and management agreement.

24 (a) As used in this Section:

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

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

6 (1) Statements of qualifications.

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

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

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

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

26 (c) Pursuant to the terms of this subsection, the

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

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

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

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



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

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

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

25                 (1) A term not to exceed 10 years, including any  
26 renewals.

1 (2) A provision specifying that the Department:

2 (A) shall exercise actual control over all  
3 significant business decisions;

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

7 (B) has ready access at any time to information  
8 regarding Lottery operations;

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

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

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

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

1 evaluate and countermand that decision.

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

9 (6) (Blank).

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

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

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

24 (9) A requirement that so long as the private manager  
25 complies with all the conditions of the agreement under  
26 the oversight of the Department, the private manager shall

1 have the following duties and obligations with respect to  
2 the management of the Lottery:

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

5 (B) The rights and obligations under contracts  
6 with retailers and vendors.

7 (C) The implementation of a comprehensive security  
8 program by the private manager.

9 (D) The implementation of a comprehensive system  
10 of internal audits.

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

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

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

26 (11) A requirement that the private manager market the

1 Lottery to those residents who are new, infrequent, or  
2 lapsed players of the Lottery, especially those who are  
3 most likely to make regular purchases on the Internet as  
4 permitted by law.

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

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

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

19 (15) Cash reserves requirements.

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

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

26 (18) Procedures for amendment of the agreement.

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

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

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

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

26           (e) Notwithstanding any other law to the contrary, the

1 Department shall select a private manager through a  
2 competitive request for qualifications process consistent with  
3 Section 20-35 of the Illinois Procurement Code, which shall  
4 take into account:

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

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

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

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

21 (f) The Department may retain the services of an advisor  
22 or advisors with significant experience in financial services  
23 or the management, operation, and procurement of goods,  
24 services, and equipment for a government-run lottery to assist  
25 in the preparation of the terms of the request for  
26 qualifications and selection of the private manager. Any

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



1 particular potential offeror, contractor, or subcontractor.  
2 The request for proposals offered by the Department on  
3 December 22, 2008 as "LOT08GAMESYS" and reference number  
4 "22016176" is declared void.

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

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

13 (2) The subject matter of the hearing.

14 (3) A brief description of the management agreement to  
15 be awarded.

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

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

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

1 public hearing. After the public hearing, the Department shall  
2 have 14 calendar days to recommend to the Governor whether a  
3 management agreement should be entered into with a particular  
4 finalist. After reviewing the Department's recommendation, the  
5 Governor may accept or reject the Department's recommendation,  
6 and shall select a final offeror as the private manager by  
7 publication of a notice in the Illinois Procurement Bulletin  
8 on or before September 15, 2010. The Governor shall include in  
9 the notice a detailed explanation and the reasons why the  
10 final offeror is superior to other offerors and will provide  
11 management services in a manner that best achieves the  
12 objectives of this Section. The Governor shall also sign the  
13 management agreement with the private manager.

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

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

24 (k) Any tangible personal property used exclusively in  
25 connection with the lottery that is owned by the Department  
26 and leased to the private manager shall be owned by the

1 Department in the name of the State and shall be considered to  
2 be public property devoted to an essential public and  
3 governmental function.

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

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

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

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

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

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

1 subsection (g) of Section 7 of the Freedom of Information Act.  
2 The Department shall also provide the Chief Procurement  
3 Officer with reasonable advance written notice of any contract  
4 that is pending Department approval.

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

22 Through June 30, 2022, except as provided in Sections  
23 21.5, 21.6, 21.7, 21.8, 21.9, 21.10, 21.11, 21.12, and 21.13  
24 of this Act and Section 25-70 of the Sports Wagering Act, the  
25 Department shall distribute all proceeds of lottery tickets  
26 and shares sold in the following priority and manner:

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

2 (2) The payment of costs incurred in the operation and  
3 administration of the Lottery, including the payment of  
4 sums due to the private manager under the management  
5 agreement with the Department.

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

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

23 Beginning July 1, 2022, the Department shall distribute  
24 all proceeds of lottery tickets and shares sold in the manner  
25 and priority described in Section 9.3 of this Act, except that  
26 the Department shall make the deposit into the Capital

1 Projects Fund that would have occurred under item (4) of this  
2 subsection (o) on or before September 30, 2022, but for the  
3 changes made to this subsection by Public Act 102-699.

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

6 (1) the Department shall submit written quarterly  
7 reports to the Governor and the General Assembly on the  
8 activities and actions of the private manager selected  
9 under this Section;

10 (2) upon request of the Chief Procurement Officer, the  
11 Department shall promptly produce information related to  
12 the procurement activities of the Department and the  
13 private manager requested by the Chief Procurement  
14 Officer; the Chief Procurement Officer must retain  
15 confidential, proprietary, or trade secret information  
16 designated by the Department in complete confidence  
17 pursuant to subsection (g) of Section 7 of the Freedom of  
18 Information Act; and

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

24 (Source: P.A. 101-31, eff. 6-28-19; 101-81, eff. 7-12-19;  
25 101-561, eff. 8-23-19; 102-558, eff. 8-20-21; 102-699, eff.  
26 4-19-22.)

1 Section 5-20. The State Finance Act is amended by changing  
2 Section 6z-130, as added by Public Act 102-699, and Sections  
3 6z-114, 8g-1, and 8.27 and by adding Sections 5.990, 5.991,  
4 and 6z-138 as follows:

5 (30 ILCS 105/5.990 new)

6 Sec. 5.990. The Hate Crimes and Bias Incident Prevention  
7 and Response Fund.

8 (30 ILCS 105/5.991 new)

9 Sec. 5.991. The Due Process for Youth and Families Fund.

10 (30 ILCS 105/6z-114)

11 Sec. 6z-114. The Ronald McDonald House Charities Fund;  
12 creation. The Ronald McDonald House Charities Fund is created  
13 as a special fund in the State treasury. From appropriations  
14 to the Department of Human Services from the Fund, the  
15 Department shall ~~Subject to appropriation, moneys in the Fund~~  
16 ~~shall be used to~~ make grants to Ronald McDonald House  
17 Charities for services in Illinois.

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

19 (30 ILCS 105/6z-134)

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

21 (a) The Statewide 9-8-8 Trust Fund is created as a special



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

9 (1) appropriations by the General Assembly;

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

11 (3) interest, premiums, gains, or other earnings on  
12 the Fund;

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

15 (b) Moneys in the Fund:

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

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

22 (c) An annual report of Fund deposits and expenditures  
23 shall be made to the General Assembly and the Federal  
24 Communications Commission.

25 (d) (Blank). ~~In addition to any other transfers that may~~  
26 ~~be provided for by law, on July 1, 2022, or as soon thereafter~~

1 ~~as practical, the State Comptroller shall direct and the State~~  
2 ~~Treasurer shall transfer the sum of \$5,000,000 from the~~  
3 ~~Statewide 9-1-1 Fund to the Statewide 9-8-8 Trust Fund.~~

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

5 (30 ILCS 105/6z-138 new)

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

8 (a) The Hate Crimes and Bias Incident Prevention and  
9 Response Fund is created as a special fund in the State  
10 treasury. The Fund may accept moneys from any lawful source.  
11 Any interest earned on moneys in the Fund shall be deposited  
12 into the Fund.

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

21 (c) The Department of Human Rights shall adopt rules  
22 establishing requirements for the distribution of grant moneys  
23 and the determination of which persons or entities are  
24 eligible for grants and may adopt any other rules necessary to  
25 implement this Section and administer the Fund.

1 (30 ILCS 105/8.27) (from Ch. 127, par. 144.27)

2 Sec. 8.27. All receipts from federal financial  
3 participation in the Foster Care and Adoption Services program  
4 under Title IV-E of the federal Social Security Act, including  
5 receipts for related indirect costs, shall be deposited into  
6 ~~in~~ the DCFS Children's Services Fund or the Due Process for  
7 Youth and Families Fund as provided in Section 45 of the  
8 Children and Family Services Act.

9 Beginning on July 20, 2010 (the effective date of Public  
10 Act 96-1127), any funds paid to the State by the federal  
11 government under Title XIX and Title XXI of the Social  
12 Security Act for child welfare services delivered by community  
13 mental health providers, certified and paid as Medicaid  
14 providers by the Department of Children and Family Services,  
15 for child welfare services relating to Medicaid-eligible  
16 clients and families served consistent with the purposes of  
17 the Department of Children and Family Services, including  
18 services delivered as a result of the conversion of such  
19 providers from a comprehensive rate to a fee-for-service  
20 payment methodology, and any subsequent revenue maximization  
21 initiatives performed by such providers, and any interest  
22 earned thereon, shall be deposited directly into the DCFS  
23 Children's Services Fund. Such funds shall be used for the  
24 provision of child welfare services provided to eligible  
25 individuals identified by the Department of Children and

1 Family Services. Child welfare services are defined in Section  
2 5 of the Children and Family Services Act.

3 All receipts from federal financial participation in the  
4 Child Welfare Services program under Title IV-B of the federal  
5 Social Security Act, including receipts for related indirect  
6 costs, shall be deposited into the DCFS Children's Services  
7 Fund for those moneys received as reimbursement for services  
8 provided on or after July 1, 1994.

9 For services provided on or after July 1, 2007, all  
10 federal funds received pursuant to the John H. Chafee Foster  
11 Care Independence Program shall be deposited into the DCFS  
12 Children's Services Fund.

13 Except as otherwise provided in this Section, moneys in  
14 the Fund may be used by the Department, pursuant to  
15 appropriation by the General Assembly, for the ordinary and  
16 contingent expenses of the Department.

17 In accordance with subsection (q) of Section 5 of the  
18 Children and Family Services Act, disbursements from  
19 individual children's accounts shall be deposited into the  
20 DCFS Children's Services Fund.

21 Receipts from public and unsolicited private grants, fees  
22 for training, and royalties earned from the publication of  
23 materials owned by or licensed to the Department of Children  
24 and Family Services shall be deposited into the DCFS  
25 Children's Services Fund.

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

1 (30 ILCS 105/8g-1)

2 Sec. 8g-1. Fund transfers.

3 (a) (Blank).

4 (b) (Blank).

5 (c) (Blank).

6 (d) (Blank).

7 (e) (Blank).

8 (f) (Blank).

9 (g) (Blank).

10 (h) (Blank).

11 (i) (Blank).

12 (j) (Blank).

13 (k) (Blank).

14 (l) (Blank).

15 (m) (Blank).

16 (n) (Blank).

17 (o) (Blank).

18 (p) (Blank).

19 (q) (Blank).

20 (r) (Blank).

21 (s) (Blank).

22 (t) (Blank).

23 (u) In addition to any other transfers that may be  
24 provided for by law, on July 1, 2021, or as soon thereafter as  
25 practical, only as directed by the Director of the Governor's

1 Office of Management and Budget, the State Comptroller shall  
2 direct and the State Treasurer shall transfer the sum of  
3 \$5,000,000 from the General Revenue Fund to the DoIT Special  
4 Projects Fund, and on June 1, 2022, or as soon thereafter as  
5 practical, but no later than June 30, 2022, the State  
6 Comptroller shall direct and the State Treasurer shall  
7 transfer the sum so transferred from the DoIT Special Projects  
8 Fund to the General Revenue Fund.

9 (v) 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, the State Comptroller shall direct and the State  
12 Treasurer shall transfer the sum of \$500,000 from the General  
13 Revenue Fund to the Governor's Administrative Fund.

14 (w) 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 Grant Accountability and Transparency  
19 Fund.

20 (x) In addition to any other transfers that may be  
21 provided for by law, at a time or times during Fiscal Year 2022  
22 as directed by the Governor, the State Comptroller shall  
23 direct and the State Treasurer shall transfer up to a total of  
24 \$20,000,000 from the General Revenue Fund to the Illinois  
25 Sports Facilities Fund to be credited to the Advance Account  
26 within the Fund.

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

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

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

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

1           (cc) 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 Grant Accountability and Transparency  
6 Fund.

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

17           ~~(ee) (aa)~~ In addition to any other transfers that may be  
18 provided by law, beginning on April 19, 2022 (the effective  
19 date of Public Act 102-700) ~~this amendatory Act of the 102nd~~  
20 ~~General Assembly~~ and until December 31, 2023, at the direction  
21 of the Department of Revenue, the State Comptroller shall  
22 direct and the State Treasurer shall transfer from the General  
23 Revenue Fund to the Income Tax Refund Fund any amounts needed  
24 beyond the amounts transferred in subsection ~~(dd) (z)~~ to make  
25 payments of the one-time rebate payments provided under  
26 Section 212.1 of the Illinois Income Tax Act.



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

8        (gg) ~~(aa)~~ 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 \$280,000,000 from the  
12 General Revenue Fund to the Budget Stabilization Fund.

13        (hh) ~~(bb)~~ 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 \$200,000,000 from the  
17 General Revenue Fund to the Pension Stabilization Fund.

18        (ii) In addition to any other transfers that may be  
19 provided for by law, on January 1, 2023, or as soon thereafter  
20 as practical, the State Comptroller shall direct and the State  
21 Treasurer shall transfer the sum of \$850,000,000 from the  
22 General Revenue Fund to the Budget Stabilization Fund.

23        (jj) In addition to any other transfers that may be  
24 provided for by law, at a time or times during Fiscal Year 2023  
25 as directed by the Governor, the State Comptroller shall  
26 direct and the State Treasurer shall transfer up to a total of

1 \$400,000,000 from the General Revenue Fund to the Large  
2 Business Attraction Fund.

3 (kk) In addition to any other transfers that may be  
4 provided for by law, on January 1, 2023, or as soon thereafter  
5 as practical, the State Comptroller shall direct and the State  
6 Treasurer shall transfer the sum of \$72,000,000 from the  
7 General Revenue Fund to the Disaster Response and Recovery  
8 Fund.

9 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;  
10 102-16, eff. 6-17-21; 102-699, eff. 4-19-22; 102-700, Article  
11 40, Section 40-5, eff. 4-19-22; 102-700, Article 80, Section  
12 80-5, eff. 4-19-22; revised 6-23-22.)

13 Section 5-25. The Budget Stabilization Act is amended by  
14 changing Section 15 as follows:

15 (30 ILCS 122/15)

16 Sec. 15. Transfers to Budget Stabilization Fund. In  
17 furtherance of the State's objective for the Budget  
18 Stabilization Fund to have resources representing 7.5% ~~5%~~ of  
19 the State's annual general funds revenues:

20 (a) For each fiscal year when the General Assembly's  
21 appropriations and transfers or diversions as required by law  
22 from general funds do not exceed 99% of the estimated general  
23 funds revenues pursuant to subsection (a) of Section 10, the  
24 Comptroller shall transfer from the General Revenue Fund as

1 provided by this Section a total amount equal to 0.5% of the  
2 estimated general funds revenues to the Budget Stabilization  
3 Fund.

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

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

20 (d) If the balance of the Budget Stabilization Fund  
21 exceeds 7.5% ~~5%~~ of the total general funds revenues estimated  
22 for that fiscal year, the additional transfers are not  
23 required unless there are outstanding liabilities under  
24 Section 25 of the State Finance Act from prior fiscal years. If  
25 there are such outstanding Section 25 liabilities, then the  
26 Comptroller shall continue to transfer 1/12 of the total

1 amount identified for transfer to the Budget Stabilization  
2 Fund on the first day of each month of that fiscal year or as  
3 soon thereafter as possible to be reserved for those Section  
4 25 liabilities. Nothing in this Act prohibits the General  
5 Assembly from appropriating additional moneys into the Budget  
6 Stabilization Fund.

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

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

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

23 Section 5-27. If and only if House Bill 4285 of the 102nd  
24 General Assembly becomes law as amended by Senate Amendment  
25 No. 2, the Illinois Procurement Code is amended by changing

1 Section 20-20 as follows:

2 (30 ILCS 500/20-20)

3 (Text of Section before amendment by P.A. 102-721)

4 Sec. 20-20. Small purchases.

5 (a) Amount. Any individual procurement of supplies or  
6 services not exceeding \$100,000 and any procurement of  
7 construction not exceeding \$100,000, or any individual  
8 procurement of professional or artistic services not exceeding  
9 \$100,000 may be made without competitive source selection.  
10 Procurements shall not be artificially divided so as to  
11 constitute a small purchase under this Section. Any  
12 procurement of construction not exceeding \$100,000 may be made  
13 by an alternative competitive source selection. The  
14 construction agency shall establish rules for an alternative  
15 competitive source selection process. This Section does not  
16 apply to construction-related professional services contracts  
17 awarded in accordance with the provisions of the  
18 Architectural, Engineering, and Land Surveying Qualifications  
19 Based Selection Act.

20 (b) Adjustment. Each July 1, the small purchase maximum  
21 established in subsection (a) shall be adjusted for inflation  
22 as determined by the Consumer Price Index for All Urban  
23 Consumers as determined by the United States Department of  
24 Labor and rounded to the nearest \$100.

25 (c) Based upon rules proposed by the Board and rules

1 promulgated by the chief procurement officers, the small  
2 purchase maximum established in subsection (a) may be  
3 modified.

4 (Source: P.A. 100-43, eff. 8-9-17.)

5 (Text of Section after amendment by P.A. 102-721)

6 Sec. 20-20. Small purchases.

7 (a) Amount. Any individual procurement of supplies or  
8 services not exceeding \$100,000 and any procurement of  
9 construction not exceeding \$100,000 ~~\$250,000~~, or any  
10 individual procurement of professional or artistic services  
11 not exceeding \$100,000 may be made without competitive source  
12 selection. Procurements shall not be artificially divided so  
13 as to constitute a small purchase under this Section. Any  
14 procurement of construction not exceeding \$100,000 ~~\$250,000~~  
15 may be made by an alternative competitive source selection.  
16 The construction agency shall establish rules for an  
17 alternative competitive source selection process. This Section  
18 does not apply to construction-related professional services  
19 contracts awarded in accordance with the provisions of the  
20 Architectural, Engineering, and Land Surveying Qualifications  
21 Based Selection Act.

22 (b) Adjustment. Each July 1, the small purchase maximum  
23 established in subsection (a) shall be adjusted for inflation  
24 as determined by the Consumer Price Index for All Urban  
25 Consumers as determined by the United States Department of

1 Labor and rounded to the nearest \$100.

2 (c) Based upon rules proposed by the Board and rules  
3 promulgated by the chief procurement officers, the small  
4 purchase maximum established in subsection (a) may be  
5 modified.

6 (d) Certification. All small purchases with an annual  
7 value that exceeds \$50,000 shall be accompanied by Standard  
8 Illinois Certifications in a form prescribed by each Chief  
9 Procurement Officer.

10 (Source: P.A. 102-721, eff. 1-1-23; 10200HB4285sam002.)

11 Section 5-28. The Build Illinois Act is amended by  
12 changing Section 10-6 as follows:

13 (30 ILCS 750/10-6) (from Ch. 127, par. 2710-6)

14 Sec. 10-6. Large Business Attraction Fund.

15 (a) There is created the Large Business Attraction Fund to  
16 be held as part of the State Treasury. The Department is  
17 authorized to make loans from the Fund for the purposes  
18 established under this Article. The State Treasurer shall have  
19 custody of the Fund and may invest in securities constituting  
20 direct obligations of the United States Government, in  
21 obligations the principal of and interest on which are  
22 guaranteed by the United States Government, or in certificates  
23 of deposit of any State or national bank that are fully secured  
24 by obligations guaranteed as to principal and interest by the

1 United States Government. The purpose of the Fund is to offer  
2 loans to finance large firms considering the location of a  
3 proposed plant in the State and to provide financing to carry  
4 out the purposes and provisions of paragraph (h) of Section  
5 10-3. Financing shall be in the form of a loan, mortgage, or  
6 other debt instrument. All loans shall be conditioned on the  
7 project receiving financing from participating lenders or  
8 other sources. Loan proceeds shall be available for project  
9 costs associated with an expansion of business capacity and  
10 employment, except for debt refinancing. Targeted companies  
11 for the program shall primarily consist of established  
12 industrial and service companies with proven records of  
13 earnings that will sell their product to markets beyond  
14 Illinois and have proven multistate location options. New  
15 ventures shall be considered only if the entity is protected  
16 with adequate security with regard to its financing and  
17 operation. The limitations and conditions with respect to the  
18 use of this Fund shall not apply in carrying out the purposes  
19 and provisions of paragraph (h) of Section 10-3.

20 (b) Deposits into the Fund shall include, but are not  
21 limited to:

22 (1) Any appropriations, grants, or gifts made to the  
23 Fund.

24 (2) Any income received from interest on investments  
25 of amounts from the Fund not currently needed to meet the  
26 obligations of the Fund.



1 (c) The State Comptroller and the State Treasurer shall  
2 from time to time, upon the written direction of the Governor,  
3 transfer from the Fund to the General Revenue Fund or the  
4 Budget Stabilization Fund, those amounts that the Governor  
5 determines are in excess of the amounts required to meet the  
6 obligations of the Fund. Any amounts transferred to the Budget  
7 Stabilization Fund may be transferred back to the Large  
8 Business Attraction Fund by the State Comptroller and the  
9 State Treasurer, upon the written direction of the Governor.

10 (Source: P.A. 90-372, eff. 7-1-98.)

11 Section 5-30. The Illinois Police Training Act is amended  
12 by changing Section 6 as follows:

13 (50 ILCS 705/6) (from Ch. 85, par. 506)

14 Sec. 6. Powers and duties of the Board; selection and  
15 certification of schools. The Board shall select and certify  
16 schools within the State of Illinois for the purpose of  
17 providing basic training for probationary law enforcement  
18 officers, probationary county corrections officers, and court  
19 security officers and of providing advanced or in-service  
20 training for permanent law enforcement officers or permanent  
21 county corrections officers, which schools may be either  
22 publicly or privately owned and operated. In addition, the  
23 Board has the following power and duties:

24 a. To require law enforcement agencies to furnish such

1 reports and information as the Board deems necessary to  
2 fully implement this Act.

3 b. To establish appropriate mandatory minimum  
4 standards relating to the training of probationary local  
5 law enforcement officers or probationary county  
6 corrections officers, and in-service training of permanent  
7 law enforcement officers.

8 c. To provide appropriate certification to those  
9 probationary officers who successfully complete the  
10 prescribed minimum standard basic training course.

11 d. To review and approve annual training curriculum  
12 for county sheriffs.

13 e. To review and approve applicants to ensure that no  
14 applicant is admitted to a certified academy unless the  
15 applicant is a person of good character and has not been  
16 convicted of, found guilty of, entered a plea of guilty  
17 to, or entered a plea of nolo contendere to a felony  
18 offense, any of the misdemeanors in Sections 11-1.50,  
19 11-6, 11-6.5, 11-6.6, 11-9.1, 11-9.1B, 11-14, 11-14.1,  
20 11-30, 12-2, 12-3.2, 12-3.4, 12-3.5, 16-1, 17-1, 17-2,  
21 26.5-1, 26.5-2, 26.5-3, 28-3, 29-1, any misdemeanor in  
22 violation of any Section of Part E of Title III of the  
23 Criminal Code of 1961 or the Criminal Code of 2012, or  
24 subsection (a) of Section 17-32 of the Criminal Code of  
25 1961 or the Criminal Code of 2012, or Section 5 or 5.2 of  
26 the Cannabis Control Act, or a crime involving moral

1 turpitude under the laws of this State or any other state  
2 which if committed in this State would be punishable as a  
3 felony or a crime of moral turpitude, or any felony or  
4 misdemeanor in violation of federal law or the law of any  
5 state that is the equivalent of any of the offenses  
6 specified therein. The Board may appoint investigators who  
7 shall enforce the duties conferred upon the Board by this  
8 Act.

9 For purposes of this paragraph e, a person is  
10 considered to have been convicted of, found guilty of, or  
11 entered a plea of guilty to, plea of nolo contendere to  
12 regardless of whether the adjudication of guilt or  
13 sentence is withheld or not entered thereon. This includes  
14 sentences of supervision, conditional discharge, or first  
15 offender probation, or any similar disposition provided  
16 for by law.

17 f. To establish statewide standards for minimum  
18 standards regarding regular mental health screenings for  
19 probationary and permanent police officers, ensuring that  
20 counseling sessions and screenings remain confidential.

21 g. To review and ensure all law enforcement officers  
22 remain in compliance with this Act, and any administrative  
23 rules adopted under this Act.

24 h. To suspend any certificate for a definite period,  
25 limit or restrict any certificate, or revoke any  
26 certificate.

1           i. The Board and the Panel shall have power to secure  
2 by its subpoena and bring before it any person or entity in  
3 this State and to take testimony either orally or by  
4 deposition or both with the same fees and mileage and in  
5 the same manner as prescribed by law in judicial  
6 proceedings in civil cases in circuit courts of this  
7 State. The Board and the Panel shall also have the power to  
8 subpoena the production of documents, papers, files,  
9 books, documents, and records, whether in physical or  
10 electronic form, in support of the charges and for  
11 defense, and in connection with a hearing or  
12 investigation.

13           j. The Executive Director, the administrative law  
14 judge designated by the Executive Director, and each  
15 member of the Board and the Panel shall have the power to  
16 administer oaths to witnesses at any hearing that the  
17 Board is authorized to conduct under this Act and any  
18 other oaths required or authorized to be administered by  
19 the Board under this Act.

20           k. In case of the neglect or refusal of any person to  
21 obey a subpoena issued by the Board and the Panel, any  
22 circuit court, upon application of the Board and the  
23 Panel, through the Illinois Attorney General, may order  
24 such person to appear before the Board and the Panel give  
25 testimony or produce evidence, and any failure to obey  
26 such order is punishable by the court as a contempt

1           thereof. This order may be served by personal delivery, by  
2           email, or by mail to the address of record or email address  
3           of record.

4           1. The Board shall have the power to administer state  
5           certification examinations. Any and all records related to  
6           these examinations, including, but not limited to, test  
7           questions, test formats, digital files, answer responses,  
8           answer keys, and scoring information shall be exempt from  
9           disclosure.

10           m. To make grants, subject to appropriation, to units  
11           of local government and public institutions of higher  
12           education for the purposes of hiring and retaining law  
13           enforcement officers.

14           (Source: P.A. 101-187, eff. 1-1-20; 101-652, Article 10,  
15           Section 10-143, eff. 7-1-21; 101-652, Article 25, Section  
16           25-40, eff. 1-1-22; 102-687, eff. 12-17-21; 102-694, eff.  
17           1-7-22.)

18           Section 5-35. The Liquor Control Act of 1934 is amended by  
19           adding Section 3-4.1 as follows:

20           (235 ILCS 5/3-4.1 new)

21           Sec. 3-4.1. Obtaining evidence. The State Commission has  
22           the power to expend sums that the Executive Director deems  
23           necessary for the purchase of evidence and for the employment  
24           of persons to obtain evidence. The sums shall be advanced to

1 employees authorized by the Executive Director to expend  
2 funds, on vouchers signed by the Executive Director.

3 In addition, the Executive Director is authorized to  
4 maintain one or more commercial checking accounts with any  
5 State banking corporation or corporations organized under or  
6 subject to the Illinois Banking Act for the deposit and  
7 withdrawal of moneys to be used solely for the purchase of  
8 evidence and for the employment of persons to obtain evidence.  
9 No check may be written on nor any withdrawal made from such an  
10 account except on the written signature of 2 persons  
11 designated by the Executive Director to write those checks and  
12 make those withdrawals. The balance of moneys on deposit in  
13 any such account shall not exceed \$25,000 at any time, nor  
14 shall any one check written on or single withdrawal made from  
15 any such account exceed \$25,000.

16 Section 5-36. The Illinois Public Aid Code is amended by  
17 changing Sections 4-1.6 as follows:

18 (305 ILCS 5/4-1.6) (from Ch. 23, par. 4-1.6)

19 Sec. 4-1.6. Need. Income available to the family as  
20 defined by the Illinois Department by rule, or to the child in  
21 the case of a child removed from his or her home, when added to  
22 contributions in money, substance or services from other  
23 sources, including income available from parents absent from  
24 the home or from a stepparent, contributions made for the

1 benefit of the parent or other persons necessary to provide  
2 care and supervision to the child, and contributions from  
3 legally responsible relatives, must be equal to or less than  
4 the grant amount established by Department regulation for such  
5 a person. For purposes of eligibility for aid under this  
6 Article, the Department shall (a) disregard all earned income  
7 between the grant amount and 50% of the Federal Poverty Level  
8 and (b) disregard the value of all assets held by the family.

9 In considering income to be taken into account,  
10 consideration shall be given to any expenses reasonably  
11 attributable to the earning of such income. Three-fourths of  
12 the earned income of a household eligible for aid under this  
13 Article shall be disregarded when determining the level of  
14 assistance for which a household is eligible. All ~~The first~~  
15 ~~\$100 of~~ child support, whether it be current support, past  
16 support owed, or future support, that is collected on or after  
17 January 1, 2023 on behalf of a family ~~in a month for one child~~  
18 ~~and the first \$200 of child support collected on behalf of a~~  
19 ~~family in a month for 2 or more children~~ shall be passed  
20 through to the family and disregarded in determining the  
21 amount of the assistance grant provided to the family under  
22 this Article. Any amount of child support that would be  
23 disregarded in determining the amount of the assistance grant  
24 shall be disregarded in determining eligibility for cash  
25 assistance provided under this Article. The Illinois  
26 Department may also permit all or any portion of earned or

1 other income to be set aside for the future identifiable needs  
2 of a child. The Illinois Department may provide by rule and  
3 regulation for the exemptions thus permitted or required. The  
4 eligibility of any applicant for or recipient of public aid  
5 under this Article is not affected by the payment of any grant  
6 under the "Senior Citizens and Persons with Disabilities  
7 Property Tax Relief Act" or any distributions or items of  
8 income described under subparagraph (X) of paragraph (2) of  
9 subsection (a) of Section 203 of the Illinois Income Tax Act.

10 The Illinois Department may, by rule, set forth criteria  
11 under which an assistance unit is ineligible for cash  
12 assistance under this Article for a specified number of months  
13 due to the receipt of a lump sum payment.

14 (Source: P.A. 98-114, eff. 7-29-13; 99-143, eff. 7-27-15;  
15 99-899, eff. 1-1-17.)

16 Section 5-37. The Illinois Public Aid Code is amended by  
17 changing Section 5A-12.7 as follows:

18 (305 ILCS 5/5A-12.7)

19 (Section scheduled to be repealed on December 31, 2026)

20 Sec. 5A-12.7. Continuation of hospital access payments on  
21 and after July 1, 2020.

22 (a) To preserve and improve access to hospital services,  
23 for hospital services rendered on and after July 1, 2020, the  
24 Department shall, except for hospitals described in subsection



1 (b) of Section 5A-3, make payments to hospitals or require  
2 capitated managed care organizations to make payments as set  
3 forth in this Section. Payments under this Section are not due  
4 and payable, however, until: (i) the methodologies described  
5 in this Section are approved by the federal government in an  
6 appropriate State Plan amendment or directed payment preprint;  
7 and (ii) the assessment imposed under this Article is  
8 determined to be a permissible tax under Title XIX of the  
9 Social Security Act. In determining the hospital access  
10 payments authorized under subsection (g) of this Section, if a  
11 hospital ceases to qualify for payments from the pool, the  
12 payments for all hospitals continuing to qualify for payments  
13 from such pool shall be uniformly adjusted to fully expend the  
14 aggregate net amount of the pool, with such adjustment being  
15 effective on the first day of the second month following the  
16 date the hospital ceases to receive payments from such pool.

17 (b) Amounts moved into claims-based rates and distributed  
18 in accordance with Section 14-12 shall remain in those  
19 claims-based rates.

20 (c) Graduate medical education.

21 (1) The calculation of graduate medical education  
22 payments shall be based on the hospital's Medicare cost  
23 report ending in Calendar Year 2018, as reported in the  
24 Healthcare Cost Report Information System file, release  
25 date September 30, 2019. An Illinois hospital reporting  
26 intern and resident cost on its Medicare cost report shall

1 be eligible for graduate medical education payments.

2 (2) Each hospital's annualized Medicaid Intern  
3 Resident Cost is calculated using annualized intern and  
4 resident total costs obtained from Worksheet B Part I,  
5 Columns 21 and 22 the sum of Lines 30-43, 50-76, 90-93,  
6 96-98, and 105-112 multiplied by the percentage that the  
7 hospital's Medicaid days (Worksheet S3 Part I, Column 7,  
8 Lines 2, 3, 4, 14, 16-18, and 32) comprise of the  
9 hospital's total days (Worksheet S3 Part I, Column 8,  
10 Lines 14, 16-18, and 32).

11 (3) An annualized Medicaid indirect medical education  
12 (IME) payment is calculated for each hospital using its  
13 IME payments (Worksheet E Part A, Line 29, Column 1)  
14 multiplied by the percentage that its Medicaid days  
15 (Worksheet S3 Part I, Column 7, Lines 2, 3, 4, 14, 16-18,  
16 and 32) comprise of its Medicare days (Worksheet S3 Part  
17 I, Column 6, Lines 2, 3, 4, 14, and 16-18).

18 (4) For each hospital, its annualized Medicaid Intern  
19 Resident Cost and its annualized Medicaid IME payment are  
20 summed, and, except as capped at 120% of the average cost  
21 per intern and resident for all qualifying hospitals as  
22 calculated under this paragraph, is multiplied by the  
23 applicable reimbursement factor as described in this  
24 paragraph, to determine the hospital's final graduate  
25 medical education payment. Each hospital's average cost  
26 per intern and resident shall be calculated by summing its

1 total annualized Medicaid Intern Resident Cost plus its  
2 annualized Medicaid IME payment and dividing that amount  
3 by the hospital's total Full Time Equivalent Residents and  
4 Interns. If the hospital's average per intern and resident  
5 cost is greater than 120% of the same calculation for all  
6 qualifying hospitals, the hospital's per intern and  
7 resident cost shall be capped at 120% of the average cost  
8 for all qualifying hospitals.

9 (A) For the period of July 1, 2020 through  
10 December 31, 2022, the applicable reimbursement factor  
11 shall be 22.6%.

12 (B) For the period of January 1, 2023 through  
13 December 31, 2026, the applicable reimbursement factor  
14 shall be 35% for all qualified safety-net hospitals,  
15 as defined in Section 5-5e.1 of this Code, and all  
16 hospitals with 100 or more Full Time Equivalent  
17 Residents and Interns, as reported on the hospital's  
18 Medicare cost report ending in Calendar Year 2018, and  
19 for all other qualified hospitals the applicable  
20 reimbursement factor shall be 30%.

21 (d) Fee-for-service supplemental payments. For the period  
22 of July 1, 2020 through December 31, 2022, each Illinois  
23 hospital shall receive an annual payment equal to the amounts  
24 below, to be paid in 12 equal installments on or before the  
25 seventh State business day of each month, except that no  
26 payment shall be due within 30 days after the later of the date

1 of notification of federal approval of the payment  
2 methodologies required under this Section or any waiver  
3 required under 42 CFR 433.68, at which time the sum of amounts  
4 required under this Section prior to the date of notification  
5 is due and payable.

6 (1) For critical access hospitals, \$385 per covered  
7 inpatient day contained in paid fee-for-service claims and  
8 \$530 per paid fee-for-service outpatient claim for dates  
9 of service in Calendar Year 2019 in the Department's  
10 Enterprise Data Warehouse as of May 11, 2020.

11 (2) For safety-net hospitals, \$960 per covered  
12 inpatient day contained in paid fee-for-service claims and  
13 \$625 per paid fee-for-service outpatient claim for dates  
14 of service in Calendar Year 2019 in the Department's  
15 Enterprise Data Warehouse as of May 11, 2020.

16 (3) For long term acute care hospitals, \$295 per  
17 covered inpatient day contained in paid fee-for-service  
18 claims for dates of service in Calendar Year 2019 in the  
19 Department's Enterprise Data Warehouse as of May 11, 2020.

20 (4) For freestanding psychiatric hospitals, \$125 per  
21 covered inpatient day contained in paid fee-for-service  
22 claims and \$130 per paid fee-for-service outpatient claim  
23 for dates of service in Calendar Year 2019 in the  
24 Department's Enterprise Data Warehouse as of May 11, 2020.

25 (5) For freestanding rehabilitation hospitals, \$355  
26 per covered inpatient day contained in paid

1 fee-for-service claims for dates of service in Calendar  
2 Year 2019 in the Department's Enterprise Data Warehouse as  
3 of May 11, 2020.

4 (6) For all general acute care hospitals and high  
5 Medicaid hospitals as defined in subsection (f), \$350 per  
6 covered inpatient day for dates of service in Calendar  
7 Year 2019 contained in paid fee-for-service claims and  
8 \$620 per paid fee-for-service outpatient claim in the  
9 Department's Enterprise Data Warehouse as of May 11, 2020.

10 (7) Alzheimer's treatment access payment. Each  
11 Illinois academic medical center or teaching hospital, as  
12 defined in Section 5-5e.2 of this Code, that is identified  
13 as the primary hospital affiliate of one of the Regional  
14 Alzheimer's Disease Assistance Centers, as designated by  
15 the Alzheimer's Disease Assistance Act and identified in  
16 the Department of Public Health's Alzheimer's Disease  
17 State Plan dated December 2016, shall be paid an  
18 Alzheimer's treatment access payment equal to the product  
19 of the qualifying hospital's State Fiscal Year 2018 total  
20 inpatient fee-for-service days multiplied by the  
21 applicable Alzheimer's treatment rate of \$226.30 for  
22 hospitals located in Cook County and \$116.21 for hospitals  
23 located outside Cook County.

24 (d-2) Fee-for-service supplemental payments. Beginning  
25 January 1, 2023, each Illinois hospital shall receive an  
26 annual payment equal to the amounts listed below, to be paid in

1 12 equal installments on or before the seventh State business  
2 day of each month, except that no payment shall be due within  
3 30 days after the later of the date of notification of federal  
4 approval of the payment methodologies required under this  
5 Section or any waiver required under 42 CFR 433.68, at which  
6 time the sum of amounts required under this Section prior to  
7 the date of notification is due and payable. The Department  
8 may adjust the rates in paragraphs (1) through (7) to comply  
9 with the federal upper payment limits, with such adjustments  
10 being determined so that the total estimated spending by  
11 hospital class, under such adjusted rates, remains  
12 substantially similar to the total estimated spending under  
13 the original rates set forth in this subsection.

14 (1) For critical access hospitals, as defined in  
15 subsection (f), \$750 per covered inpatient day contained  
16 in paid fee-for-service claims and \$750 per paid  
17 fee-for-service outpatient claim for dates of service in  
18 Calendar Year 2019 in the Department's Enterprise Data  
19 Warehouse as of August 6, 2021.

20 (2) For safety-net hospitals, as described in  
21 subsection (f), \$1,350 per inpatient day contained in paid  
22 fee-for-service claims and \$1,350 per paid fee-for-service  
23 outpatient claim for dates of service in Calendar Year  
24 2019 in the Department's Enterprise Data Warehouse as of  
25 August 6, 2021.

26 (3) For long term acute care hospitals, \$550 per

1 covered inpatient day contained in paid fee-for-service  
2 claims for dates of service in Calendar Year 2019 in the  
3 Department's Enterprise Data Warehouse as of August 6,  
4 2021.

5 (4) For freestanding psychiatric hospitals, \$200 per  
6 covered inpatient day contained in paid fee-for-service  
7 claims and \$200 per paid fee-for-service outpatient claim  
8 for dates of service in Calendar Year 2019 in the  
9 Department's Enterprise Data Warehouse as of August 6,  
10 2021.

11 (5) For freestanding rehabilitation hospitals, \$550  
12 per covered inpatient day contained in paid  
13 fee-for-service claims and \$125 per paid fee-for-service  
14 outpatient claim for dates of service in Calendar Year  
15 2019 in the Department's Enterprise Data Warehouse as of  
16 August 6, 2021.

17 (6) For all general acute care hospitals and high  
18 Medicaid hospitals as defined in subsection (f), \$500 per  
19 covered inpatient day for dates of service in Calendar  
20 Year 2019 contained in paid fee-for-service claims and  
21 \$500 per paid fee-for-service outpatient claim in the  
22 Department's Enterprise Data Warehouse as of August 6,  
23 2021.

24 (7) For public hospitals, as defined in subsection  
25 (f), \$275 per covered inpatient day contained in paid  
26 fee-for-service claims and \$275 per paid fee-for-service

1 outpatient claim for dates of service in Calendar Year  
2 2019 in the Department's Enterprise Data Warehouse as of  
3 August 6, 2021.

4 (8) Alzheimer's treatment access payment. Each  
5 Illinois academic medical center or teaching hospital, as  
6 defined in Section 5-5e.2 of this Code, that is identified  
7 as the primary hospital affiliate of one of the Regional  
8 Alzheimer's Disease Assistance Centers, as designated by  
9 the Alzheimer's Disease Assistance Act and identified in  
10 the Department of Public Health's Alzheimer's Disease  
11 State Plan dated December 2016, shall be paid an  
12 Alzheimer's treatment access payment equal to the product  
13 of the qualifying hospital's Calendar Year 2019 total  
14 inpatient fee-for-service days, in the Department's  
15 Enterprise Data Warehouse as of August 6, 2021, multiplied  
16 by the applicable Alzheimer's treatment rate of \$244.37  
17 for hospitals located in Cook County and \$312.03 for  
18 hospitals located outside Cook County.

19 (e) The Department shall require managed care  
20 organizations (MCOs) to make directed payments and  
21 pass-through payments according to this Section. Each calendar  
22 year, the Department shall require MCOs to pay the maximum  
23 amount out of these funds as allowed as pass-through payments  
24 under federal regulations. The Department shall require MCOs  
25 to make such pass-through payments as specified in this  
26 Section. The Department shall require the MCOs to pay the



1 remaining amounts as directed Payments as specified in this  
2 Section. The Department shall issue payments to the  
3 Comptroller by the seventh business day of each month for all  
4 MCOs that are sufficient for MCOs to make the directed  
5 payments and pass-through payments according to this Section.  
6 The Department shall require the MCOs to make pass-through  
7 payments and directed payments using electronic funds  
8 transfers (EFT), if the hospital provides the information  
9 necessary to process such EFTs, in accordance with directions  
10 provided monthly by the Department, within 7 business days of  
11 the date the funds are paid to the MCOs, as indicated by the  
12 "Paid Date" on the website of the Office of the Comptroller if  
13 the funds are paid by EFT and the MCOs have received directed  
14 payment instructions. If funds are not paid through the  
15 Comptroller by EFT, payment must be made within 7 business  
16 days of the date actually received by the MCO. The MCO will be  
17 considered to have paid the pass-through payments when the  
18 payment remittance number is generated or the date the MCO  
19 sends the check to the hospital, if EFT information is not  
20 supplied. If an MCO is late in paying a pass-through payment or  
21 directed payment as required under this Section (including any  
22 extensions granted by the Department), it shall pay a penalty,  
23 unless waived by the Department for reasonable cause, to the  
24 Department equal to 5% of the amount of the pass-through  
25 payment or directed payment not paid on or before the due date  
26 plus 5% of the portion thereof remaining unpaid on the last day

1 of each 30-day period thereafter. Payments to MCOs that would  
2 be paid consistent with actuarial certification and enrollment  
3 in the absence of the increased capitation payments under this  
4 Section shall not be reduced as a consequence of payments made  
5 under this subsection. The Department shall publish and  
6 maintain on its website for a period of no less than 8 calendar  
7 quarters, the quarterly calculation of directed payments and  
8 pass-through payments owed to each hospital from each MCO. All  
9 calculations and reports shall be posted no later than the  
10 first day of the quarter for which the payments are to be  
11 issued.

12 (f) (1) For purposes of allocating the funds included in  
13 capitation payments to MCOs, Illinois hospitals shall be  
14 divided into the following classes as defined in  
15 administrative rules:

16 (A) Beginning July 1, 2020 through December 31, 2022,  
17 critical access hospitals. Beginning January 1, 2023,  
18 "critical access hospital" means a hospital designated by  
19 the Department of Public Health as a critical access  
20 hospital, excluding any hospital meeting the definition of  
21 a public hospital in subparagraph (F).

22 (B) Safety-net hospitals, except that stand-alone  
23 children's hospitals that are not specialty children's  
24 hospitals will not be included. For the calendar year  
25 beginning January 1, 2023, and each calendar year  
26 thereafter, assignment to the safety-net class shall be

1 based on the annual safety-net rate year beginning 15  
2 months before the beginning of the first Payout Quarter of  
3 the calendar year.

4 (C) Long term acute care hospitals.

5 (D) Freestanding psychiatric hospitals.

6 (E) Freestanding rehabilitation hospitals.

7 (F) Beginning January 1, 2023, "public hospital" means  
8 a hospital that is owned or operated by an Illinois  
9 Government body or municipality, excluding a hospital  
10 provider that is a State agency, a State university, or a  
11 county with a population of 3,000,000 or more.

12 (G) High Medicaid hospitals.

13 (i) As used in this Section, "high Medicaid  
14 hospital" means a general acute care hospital that:

15 (I) For the payout periods July 1, 2020  
16 through December 31, 2022, is not a safety-net  
17 hospital or critical access hospital and that has  
18 a Medicaid Inpatient Utilization Rate above 30% or  
19 a hospital that had over 35,000 inpatient Medicaid  
20 days during the applicable period. For the period  
21 July 1, 2020 through December 31, 2020, the  
22 applicable period for the Medicaid Inpatient  
23 Utilization Rate (MIUR) is the rate year 2020 MIUR  
24 and for the number of inpatient days it is State  
25 fiscal year 2018. Beginning in calendar year 2021,  
26 the Department shall use the most recently

1           determined MIUR, as defined in subsection (h) of  
2           Section 5-5.02, and for the inpatient day  
3           threshold, the State fiscal year ending 18 months  
4           prior to the beginning of the calendar year. For  
5           purposes of calculating MIUR under this Section,  
6           children's hospitals and affiliated general acute  
7           care hospitals shall be considered a single  
8           hospital.

9           (II) For the calendar year beginning January  
10          1, 2023, and each calendar year thereafter, is not  
11          a public hospital, safety-net hospital, or  
12          critical access hospital and that qualifies as a  
13          regional high volume hospital or is a hospital  
14          that has a Medicaid Inpatient Utilization Rate  
15          (MIUR) above 30%. As used in this item, "regional  
16          high volume hospital" means a hospital which ranks  
17          in the top 2 quartiles based on total hospital  
18          services volume, of all eligible general acute  
19          care hospitals, when ranked in descending order  
20          based on total hospital services volume, within  
21          the same Medicaid managed care region, as  
22          designated by the Department, as of January 1,  
23          2022. As used in this item, "total hospital  
24          services volume" means the total of all Medical  
25          Assistance hospital inpatient admissions plus all  
26          Medical Assistance hospital outpatient visits. For

1 purposes of determining regional high volume  
2 hospital inpatient admissions and outpatient  
3 visits, the Department shall use dates of service  
4 provided during State Fiscal Year 2020 for the  
5 Payout Quarter beginning January 1, 2023. The  
6 Department shall use dates of service from the  
7 State fiscal year ending 18 month before the  
8 beginning of the first Payout Quarter of the  
9 subsequent annual determination period.

10 (ii) For the calendar year beginning January 1,  
11 2023, the Department shall use the Rate Year 2022  
12 Medicaid inpatient utilization rate (MIUR), as defined  
13 in subsection (h) of Section 5-5.02. For each  
14 subsequent annual determination, the Department shall  
15 use the MIUR applicable to the rate year ending  
16 September 30 of the year preceding the beginning of  
17 the calendar year.

18 (H) General acute care hospitals. As used under this  
19 Section, "general acute care hospitals" means all other  
20 Illinois hospitals not identified in subparagraphs (A)  
21 through (G).

22 (2) Hospitals' qualification for each class shall be  
23 assessed prior to the beginning of each calendar year and the  
24 new class designation shall be effective January 1 of the next  
25 year. The Department shall publish by rule the process for  
26 establishing class determination.

1 (g) Fixed pool directed payments. Beginning July 1, 2020,  
2 the Department shall issue payments to MCOs which shall be  
3 used to issue directed payments to qualified Illinois  
4 safety-net hospitals and critical access hospitals on a  
5 monthly basis in accordance with this subsection. Prior to the  
6 beginning of each Payout Quarter beginning July 1, 2020, the  
7 Department shall use encounter claims data from the  
8 Determination Quarter, accepted by the Department's Medicaid  
9 Management Information System for inpatient and outpatient  
10 services rendered by safety-net hospitals and critical access  
11 hospitals to determine a quarterly uniform per unit add-on for  
12 each hospital class.

13 (1) Inpatient per unit add-on. A quarterly uniform per  
14 diem add-on shall be derived by dividing the quarterly  
15 Inpatient Directed Payments Pool amount allocated to the  
16 applicable hospital class by the total inpatient days  
17 contained on all encounter claims received during the  
18 Determination Quarter, for all hospitals in the class.

19 (A) Each hospital in the class shall have a  
20 quarterly inpatient directed payment calculated that  
21 is equal to the product of the number of inpatient days  
22 attributable to the hospital used in the calculation  
23 of the quarterly uniform class per diem add-on,  
24 multiplied by the calculated applicable quarterly  
25 uniform class per diem add-on of the hospital class.

26 (B) Each hospital shall be paid  $1/3$  of its

1           quarterly inpatient directed payment in each of the 3  
2           months of the Payout Quarter, in accordance with  
3           directions provided to each MCO by the Department.

4           (2) Outpatient per unit add-on. A quarterly uniform  
5           per claim add-on shall be derived by dividing the  
6           quarterly Outpatient Directed Payments Pool amount  
7           allocated to the applicable hospital class by the total  
8           outpatient encounter claims received during the  
9           Determination Quarter, for all hospitals in the class.

10           (A) Each hospital in the class shall have a  
11           quarterly outpatient directed payment calculated that  
12           is equal to the product of the number of outpatient  
13           encounter claims attributable to the hospital used in  
14           the calculation of the quarterly uniform class per  
15           claim add-on, multiplied by the calculated applicable  
16           quarterly uniform class per claim add-on of the  
17           hospital class.

18           (B) Each hospital shall be paid 1/3 of its  
19           quarterly outpatient directed payment in each of the 3  
20           months of the Payout Quarter, in accordance with  
21           directions provided to each MCO by the Department.

22           (3) Each MCO shall pay each hospital the Monthly  
23           Directed Payment as identified by the Department on its  
24           quarterly determination report.

25           (4) Definitions. As used in this subsection:

26           (A) "Payout Quarter" means each 3 month calendar

1 quarter, beginning July 1, 2020.

2 (B) "Determination Quarter" means each 3 month  
3 calendar quarter, which ends 3 months prior to the  
4 first day of each Payout Quarter.

5 (5) For the period July 1, 2020 through December 2020,  
6 the following amounts shall be allocated to the following  
7 hospital class directed payment pools for the quarterly  
8 development of a uniform per unit add-on:

9 (A) \$2,894,500 for hospital inpatient services for  
10 critical access hospitals.

11 (B) \$4,294,374 for hospital outpatient services  
12 for critical access hospitals.

13 (C) \$29,109,330 for hospital inpatient services  
14 for safety-net hospitals.

15 (D) \$35,041,218 for hospital outpatient services  
16 for safety-net hospitals.

17 (6) For the period January 1, 2023 through December  
18 31, 2023, the Department shall establish the amounts that  
19 shall be allocated to the hospital class directed payment  
20 fixed pools identified in this paragraph for the quarterly  
21 development of a uniform per unit add-on. The Department  
22 shall establish such amounts so that the total amount of  
23 payments to each hospital under this Section in calendar  
24 year 2023 is projected to be substantially similar to the  
25 total amount of such payments received by the hospital  
26 under this Section in calendar year 2021, adjusted for



1 increased funding provided for fixed pool directed  
2 payments under subsection (g) in calendar year 2022,  
3 assuming that the volume and acuity of claims are held  
4 constant. The Department shall publish the directed  
5 payment fixed pool amounts to be established under this  
6 paragraph on its website by November 15, 2022.

7 (A) Hospital inpatient services for critical  
8 access hospitals.

9 (B) Hospital outpatient services for critical  
10 access hospitals.

11 (C) Hospital inpatient services for public  
12 hospitals.

13 (D) Hospital outpatient services for public  
14 hospitals.

15 (E) Hospital inpatient services for safety-net  
16 hospitals.

17 (F) Hospital outpatient services for safety-net  
18 hospitals.

19 (7) Semi-annual rate maintenance review. The  
20 Department shall ensure that hospitals assigned to the  
21 fixed pools in paragraph (6) are paid no less than 95% of  
22 the annual initial rate for each 6-month period of each  
23 annual payout period. For each calendar year, the  
24 Department shall calculate the annual initial rate per day  
25 and per visit for each fixed pool hospital class listed in  
26 paragraph (6), by dividing the total of all applicable

1 inpatient or outpatient directed payments issued in the  
2 preceding calendar year to the hospitals in each fixed  
3 pool class for the calendar year, plus any increase  
4 resulting from the annual adjustments described in  
5 subsection (i), by the actual applicable total service  
6 units for the preceding calendar year which were the basis  
7 of the total applicable inpatient or outpatient directed  
8 payments issued to the hospitals in each fixed pool class  
9 in the calendar year, except that for calendar year 2023,  
10 the service units from calendar year 2021 shall be used.

11 (A) The Department shall calculate the effective  
12 rate, per day and per visit, for the payout periods of  
13 January to June and July to December of each year, for  
14 each fixed pool listed in paragraph (6), by dividing  
15 50% of the annual pool by the total applicable  
16 reported service units for the 2 applicable  
17 determination quarters.

18 (B) If the effective rate calculated in  
19 subparagraph (A) is less than 95% of the annual  
20 initial rate assigned to the class for each pool under  
21 paragraph (6), the Department shall adjust the payment  
22 for each hospital to a level equal to no less than 95%  
23 of the annual initial rate, by issuing a retroactive  
24 adjustment payment for the 6-month period under review  
25 as identified in subparagraph (A).

26 (h) Fixed rate directed payments. Effective July 1, 2020,

1 the Department shall issue payments to MCOs which shall be  
2 used to issue directed payments to Illinois hospitals not  
3 identified in paragraph (g) on a monthly basis. Prior to the  
4 beginning of each Payout Quarter beginning July 1, 2020, the  
5 Department shall use encounter claims data from the  
6 Determination Quarter, accepted by the Department's Medicaid  
7 Management Information System for inpatient and outpatient  
8 services rendered by hospitals in each hospital class  
9 identified in paragraph (f) and not identified in paragraph  
10 (g). For the period July 1, 2020 through December 2020, the  
11 Department shall direct MCOs to make payments as follows:

12 (1) For general acute care hospitals an amount equal  
13 to \$1,750 multiplied by the hospital's category of service  
14 20 case mix index for the determination quarter multiplied  
15 by the hospital's total number of inpatient admissions for  
16 category of service 20 for the determination quarter.

17 (2) For general acute care hospitals an amount equal  
18 to \$160 multiplied by the hospital's category of service  
19 21 case mix index for the determination quarter multiplied  
20 by the hospital's total number of inpatient admissions for  
21 category of service 21 for the determination quarter.

22 (3) For general acute care hospitals an amount equal  
23 to \$80 multiplied by the hospital's category of service 22  
24 case mix index for the determination quarter multiplied by  
25 the hospital's total number of inpatient admissions for  
26 category of service 22 for the determination quarter.

1           (4) For general acute care hospitals an amount equal  
2 to \$375 multiplied by the hospital's category of service  
3 24 case mix index for the determination quarter multiplied  
4 by the hospital's total number of category of service 24  
5 paid EAPG (EAPGs) for the determination quarter.

6           (5) For general acute care hospitals an amount equal  
7 to \$240 multiplied by the hospital's category of service  
8 27 and 28 case mix index for the determination quarter  
9 multiplied by the hospital's total number of category of  
10 service 27 and 28 paid EAPGs for the determination  
11 quarter.

12           (6) For general acute care hospitals an amount equal  
13 to \$290 multiplied by the hospital's category of service  
14 29 case mix index for the determination quarter multiplied  
15 by the hospital's total number of category of service 29  
16 paid EAPGs for the determination quarter.

17           (7) For high Medicaid hospitals an amount equal to  
18 \$1,800 multiplied by the hospital's category of service 20  
19 case mix index for the determination quarter multiplied by  
20 the hospital's total number of inpatient admissions for  
21 category of service 20 for the determination quarter.

22           (8) For high Medicaid hospitals an amount equal to  
23 \$160 multiplied by the hospital's category of service 21  
24 case mix index for the determination quarter multiplied by  
25 the hospital's total number of inpatient admissions for  
26 category of service 21 for the determination quarter.

1           (9) For high Medicaid hospitals an amount equal to \$80  
2 multiplied by the hospital's category of service 22 case  
3 mix index for the determination quarter multiplied by the  
4 hospital's total number of inpatient admissions for  
5 category of service 22 for the determination quarter.

6           (10) For high Medicaid hospitals an amount equal to  
7 \$400 multiplied by the hospital's category of service 24  
8 case mix index for the determination quarter multiplied by  
9 the hospital's total number of category of service 24 paid  
10 EAPG outpatient claims for the determination quarter.

11           (11) For high Medicaid hospitals an amount equal to  
12 \$240 multiplied by the hospital's category of service 27  
13 and 28 case mix index for the determination quarter  
14 multiplied by the hospital's total number of category of  
15 service 27 and 28 paid EAPGs for the determination  
16 quarter.

17           (12) For high Medicaid hospitals an amount equal to  
18 \$290 multiplied by the hospital's category of service 29  
19 case mix index for the determination quarter multiplied by  
20 the hospital's total number of category of service 29 paid  
21 EAPGs for the determination quarter.

22           (13) For long term acute care hospitals the amount of  
23 \$495 multiplied by the hospital's total number of  
24 inpatient days for the determination quarter.

25           (14) For psychiatric hospitals the amount of \$210  
26 multiplied by the hospital's total number of inpatient

1 days for category of service 21 for the determination  
2 quarter.

3 (15) For psychiatric hospitals the amount of \$250  
4 multiplied by the hospital's total number of outpatient  
5 claims for category of service 27 and 28 for the  
6 determination quarter.

7 (16) For rehabilitation hospitals the amount of \$410  
8 multiplied by the hospital's total number of inpatient  
9 days for category of service 22 for the determination  
10 quarter.

11 (17) For rehabilitation hospitals the amount of \$100  
12 multiplied by the hospital's total number of outpatient  
13 claims for category of service 29 for the determination  
14 quarter.

15 (18) Effective for the Payout Quarter beginning  
16 January 1, 2023, for the directed payments to hospitals  
17 required under this subsection, the Department shall  
18 establish the amounts that shall be used to calculate such  
19 directed payments using the methodologies specified in  
20 this paragraph. The Department shall use a single, uniform  
21 rate, adjusted for acuity as specified in paragraphs (1)  
22 through (12), for all categories of inpatient services  
23 provided by each class of hospitals and a single uniform  
24 rate, adjusted for acuity as specified in paragraphs (1)  
25 through (12), for all categories of outpatient services  
26 provided by each class of hospitals. The Department shall

1 establish such amounts so that the total amount of  
2 payments to each hospital under this Section in calendar  
3 year 2023 is projected to be substantially similar to the  
4 total amount of such payments received by the hospital  
5 under this Section in calendar year 2021, adjusted for  
6 increased funding provided for fixed pool directed  
7 payments under subsection (g) in calendar year 2022,  
8 assuming that the volume and acuity of claims are held  
9 constant. The Department shall publish the directed  
10 payment amounts to be established under this subsection on  
11 its website by November 15, 2022.

12 (19) Each hospital shall be paid 1/3 of their  
13 quarterly inpatient and outpatient directed payment in  
14 each of the 3 months of the Payout Quarter, in accordance  
15 with directions provided to each MCO by the Department.

16 20 Each MCO shall pay each hospital the Monthly  
17 Directed Payment amount as identified by the Department on  
18 its quarterly determination report.

19 Notwithstanding any other provision of this subsection, if  
20 the Department determines that the actual total hospital  
21 utilization data that is used to calculate the fixed rate  
22 directed payments is substantially different than anticipated  
23 when the rates in this subsection were initially determined  
24 for unforeseeable circumstances (such as the COVID-19 pandemic  
25 or some other public health emergency), the Department may  
26 adjust the rates specified in this subsection so that the

1 total directed payments approximate the total spending amount  
2 anticipated when the rates were initially established.

3 Definitions. As used in this subsection:

4 (A) "Payout Quarter" means each calendar quarter,  
5 beginning July 1, 2020.

6 (B) "Determination Quarter" means each calendar  
7 quarter which ends 3 months prior to the first day of  
8 each Payout Quarter.

9 (C) "Case mix index" means a hospital specific  
10 calculation. For inpatient claims the case mix index  
11 is calculated each quarter by summing the relative  
12 weight of all inpatient Diagnosis-Related Group (DRG)  
13 claims for a category of service in the applicable  
14 Determination Quarter and dividing the sum by the  
15 number of sum total of all inpatient DRG admissions  
16 for the category of service for the associated claims.  
17 The case mix index for outpatient claims is calculated  
18 each quarter by summing the relative weight of all  
19 paid EAPGs in the applicable Determination Quarter and  
20 dividing the sum by the sum total of paid EAPGs for the  
21 associated claims.

22 (i) Beginning January 1, 2021, the rates for directed  
23 payments shall be recalculated in order to spend the  
24 additional funds for directed payments that result from  
25 reduction in the amount of pass-through payments allowed under  
26 federal regulations. The additional funds for directed



1 payments shall be allocated proportionally to each class of  
2 hospitals based on that class' proportion of services.

3 (1) Beginning January 1, 2024, the fixed pool directed  
4 payment amounts and the associated annual initial rates  
5 referenced in paragraph (6) of subsection (f) for each  
6 hospital class shall be uniformly increased by a ratio of  
7 not less than, the ratio of the total pass-through  
8 reduction amount pursuant to paragraph (4) of subsection  
9 (j), for the hospitals comprising the hospital fixed pool  
10 directed payment class for the next calendar year, to the  
11 total inpatient and outpatient directed payments for the  
12 hospitals comprising the hospital fixed pool directed  
13 payment class paid during the preceding calendar year.

14 (2) Beginning January 1, 2024, the fixed rates for the  
15 directed payments referenced in paragraph (18) of  
16 subsection (h) for each hospital class shall be uniformly  
17 increased by a ratio of not less than, the ratio of the  
18 total pass-through reduction amount pursuant to paragraph  
19 (4) of subsection (j), for the hospitals comprising the  
20 hospital directed payment class for the next calendar  
21 year, to the total inpatient and outpatient directed  
22 payments for the hospitals comprising the hospital fixed  
23 rate directed payment class paid during the preceding  
24 calendar year.

25 (j) Pass-through payments.

26 (1) For the period July 1, 2020 through December 31,

1           2020, the Department shall assign quarterly pass-through  
2           payments to each class of hospitals equal to one-fourth of  
3           the following annual allocations:

4                   (A) \$390,487,095 to safety-net hospitals.

5                   (B) \$62,553,886 to critical access hospitals.

6                   (C) \$345,021,438 to high Medicaid hospitals.

7                   (D) \$551,429,071 to general acute care hospitals.

8                   (E) \$27,283,870 to long term acute care hospitals.

9                   (F) \$40,825,444 to freestanding psychiatric  
10           hospitals.

11                   (G) \$9,652,108 to freestanding rehabilitation  
12           hospitals.

13           (2) For the period of July 1, 2020 through December  
14           31, 2020, the pass-through payments shall at a minimum  
15           ensure hospitals receive a total amount of monthly  
16           payments under this Section as received in calendar year  
17           2019 in accordance with this Article and paragraph (1) of  
18           subsection (d-5) of Section 14-12, exclusive of amounts  
19           received through payments referenced in subsection (b).

20           (3) For the calendar year beginning January 1, 2023,  
21           the Department shall establish the annual pass-through  
22           allocation to each class of hospitals and the pass-through  
23           payments to each hospital so that the total amount of  
24           payments to each hospital under this Section in calendar  
25           year 2023 is projected to be substantially similar to the  
26           total amount of such payments received by the hospital

1 under this Section in calendar year 2021, adjusted for  
2 increased funding provided for fixed pool directed  
3 payments under subsection (g) in calendar year 2022,  
4 assuming that the volume and acuity of claims are held  
5 constant. The Department shall publish the pass-through  
6 allocation to each class and the pass-through payments to  
7 each hospital to be established under this subsection on  
8 its website by November 15, 2022.

9 (4) For the calendar years beginning January 1, 2021,  
10 January 1, 2022, and January 1, 2024, and each calendar  
11 year thereafter, each hospital's pass-through payment  
12 amount shall be reduced proportionally to the reduction of  
13 all pass-through payments required by federal regulations.

14 (k) At least 30 days prior to each calendar year, the  
15 Department shall notify each hospital of changes to the  
16 payment methodologies in this Section, including, but not  
17 limited to, changes in the fixed rate directed payment rates,  
18 the aggregate pass-through payment amount for all hospitals,  
19 and the hospital's pass-through payment amount for the  
20 upcoming calendar year.

21 (l) Notwithstanding any other provisions of this Section,  
22 the Department may adopt rules to change the methodology for  
23 directed and pass-through payments as set forth in this  
24 Section, but only to the extent necessary to obtain federal  
25 approval of a necessary State Plan amendment or Directed  
26 Payment Preprint or to otherwise conform to federal law or

1 federal regulation.

2 (m) As used in this subsection, "managed care  
3 organization" or "MCO" means an entity which contracts with  
4 the Department to provide services where payment for medical  
5 services is made on a capitated basis, excluding contracted  
6 entities for dual eligible or Department of Children and  
7 Family Services youth populations.

8 (n) In order to address the escalating infant mortality  
9 rates among minority communities in Illinois, the State shall,  
10 subject to appropriation, create a pool of funding of at least  
11 \$50,000,000 annually to be disbursed among safety-net  
12 hospitals that maintain perinatal designation from the  
13 Department of Public Health. The funding shall be used to  
14 preserve or enhance OB/GYN services or other specialty  
15 services at the receiving hospital, with the distribution of  
16 funding to be established by rule and with consideration to  
17 perinatal hospitals with safe birthing levels and quality  
18 metrics for healthy mothers and babies.

19 (o) In order to address the growing challenges of  
20 providing stable access to healthcare in rural Illinois,  
21 including perinatal services, behavioral healthcare including  
22 substance use disorder services (SUDs) and other specialty  
23 services, and to expand access to telehealth services among  
24 rural communities in Illinois, the Department of Healthcare  
25 and Family Services, subject to appropriation, shall  
26 administer a program to provide at least \$10,000,000 in

1 financial support annually to critical access hospitals for  
2 delivery of perinatal and OB/GYN services, behavioral  
3 healthcare including SUDS, other specialty services and  
4 telehealth services. The funding shall be used to preserve or  
5 enhance perinatal and OB/GYN services, behavioral healthcare  
6 including SUDS, other specialty services, as well as the  
7 explanation of telehealth services by the receiving hospital,  
8 with the distribution of funding to be established by rule.

9 (p) For calendar year 2023, the final amounts, rates, and  
10 payments under subsections (c), (d-2), (g), (h), and (j) shall  
11 be established by the Department, so that the sum of the total  
12 estimated annual payments under subsections (c), (d-2), (g),  
13 (h), and (j) for each hospital class for calendar year 2023, is  
14 no less than:

15 (1) \$858,260,000 to safety-net hospitals.

16 (2) \$86,200,000 to critical access hospitals.

17 (3) \$1,765,000,000 to high Medicaid hospitals.

18 (4) \$673,860,000 to general acute care hospitals.

19 (5) \$48,330,000 to long term acute care hospitals.

20 (6) \$89,110,000 to freestanding psychiatric hospitals.

21 (7) \$24,300,000 to freestanding rehabilitation  
22 hospitals.

23 (8) \$32,570,000 to public hospitals.

24 (q) Hospital Pandemic Recovery Stabilization Payments.

25 The Department shall disburse a pool of \$460,000,000 in  
26 stability payments to hospitals prior to April 1, 2023. The

1 allocation of the pool shall be based on the hospital directed  
2 payment classes and directed payments issued, during Calendar  
3 Year 2022 with added consideration to safety net hospitals, as  
4 defined in subdivision (f)(1)(B) of this Section, and critical  
5 access hospitals.

6 (Source: P.A. 101-650, eff. 7-7-20; 102-4, eff. 4-27-21;  
7 102-16, eff. 6-17-21; 102-886, eff. 5-17-22.)

8 Section 5-40. The Illinois Human Rights Act is amended by  
9 changing Section 7-101 as follows:

10 (775 ILCS 5/7-101) (from Ch. 68, par. 7-101)

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

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

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

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

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

24 (E) Judicial Enforcement. To seek temporary relief and to

1 enforce orders of the Commission in conformity with this Act.

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

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

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

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

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

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

17 (J) Education and Training. To implement a formal and  
18 unbiased program of education and training for all employees  
19 assigned to investigate and conciliate charges under Articles  
20 7A and 7B. The training program shall include the following:

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

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

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

26 (4) orientation to each operational unit of the

1 Department and Commission;

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

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

10 (7) writing skills;

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

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

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

20 ARTICLE 10

21 Section 10-5. The State Officials and Employees Ethics Act  
22 is amended by changing Section 20-10 as follows:

23 (5 ILCS 430/20-10)



1           Sec. 20-10. Offices of Executive Inspectors General.

2           (a) Five independent Offices of the Executive Inspector  
3 General are created, one each for the Governor, the Attorney  
4 General, the Secretary of State, the Comptroller, and the  
5 Treasurer. Each Office shall be under the direction and  
6 supervision of an Executive Inspector General and shall be a  
7 fully independent office with separate appropriations.

8           (b) The Governor, Attorney General, Secretary of State,  
9 Comptroller, and Treasurer shall each appoint an Executive  
10 Inspector General, without regard to political affiliation and  
11 solely on the basis of integrity and demonstrated ability.  
12 Appointments shall be made by and with the advice and consent  
13 of the Senate by three-fifths of the elected members  
14 concurring by record vote. Any nomination not acted upon by  
15 the Senate within 60 session days of the receipt thereof shall  
16 be deemed to have received the advice and consent of the  
17 Senate. If, during a recess of the Senate, there is a vacancy  
18 in an office of Executive Inspector General, the appointing  
19 authority shall make a temporary appointment until the next  
20 meeting of the Senate when the appointing authority shall make  
21 a nomination to fill that office. No person rejected for an  
22 office of Executive Inspector General shall, except by the  
23 Senate's request, be nominated again for that office at the  
24 same session of the Senate or be appointed to that office  
25 during a recess of that Senate.

26           Nothing in this Article precludes the appointment by the

1 Governor, Attorney General, Secretary of State, Comptroller,  
2 or Treasurer of any other inspector general required or  
3 permitted by law. The Governor, Attorney General, Secretary of  
4 State, Comptroller, and Treasurer each may appoint an existing  
5 inspector general as the Executive Inspector General required  
6 by this Article, provided that such an inspector general is  
7 not prohibited by law, rule, jurisdiction, qualification, or  
8 interest from serving as the Executive Inspector General  
9 required by this Article. An appointing authority may not  
10 appoint a relative as an Executive Inspector General.

11 Each Executive Inspector General shall have the following  
12 qualifications:

13 (1) has not been convicted of any felony under the  
14 laws of this State, another State, or the United States;

15 (2) has earned a baccalaureate degree from an  
16 institution of higher education; and

17 (3) has 5 or more years of cumulative service (A) with  
18 a federal, State, or local law enforcement agency, at  
19 least 2 years of which have been in a progressive  
20 investigatory capacity; (B) as a federal, State, or local  
21 prosecutor; (C) as a senior manager or executive of a  
22 federal, State, or local agency; (D) as a member, an  
23 officer, or a State or federal judge; or (E) representing  
24 any combination of items (A) through (D).

25 The term of each initial Executive Inspector General shall  
26 commence upon qualification and shall run through June 30,

1 2008. The initial appointments shall be made within 60 days  
2 after the effective date of this Act.

3 After the initial term, each Executive Inspector General  
4 shall serve for 5-year terms commencing on July 1 of the year  
5 of appointment and running through June 30 of the fifth  
6 following year. An Executive Inspector General may be  
7 reappointed to one or more subsequent terms.

8 A vacancy occurring other than at the end of a term shall  
9 be filled by the appointing authority only for the balance of  
10 the term of the Executive Inspector General whose office is  
11 vacant.

12 Terms shall run regardless of whether the position is  
13 filled.

14 (c) The Executive Inspector General appointed by the  
15 Attorney General shall have jurisdiction over the Attorney  
16 General and all officers and employees of, and vendors and  
17 others doing business with, State agencies within the  
18 jurisdiction of the Attorney General. The Executive Inspector  
19 General appointed by the Secretary of State shall have  
20 jurisdiction over the Secretary of State and all officers and  
21 employees of, and vendors and others doing business with,  
22 State agencies within the jurisdiction of the Secretary of  
23 State. The Executive Inspector General appointed by the  
24 Comptroller shall have jurisdiction over the Comptroller and  
25 all officers and employees of, and vendors and others doing  
26 business with, State agencies within the jurisdiction of the

1 Comptroller. The Executive Inspector General appointed by the  
2 Treasurer shall have jurisdiction over the Treasurer and all  
3 officers and employees of, and vendors and others doing  
4 business with, State agencies within the jurisdiction of the  
5 Treasurer. The Executive Inspector General appointed by the  
6 Governor shall have jurisdiction over (i) the Governor, (ii)  
7 the Lieutenant Governor, (iii) all officers and employees of,  
8 and vendors and others doing business with, executive branch  
9 State agencies under the jurisdiction of the Executive Ethics  
10 Commission and not within the jurisdiction of the Attorney  
11 General, the Secretary of State, the Comptroller, or the  
12 Treasurer, and (iv) all board members and employees of the  
13 Regional Transit Boards and all vendors and others doing  
14 business with the Regional Transit Boards.

15 The jurisdiction of each Executive Inspector General is to  
16 investigate allegations of fraud, waste, abuse, mismanagement,  
17 misconduct, nonfeasance, misfeasance, malfeasance, or  
18 violations of this Act or violations of other related laws and  
19 rules.

20 Each Executive Inspector General shall have jurisdiction  
21 over complainants in violation of subsection (e) of Section  
22 20-63 for disclosing a summary report prepared by the  
23 respective Executive Inspector General.

24 (d) The compensation for each Executive Inspector General  
25 shall be determined by the Executive Ethics Commission and  
26 shall be provided ~~made~~ from appropriations made to the

1 Comptroller for this purpose. For terms of office beginning on  
2 or after July 1, 2023, each Executive Inspector General shall  
3 receive, on July 1 of each year, beginning on July 1, 2024, an  
4 increase in salary based on a cost of living adjustment as  
5 authorized by Senate Joint Resolution 192 of the 86th General  
6 Assembly. Subject to Section 20-45 of this Act, each Executive  
7 Inspector General has full authority to organize his or her  
8 Office of the Executive Inspector General, including the  
9 employment and determination of the compensation of staff,  
10 such as deputies, assistants, and other employees, as  
11 appropriations permit. A separate appropriation shall be made  
12 for each Office of Executive Inspector General.

13 (e) No Executive Inspector General or employee of the  
14 Office of the Executive Inspector General may, during his or  
15 her term of appointment or employment:

16 (1) become a candidate for any elective office;

17 (2) hold any other elected or appointed public office  
18 except for appointments on governmental advisory boards or  
19 study commissions or as otherwise expressly authorized by  
20 law;

21 (3) be actively involved in the affairs of any  
22 political party or political organization; or

23 (4) advocate for the appointment of another person to  
24 an appointed or elected office or position or actively  
25 participate in any campaign for any elective office.

26 In this subsection an appointed public office means a

1 position authorized by law that is filled by an appointing  
2 authority as provided by law and does not include employment  
3 by hiring in the ordinary course of business.

4 (e-1) No Executive Inspector General or employee of the  
5 Office of the Executive Inspector General may, for one year  
6 after the termination of his or her appointment or employment:

7 (1) become a candidate for any elective office;

8 (2) hold any elected public office; or

9 (3) hold any appointed State, county, or local  
10 judicial office.

11 (e-2) The requirements of item (3) of subsection (e-1) may  
12 be waived by the Executive Ethics Commission.

13 (f) An Executive Inspector General may be removed only for  
14 cause and may be removed only by the appointing constitutional  
15 officer. At the time of the removal, the appointing  
16 constitutional officer must report to the Executive Ethics  
17 Commission the justification for the removal.

18 (Source: P.A. 101-221, eff. 8-9-19; 102-558, eff. 8-20-21.)

19 Section 10-10. The Firearm Owners Identification Card Act  
20 is amended by changing Section 10 as follows:

21 (430 ILCS 65/10) (from Ch. 38, par. 83-10)

22 Sec. 10. Appeals; hearing; relief from firearm  
23 prohibitions.

24 (a) Whenever an application for a Firearm Owner's

1 Identification Card is denied or whenever such a Card is  
2 revoked or seized as provided for in Section 8 of this Act, the  
3 aggrieved party may (1) file a record challenge with the  
4 Director regarding the record upon which the decision to deny  
5 or revoke the Firearm Owner's Identification Card was based  
6 under subsection (a-5); or (2) appeal to the Director of the  
7 Illinois State Police through December 31, 2022, or beginning  
8 January 1, 2023, the Firearm Owner's Identification Card  
9 Review Board for a hearing seeking relief from such denial or  
10 revocation unless the denial or revocation was based upon a  
11 forcible felony, stalking, aggravated stalking, domestic  
12 battery, any violation of the Illinois Controlled Substances  
13 Act, the Methamphetamine Control and Community Protection Act,  
14 or the Cannabis Control Act that is classified as a Class 2 or  
15 greater felony, any felony violation of Article 24 of the  
16 Criminal Code of 1961 or the Criminal Code of 2012, or any  
17 adjudication as a delinquent minor for the commission of an  
18 offense that if committed by an adult would be a felony, in  
19 which case the aggrieved party may petition the circuit court  
20 in writing in the county of his or her residence for a hearing  
21 seeking relief from such denial or revocation.

22 (a-5) There is created a Firearm Owner's Identification  
23 Card Review Board to consider any appeal under subsection (a)  
24 beginning January 1, 2023, other than an appeal directed to  
25 the circuit court and except when the applicant is challenging  
26 the record upon which the decision to deny or revoke was based

1 as provided in subsection (a-10).

2 (0.05) In furtherance of the policy of this Act that  
3 the Board shall exercise its powers and duties in an  
4 independent manner, subject to the provisions of this Act  
5 but free from the direction, control, or influence of any  
6 other agency or department of State government. All  
7 expenses and liabilities incurred by the Board in the  
8 performance of its responsibilities hereunder shall be  
9 paid from funds which shall be appropriated to the Board  
10 by the General Assembly for the ordinary and contingent  
11 expenses of the Board.

12 (1) The Board shall consist of 7 members appointed by  
13 the Governor, with the advice and consent of the Senate,  
14 with 3 members residing within the First Judicial District  
15 and one member residing within each of the 4 remaining  
16 Judicial Districts. No more than 4 members shall be  
17 members of the same political party. The Governor shall  
18 designate one member as the chairperson. The Board shall  
19 consist of:

20 (A) one member with at least 5 years of service as  
21 a federal or State judge;

22 (B) one member with at least 5 years of experience  
23 serving as an attorney with the United States  
24 Department of Justice, or as a State's Attorney or  
25 Assistant State's Attorney;

26 (C) one member with at least 5 years of experience



1 serving as a State or federal public defender or  
2 assistant public defender;

3 (D) three members with at least 5 years of  
4 experience as a federal, State, or local law  
5 enforcement agent or as an employee with investigative  
6 experience or duties related to criminal justice under  
7 the United States Department of Justice, Drug  
8 Enforcement Administration, Department of Homeland  
9 Security, Federal Bureau of Investigation, or a State  
10 or local law enforcement agency; and

11 (E) one member with at least 5 years of experience  
12 as a licensed physician or clinical psychologist with  
13 expertise in the diagnosis and treatment of mental  
14 illness.

15 (2) The terms of the members initially appointed after  
16 January 1, 2022 (the effective date of Public Act 102-237)  
17 shall be as follows: one of the initial members shall be  
18 appointed for a term of one year, 3 shall be appointed for  
19 terms of 2 years, and 3 shall be appointed for terms of 4  
20 years. Thereafter, members shall hold office for 4 years,  
21 with terms expiring on the second Monday in January  
22 immediately following the expiration of their terms and  
23 every 4 years thereafter. Members may be reappointed.  
24 Vacancies in the office of member shall be filled in the  
25 same manner as the original appointment, for the remainder  
26 of the unexpired term. The Governor may remove a member

1 for incompetence, neglect of duty, malfeasance, or  
2 inability to serve. Members shall receive compensation in  
3 an amount equal to the compensation of members of the  
4 Executive Ethics Commission and, beginning July 1, 2023,  
5 shall be compensated from appropriations provided to the  
6 Comptroller for this purpose. Members may be reimbursed,  
7 from funds appropriated for such a purpose, for reasonable  
8 expenses actually incurred in the performance of their  
9 Board duties. The Illinois State Police shall designate an  
10 employee to serve as Executive Director of the Board and  
11 provide logistical and administrative assistance to the  
12 Board.

13 (3) The Board shall meet at least quarterly each year  
14 and at the call of the chairperson as often as necessary to  
15 consider appeals of decisions made with respect to  
16 applications for a Firearm Owner's Identification Card  
17 under this Act. If necessary to ensure the participation  
18 of a member, the Board shall allow a member to participate  
19 in a Board meeting by electronic communication. Any member  
20 participating electronically shall be deemed present for  
21 purposes of establishing a quorum and voting.

22 (4) The Board shall adopt rules for the review of  
23 appeals and the conduct of hearings. The Board shall  
24 maintain a record of its decisions and all materials  
25 considered in making its decisions. All Board decisions  
26 and voting records shall be kept confidential and all

1 materials considered by the Board shall be exempt from  
2 inspection except upon order of a court.

3 (5) In considering an appeal, the Board shall review  
4 the materials received concerning the denial or revocation  
5 by the Illinois State Police. By a vote of at least 4  
6 members, the Board may request additional information from  
7 the Illinois State Police or the applicant or the  
8 testimony of the Illinois State Police or the applicant.  
9 The Board may require that the applicant submit electronic  
10 fingerprints to the Illinois State Police for an updated  
11 background check if the Board determines it lacks  
12 sufficient information to determine eligibility. The Board  
13 may consider information submitted by the Illinois State  
14 Police, a law enforcement agency, or the applicant. The  
15 Board shall review each denial or revocation and determine  
16 by a majority of members whether an applicant should be  
17 granted relief under subsection (c).

18 (6) The Board shall by order issue summary decisions.  
19 The Board shall issue a decision within 45 days of  
20 receiving all completed appeal documents from the Illinois  
21 State Police and the applicant. However, the Board need  
22 not issue a decision within 45 days if:

23 (A) the Board requests information from the  
24 applicant, including, but not limited to, electronic  
25 fingerprints to be submitted to the Illinois State  
26 Police, in accordance with paragraph (5) of this

1 subsection, in which case the Board shall make a  
2 decision within 30 days of receipt of the required  
3 information from the applicant;

4 (B) the applicant agrees, in writing, to allow the  
5 Board additional time to consider an appeal; or

6 (C) the Board notifies the applicant and the  
7 Illinois State Police that the Board needs an  
8 additional 30 days to issue a decision. The Board may  
9 only issue 2 extensions under this subparagraph (C).  
10 The Board's notification to the applicant and the  
11 Illinois State Police shall include an explanation for  
12 the extension.

13 (7) If the Board determines that the applicant is  
14 eligible for relief under subsection (c), the Board shall  
15 notify the applicant and the Illinois State Police that  
16 relief has been granted and the Illinois State Police  
17 shall issue the Card.

18 (8) Meetings of the Board shall not be subject to the  
19 Open Meetings Act and records of the Board shall not be  
20 subject to the Freedom of Information Act.

21 (9) The Board shall report monthly to the Governor and  
22 the General Assembly on the number of appeals received and  
23 provide details of the circumstances in which the Board  
24 has determined to deny Firearm Owner's Identification  
25 Cards under this subsection (a-5). The report shall not  
26 contain any identifying information about the applicants.

1 (a-10) Whenever an applicant or cardholder is not seeking  
2 relief from a firearms prohibition under subsection (c) but  
3 rather does not believe the applicant is appropriately denied  
4 or revoked and is challenging the record upon which the  
5 decision to deny or revoke the Firearm Owner's Identification  
6 Card was based, or whenever the Illinois State Police fails to  
7 act on an application within 30 days of its receipt, the  
8 applicant shall file such challenge with the Director. The  
9 Director shall render a decision within 60 business days of  
10 receipt of all information supporting the challenge. The  
11 Illinois State Police shall adopt rules for the review of a  
12 record challenge.

13 (b) At least 30 days before any hearing in the circuit  
14 court, the petitioner shall serve the relevant State's  
15 Attorney with a copy of the petition. The State's Attorney may  
16 object to the petition and present evidence. At the hearing,  
17 the court shall determine whether substantial justice has been  
18 done. Should the court determine that substantial justice has  
19 not been done, the court shall issue an order directing the  
20 Illinois State Police to issue a Card. However, the court  
21 shall not issue the order if the petitioner is otherwise  
22 prohibited from obtaining, possessing, or using a firearm  
23 under federal law.

24 (c) Any person prohibited from possessing a firearm under  
25 Sections 24-1.1 or 24-3.1 of the Criminal Code of 2012 or  
26 acquiring a Firearm Owner's Identification Card under Section

1 8 of this Act may apply to the Firearm Owner's Identification  
2 Card Review Board or petition the circuit court in the county  
3 where the petitioner resides, whichever is applicable in  
4 accordance with subsection (a) of this Section, requesting  
5 relief from such prohibition and the Board or court may grant  
6 such relief if it is established by the applicant to the  
7 court's or the Board's satisfaction that:

8 (0.05) when in the circuit court, the State's Attorney  
9 has been served with a written copy of the petition at  
10 least 30 days before any such hearing in the circuit court  
11 and at the hearing the State's Attorney was afforded an  
12 opportunity to present evidence and object to the  
13 petition;

14 (1) the applicant has not been convicted of a forcible  
15 felony under the laws of this State or any other  
16 jurisdiction within 20 years of the applicant's  
17 application for a Firearm Owner's Identification Card, or  
18 at least 20 years have passed since the end of any period  
19 of imprisonment imposed in relation to that conviction;

20 (2) the circumstances regarding a criminal conviction,  
21 where applicable, the applicant's criminal history and his  
22 reputation are such that the applicant will not be likely  
23 to act in a manner dangerous to public safety;

24 (3) granting relief would not be contrary to the  
25 public interest; and

26 (4) granting relief would not be contrary to federal

1 law.

2 (c-5) (1) An active law enforcement officer employed by a  
3 unit of government or a Department of Corrections employee  
4 authorized to possess firearms who is denied, revoked, or has  
5 his or her Firearm Owner's Identification Card seized under  
6 subsection (e) of Section 8 of this Act may apply to the  
7 Firearm Owner's Identification Card Review Board requesting  
8 relief if the officer or employee did not act in a manner  
9 threatening to the officer or employee, another person, or the  
10 public as determined by the treating clinical psychologist or  
11 physician, and as a result of his or her work is referred by  
12 the employer for or voluntarily seeks mental health evaluation  
13 or treatment by a licensed clinical psychologist,  
14 psychiatrist, or qualified examiner, and:

15 (A) the officer or employee has not received treatment  
16 involuntarily at a mental health facility, regardless of  
17 the length of admission; or has not been voluntarily  
18 admitted to a mental health facility for more than 30 days  
19 and not for more than one incident within the past 5 years;  
20 and

21 (B) the officer or employee has not left the mental  
22 institution against medical advice.

23 (2) The Firearm Owner's Identification Card Review Board  
24 shall grant expedited relief to active law enforcement  
25 officers and employees described in paragraph (1) of this  
26 subsection (c-5) upon a determination by the Board that the

1 officer's or employee's possession of a firearm does not  
2 present a threat to themselves, others, or public safety. The  
3 Board shall act on the request for relief within 30 business  
4 days of receipt of:

5 (A) a notarized statement from the officer or employee  
6 in the form prescribed by the Board detailing the  
7 circumstances that led to the hospitalization;

8 (B) all documentation regarding the admission,  
9 evaluation, treatment and discharge from the treating  
10 licensed clinical psychologist or psychiatrist of the  
11 officer;

12 (C) a psychological fitness for duty evaluation of the  
13 person completed after the time of discharge; and

14 (D) written confirmation in the form prescribed by the  
15 Board from the treating licensed clinical psychologist or  
16 psychiatrist that the provisions set forth in paragraph  
17 (1) of this subsection (c-5) have been met, the person  
18 successfully completed treatment, and their professional  
19 opinion regarding the person's ability to possess  
20 firearms.

21 (3) Officers and employees eligible for the expedited  
22 relief in paragraph (2) of this subsection (c-5) have the  
23 burden of proof on eligibility and must provide all  
24 information required. The Board may not consider granting  
25 expedited relief until the proof and information is received.

26 (4) "Clinical psychologist", "psychiatrist", and



1 "qualified examiner" shall have the same meaning as provided  
2 in Chapter I of the Mental Health and Developmental  
3 Disabilities Code.

4 (c-10) (1) An applicant, who is denied, revoked, or has  
5 his or her Firearm Owner's Identification Card seized under  
6 subsection (e) of Section 8 of this Act based upon a  
7 determination of a developmental disability or an intellectual  
8 disability may apply to the Firearm Owner's Identification  
9 Card Review Board requesting relief.

10 (2) The Board shall act on the request for relief within 60  
11 business days of receipt of written certification, in the form  
12 prescribed by the Board, from a physician or clinical  
13 psychologist, or qualified examiner, that the aggrieved  
14 party's developmental disability or intellectual disability  
15 condition is determined by a physician, clinical psychologist,  
16 or qualified to be mild. If a fact-finding conference is  
17 scheduled to obtain additional information concerning the  
18 circumstances of the denial or revocation, the 60 business  
19 days the Director has to act shall be tolled until the  
20 completion of the fact-finding conference.

21 (3) The Board may grant relief if the aggrieved party's  
22 developmental disability or intellectual disability is mild as  
23 determined by a physician, clinical psychologist, or qualified  
24 examiner and it is established by the applicant to the Board's  
25 satisfaction that:

26 (A) granting relief would not be contrary to the

1 public interest; and

2 (B) granting relief would not be contrary to federal  
3 law.

4 (4) The Board may not grant relief if the condition is  
5 determined by a physician, clinical psychologist, or qualified  
6 examiner to be moderate, severe, or profound.

7 (5) The changes made to this Section by Public Act 99-29  
8 apply to requests for relief pending on or before July 10, 2015  
9 (the effective date of Public Act 99-29), except that the  
10 60-day period for the Director to act on requests pending  
11 before the effective date shall begin on July 10, 2015 (the  
12 effective date of Public Act 99-29). All appeals as provided  
13 in subsection (a-5) pending on January 1, 2023 shall be  
14 considered by the Board.

15 (d) When a minor is adjudicated delinquent for an offense  
16 which if committed by an adult would be a felony, the court  
17 shall notify the Illinois State Police.

18 (e) The court shall review the denial of an application or  
19 the revocation of a Firearm Owner's Identification Card of a  
20 person who has been adjudicated delinquent for an offense that  
21 if committed by an adult would be a felony if an application  
22 for relief has been filed at least 10 years after the  
23 adjudication of delinquency and the court determines that the  
24 applicant should be granted relief from disability to obtain a  
25 Firearm Owner's Identification Card. If the court grants  
26 relief, the court shall notify the Illinois State Police that

1 the disability has been removed and that the applicant is  
2 eligible to obtain a Firearm Owner's Identification Card.

3 (f) Any person who is subject to the disabilities of 18  
4 U.S.C. 922(d)(4) and 922(g)(4) of the federal Gun Control Act  
5 of 1968 because of an adjudication or commitment that occurred  
6 under the laws of this State or who was determined to be  
7 subject to the provisions of subsections (e), (f), or (g) of  
8 Section 8 of this Act may apply to the Illinois State Police  
9 requesting relief from that prohibition. The Board shall grant  
10 the relief if it is established by a preponderance of the  
11 evidence that the person will not be likely to act in a manner  
12 dangerous to public safety and that granting relief would not  
13 be contrary to the public interest. In making this  
14 determination, the Board shall receive evidence concerning (i)  
15 the circumstances regarding the firearms disabilities from  
16 which relief is sought; (ii) the petitioner's mental health  
17 and criminal history records, if any; (iii) the petitioner's  
18 reputation, developed at a minimum through character witness  
19 statements, testimony, or other character evidence; and (iv)  
20 changes in the petitioner's condition or circumstances since  
21 the disqualifying events relevant to the relief sought. If  
22 relief is granted under this subsection or by order of a court  
23 under this Section, the Director shall as soon as practicable  
24 but in no case later than 15 business days, update, correct,  
25 modify, or remove the person's record in any database that the  
26 Illinois State Police makes available to the National Instant

1 Criminal Background Check System and notify the United States  
2 Attorney General that the basis for the record being made  
3 available no longer applies. The Illinois State Police shall  
4 adopt rules for the administration of this Section.

5 (Source: P.A. 102-237, eff. 1-1-22; 102-538, eff. 8-20-21;  
6 102-645, eff. 1-1-22; 102-813, eff. 5-13-22.)

7 ARTICLE 15

8 Section 15-5. The Civil Administrative Code of Illinois is  
9 amended by changing Sections 5-120, 5-300, 5-310, 5-315,  
10 5-320, 5-325, 5-330, 5-335, 5-340, 5-345, 5-350, 5-355, 5-357,  
11 5-360, 5-362, 5-365, 5-375, 5-395, 5-400, 5-405, 5-410, 5-415,  
12 and 5-420 as follows:

13 (20 ILCS 5/5-120) (was 20 ILCS 5/5.13g)

14 Sec. 5-120. In the Department of Commerce and Economic  
15 Opportunity. Two Assistant Directors ~~Director~~ of Commerce and  
16 Economic Opportunity.

17 (Source: P.A. 93-25, eff. 6-20-03.)

18 (20 ILCS 5/5-300) (was 20 ILCS 5/9)

19 Sec. 5-300. Officers' qualifications and salaries. The  
20 executive and administrative officers, whose offices are  
21 created by this Act, must have the qualifications prescribed  
22 by law and shall receive annual salaries, payable in equal

1 monthly installments, as designated in the Sections following  
2 this Section and preceding Section 5-500. ~~If set by the~~  
3 ~~Governor, those annual salaries may not exceed 85% of the~~  
4 ~~Governor's annual salary.~~ Notwithstanding any other provision  
5 of law, for terms beginning after January 18, 2019 (the  
6 effective date of Public Act 100-1179) and before January 16,  
7 2023 ~~this amendatory Act of the 100th General Assembly,~~ the  
8 annual salary of the director or secretary and assistant  
9 director or assistant secretary of each department created  
10 under Section 5-15 shall be an amount equal to 15% more than  
11 the annual salary of the respective officer in effect as of  
12 December 31, 2018. The calculation of the 2018 salary base for  
13 this adjustment shall not include any cost of living  
14 adjustments, as authorized by Senate Joint Resolution 192 of  
15 the 86th General Assembly, for the period beginning July 1,  
16 2009 to June 30, 2019. Beginning July 1, 2019 and each July 1  
17 thereafter, the directors, secretaries, assistant directors,  
18 and assistant secretaries shall receive an increase in salary  
19 based on a cost of living adjustment as authorized by Senate  
20 Joint Resolution 192 of the 86th General Assembly.  
21 Notwithstanding any other provision of law, for terms  
22 beginning on or after January 16, 2023, the directors,  
23 secretaries, assistant directors, and assistant secretaries  
24 shall receive annual salaries, payable in equal monthly  
25 installments, and increases in salary, as designated in the  
26 Sections following this Section and preceding Section 5-500.

1 (Source: P.A. 100-1179, eff. 1-18-19.)

2 (20 ILCS 5/5-310) (was 20 ILCS 5/9.21)

3 Sec. 5-310. In the Department on Aging. For terms  
4 beginning on or after January 16, 2023, the Director of Aging  
5 shall receive an annual salary of \$165,000 or as set by the  
6 Governor, whichever is higher. On July 1, 2023, and on each  
7 July 1 thereafter, the Director shall receive an increase in  
8 salary based on a cost of living adjustment as authorized by  
9 Senate Joint Resolution 192 of the 86th General Assembly. ~~For~~  
10 ~~terms ending before December 31, 2019, the Director of Aging~~  
11 ~~shall receive an annual salary as set by the Compensation~~  
12 ~~Review Board.~~

13 (Source: P.A. 100-1179, eff. 1-18-19.)

14 (20 ILCS 5/5-315) (was 20 ILCS 5/9.02)

15 Sec. 5-315. In the Department of Agriculture. For terms  
16 beginning on or after January 16, 2023, the Director of  
17 Agriculture shall receive an annual salary of \$180,000 or as  
18 set by the Governor, whichever is higher. On July 1, 2023, and  
19 on each July 1 thereafter, the Director shall receive an  
20 increase in salary based on a cost of living adjustment as  
21 authorized by Senate Joint Resolution 192 of the 86th General  
22 Assembly. ~~For terms ending before December 31, 2019, the~~  
23 ~~Director of Agriculture shall receive an annual salary as set~~  
24 ~~by the Compensation Review Board.~~

1       For terms beginning on or after January 16, 2023, the  
2 Assistant Director of Agriculture shall receive an annual  
3 salary of \$156,600 or as set by the Governor, whichever is  
4 higher. On July 1, 2023, and on each July 1 thereafter, the  
5 Assistant Director of Agriculture shall receive an increase in  
6 salary based on a cost of living adjustment as authorized by  
7 Senate Joint Resolution 192 of the 86th General Assembly.

8       ~~For terms ending before December 31, 2019, the Assistant~~  
9 ~~Director of Agriculture shall receive an annual salary as set~~  
10 ~~by the Compensation Review Board.~~

11       (Source: P.A. 100-1179, eff. 1-18-19.)

12       (20 ILCS 5/5-320) (was 20 ILCS 5/9.19)

13       Sec. 5-320. In the Department of Central Management  
14 Services. For terms beginning on or after January 16, 2023,  
15 the Director of Central Management Services shall receive an  
16 annual salary of \$195,000 or as set by the Governor, whichever  
17 is higher. On July 1, 2023, and on each July 1 thereafter, the  
18 Director of Central Management Services shall receive an  
19 increase in salary based on a cost of living adjustment as  
20 authorized by Senate Joint Resolution 192 of the 86th General  
21 Assembly. ~~For terms ending before December 31, 2019, the~~  
22 ~~Director of Central Management Services shall receive an~~  
23 ~~annual salary as set by the Compensation Review Board.~~

24       For terms beginning on or after January 16, 2023, each  
25 Assistant Director of Central Management Services shall

1 receive an annual salary of \$165,750 or as set by the Governor,  
2 whichever is higher. On July 1, 2023, and on each July 1  
3 thereafter, the Assistant Directors shall receive an increase  
4 in salary based on a cost of living adjustment as authorized by  
5 Senate Joint Resolution 192 of the 86th General Assembly. For  
6 ~~terms ending before December 31, 2019, each Assistant Director~~  
7 ~~of Central Management Services shall receive an annual salary~~  
8 ~~as set by the Compensation Review Board.~~

9 (Source: P.A. 100-1179, eff. 1-18-19.)

10 (20 ILCS 5/5-325) (was 20 ILCS 5/9.16)

11 Sec. 5-325. In the Department of Children and Family  
12 Services. For terms beginning on or after January 16, 2023,  
13 the Director of Children and Family Services shall receive an  
14 annual salary of \$200,000 or as set by the Governor, whichever  
15 is higher. On July 1, 2023, and on each July 1 thereafter, the  
16 Director shall receive an increase in salary based on a cost of  
17 living adjustment as authorized by Senate Joint Resolution 192  
18 of the 86th General Assembly. For terms ending before December  
19 ~~31, 2019, the Director of Children and Family Services shall~~  
20 ~~receive an annual salary as set by the Compensation Review~~  
21 ~~Board.~~

22 (Source: P.A. 100-1179, eff. 1-18-19.)

23 (20 ILCS 5/5-330) (was 20 ILCS 5/9.18)

24 Sec. 5-330. In the Department of Commerce and Economic



1 Opportunity. For terms beginning on or after January 16, 2023,  
2 the Director of Commerce and Economic Opportunity shall  
3 receive an annual salary of \$195,000 or as set by the Governor,  
4 whichever is higher. On July 1, 2023, and on each July 1  
5 thereafter, the Director shall receive an increase in salary  
6 based on a cost of living adjustment as authorized by Senate  
7 Joint Resolution 192 of the 86th General Assembly. For terms  
8 ending before December 31, 2019, the Director of Commerce and  
9 Economic Opportunity shall receive an annual salary as set by  
10 the Compensation Review Board.

11 For terms beginning on or after January 16, 2023, each  
12 Assistant Director of Commerce and Economic Opportunity shall  
13 receive an annual salary of \$165,750 or as set by the Governor,  
14 whichever is higher. On July 1, 2023, and on each July 1  
15 thereafter, the Assistant Directors shall receive an increase  
16 in salary based on a cost of living adjustment as authorized by  
17 Senate Joint Resolution 192 of the 86th General Assembly. For  
18 terms ending before December 31, 2019, the Assistant Director  
19 of Commerce and Economic Opportunity shall receive an annual  
20 salary as set by the Compensation Review Board.

21 (Source: P.A. 100-1179, eff. 1-18-19.)

22 (20 ILCS 5/5-335) (was 20 ILCS 5/9.11a)

23 Sec. 5-335. In the Department of Corrections. For terms  
24 beginning on or after January 16, 2023, the Director of  
25 Corrections shall receive an annual salary of \$200,000 or as

1 set by the Governor, whichever is higher. On July 1, 2023, and  
2 on each July 1 thereafter, the Director shall receive an  
3 increase in salary based on a cost of living adjustment as  
4 authorized by Senate Joint Resolution 192 of the 86th General  
5 Assembly. For terms ending before December 31, 2019, the  
6 Director of Corrections shall receive an annual salary as set  
7 by the Compensation Review Board.

8 For terms beginning on or after January 16, 2023, the  
9 Assistant Director of Corrections shall receive an annual  
10 salary of \$170,000 or as set by the Governor, whichever is  
11 higher. On July 1, 2023, and on each July 1 thereafter, the  
12 Assistant Director shall receive an increase in salary based  
13 on a cost of living adjustment as authorized by Senate Joint  
14 Resolution 192 of the 86th General Assembly. For terms ending  
15 before December 31, 2019, the Assistant Director of  
16 Corrections shall receive an annual salary as set by the  
17 Compensation Review Board for the Assistant Director of  
18 Corrections Adult Division.

19 (Source: P.A. 100-1179, eff. 1-18-19.)

20 (20 ILCS 5/5-340) (was 20 ILCS 5/9.30)

21 Sec. 5-340. In the Department of Employment Security. For  
22 terms beginning on or after January 16, 2023, the Director of  
23 Employment Security shall receive an annual salary of \$195,000  
24 or as set by the Governor, whichever is higher. On July 1,  
25 2023, and on each July 1 thereafter, the Director shall

1 receive an increase in salary based on a cost of living  
2 adjustment as authorized by Senate Joint Resolution 192 of the  
3 86th General Assembly. For terms ending before December 31,  
4 2019, the Director of Employment Security shall receive an  
5 annual salary as set by the Compensation Review Board.

6 Each member of the Board of Review shall receive \$15,000.  
7 (Source: P.A. 100-1179, eff. 1-18-19.)

8 (20 ILCS 5/5-345) (was 20 ILCS 5/9.15)

9 Sec. 5-345. In the Department of Financial and  
10 Professional Regulation. For terms beginning on or after  
11 January 16, 2023, the Secretary of Financial and Professional  
12 Regulation shall receive an annual salary of \$195,000 or as  
13 set by the Governor, whichever is higher. On July 1, 2023, and  
14 on each July 1 thereafter, the Secretary shall receive an  
15 increase in salary based on a cost of living adjustment as  
16 authorized by Senate Joint Resolution 192 of the 86th General  
17 Assembly. For terms ending before December 31, 2019, the  
18 Secretary of Financial and Professional Regulation shall  
19 receive an annual salary as set by the Compensation Review  
20 Board.

21 For terms beginning on or after January 16, 2023, the  
22 Director of Financial Institutions, the Director of  
23 Professional Regulation, the Director of Banking, and the  
24 Director of Real Estate shall each receive an annual salary of  
25 \$180,000 or as set by the Governor, whichever is higher. On

1 July 1, 2023, and on each July 1 thereafter, the Directors  
2 shall receive an increase in salary based on a cost of living  
3 adjustment as authorized by Senate Joint Resolution 192 of the  
4 86th General Assembly. For terms ending before December 31,  
5 2019, the Director of Financial Institutions, the Director of  
6 Professional Regulation, the Director of Banking, and the  
7 Director of Real Estate shall receive an annual salary as set  
8 by the Compensation Review Board.

9 (Source: P.A. 100-1179, eff. 1-18-19.)

10 (20 ILCS 5/5-350) (was 20 ILCS 5/9.24)

11 Sec. 5-350. In the Department of Human Rights. For terms  
12 beginning on or after January 16, 2023, the Director of Human  
13 Rights shall receive an annual salary of \$165,000 or as set by  
14 the Governor, whichever is higher. On July 1, 2023, and on each  
15 July 1 thereafter, the Director shall receive an increase in  
16 salary based on a cost of living adjustment as authorized by  
17 Senate Joint Resolution 192 of the 86th General Assembly. For  
18 terms ending before December 31, 2019, the Director of Human  
19 Rights shall receive an annual salary as set by the  
20 Compensation Review Board.

21 (Source: P.A. 100-1179, eff. 1-18-19.)

22 (20 ILCS 5/5-355) (was 20 ILCS 5/9.05a)

23 Sec. 5-355. In the Department of Human Services. For terms  
24 beginning on or after January 16, 2023, the Secretary of Human

1 Services shall receive an annual salary of \$200,000 or as set  
2 by the Governor, whichever is higher. On July 1, 2023, and on  
3 each July 1 thereafter, the Secretary shall receive an  
4 increase in salary based on a cost of living adjustment as  
5 authorized by Senate Joint Resolution 192 of the 86th General  
6 Assembly. For terms ending before December 31, 2019, the  
7 Secretary of Human Services shall receive an annual salary as  
8 set by the Compensation Review Board.

9 For terms beginning on or after January 16, 2023, the  
10 Assistant Secretaries of Human Services shall receive an  
11 annual salary of \$170,000 or as set by the Governor, whichever  
12 is higher. On July 1, 2023, and on each July 1 thereafter, the  
13 Assistant Secretaries shall receive an increase in salary  
14 based on a cost of living adjustment as authorized by Senate  
15 Joint Resolution 192 of the 86th General Assembly. For terms  
16 ending before December 31, 2019, the Assistant Secretaries of  
17 Human Services shall each receive an annual salary as set by  
18 the Compensation Review Board.

19 (Source: P.A. 100-1179, eff. 1-18-19.)

20 (20 ILCS 5/5-357)

21 Sec. 5-357. In the Department of Innovation and  
22 Technology. Notwithstanding any other provision of law, for  
23 terms beginning on or after January 16, 2023, the Secretary of  
24 Innovation and Technology shall receive an annual salary of  
25 \$200,000 or as set by the Governor, whichever is higher, and

1 the Assistant Secretary of Innovation and Technology shall  
2 receive an annual salary of \$170,000 or as set by the Governor,  
3 whichever is higher. On July 1, 2023, and on each July 1  
4 thereafter, the Secretary and the Assistant Secretary shall  
5 each receive an increase in salary based on a cost of living  
6 adjustment as authorized by Senate Joint Resolution 192 of the  
7 86th General Assembly. ~~The Secretary of Innovation and~~  
8 ~~Technology and the Assistant Secretary of Innovation and~~  
9 ~~Technology shall each receive an annual salary as set by law.~~

10 (Source: P.A. 100-611, eff. 7-20-18.)

11 (20 ILCS 5/5-360) (was 20 ILCS 5/9.10)

12 Sec. 5-360. In the Department of Insurance. For terms  
13 beginning on or after January 16, 2023, the Director of  
14 Insurance shall receive an annual salary of \$180,000 or as set  
15 by the Governor, whichever is higher. On July 1, 2023, and on  
16 each July 1 thereafter, the Director shall receive an increase  
17 in salary based on a cost of living adjustment as authorized by  
18 Senate Joint Resolution 192 of the 86th General Assembly. ~~For~~  
19 ~~terms ending before December 31, 2019, the Director of~~  
20 ~~Insurance shall receive an annual salary as set by the~~  
21 ~~Compensation Review Board.~~

22 For terms beginning on or after January 16, 2023, the  
23 Assistant Director of Insurance shall receive an annual salary  
24 of \$156,600 or as set by the Governor, whichever is higher. On  
25 July 1, 2023, and on each July 1 thereafter, the Director shall

1 receive an increase in salary based on a cost of living  
2 adjustment as authorized by Senate Joint Resolution 192 of the  
3 86th General Assembly. For terms ending before December 31,  
4 2019, the Assistant Director of Insurance shall receive an  
5 annual salary as set by the Compensation Review Board.

6 (Source: P.A. 100-1179, eff. 1-18-19.)

7 (20 ILCS 5/5-362)

8 Sec. 5-362. In the Department of Juvenile Justice. For  
9 terms beginning on or after January 16, 2023, the Director of  
10 Juvenile Justice shall receive an annual salary of \$165,000 or  
11 as set by the Governor, whichever is higher. On July 1, 2023,  
12 and on each July 1 thereafter, the Director shall receive an  
13 increase in salary based on a cost of living adjustment as  
14 authorized by Senate Joint Resolution 192 of the 86th General  
15 Assembly. For terms ending before December 31, 2019, the  
16 Director of Juvenile Justice shall receive an annual salary as  
17 set by the Compensation Review Board.

18 (Source: P.A. 100-1179, eff. 1-18-19.)

19 (20 ILCS 5/5-365) (was 20 ILCS 5/9.03)

20 Sec. 5-365. In the Department of Labor. For terms  
21 beginning on or after January 16, 2023, the Director of Labor  
22 shall receive an annual salary of \$180,000 or as set by the  
23 Governor, whichever is higher. On July 1, 2023, and on each  
24 July 1 thereafter, the Director shall receive an increase in

1 salary based on a cost of living adjustment as authorized by  
2 Senate Joint Resolution 192 of the 86th General Assembly. For  
3 ~~terms ending before December 31, 2019, the Director of Labor~~  
4 ~~shall receive an annual salary as set by the Compensation~~  
5 ~~Review Board.~~

6 For terms beginning on or after January 16, 2023, the  
7 Assistant Director of Labor shall receive an annual salary of  
8 \$156,600 or as set by the Governor, whichever is higher. On  
9 July 1, 2023, and on each July 1 thereafter, the Assistant  
10 Director shall receive an increase in salary based on a cost of  
11 living adjustment as authorized by Senate Joint Resolution 192  
12 of the 86th General Assembly. For terms ending before December  
13 ~~31, 2019, the Assistant Director of Labor shall receive an~~  
14 ~~annual salary as set by the Compensation Review Board.~~

15 The Chief Safety Inspector shall receive \$24,700 from the  
16 third Monday in January, 1979 to the third Monday in January,  
17 1980, and \$25,000 thereafter, or as set by the Compensation  
18 Review Board, whichever is greater.

19 The Superintendent of Occupational Safety and Health shall  
20 receive \$27,500, or as set by the Compensation Review Board,  
21 whichever is greater.

22 The Superintendent of Women's and Children's Employment  
23 shall receive \$22,000 from the third Monday in January, 1979  
24 to the third Monday in January, 1980, and \$22,500 thereafter,  
25 or as set by the Compensation Review Board, whichever is  
26 greater.



1 (Source: P.A. 100-1179, eff. 1-18-19.)

2 (20 ILCS 5/5-375) (was 20 ILCS 5/9.09)

3 Sec. 5-375. In the Department of Natural Resources. For  
4 terms beginning on or after January 16, 2023, the Director of  
5 Natural Resources shall receive an annual salary of \$180,000  
6 or as set by the Governor, whichever is higher. On July 1,  
7 2023, and on each July 1 thereafter, the Director shall  
8 receive an increase in salary based on a cost of living  
9 adjustment as authorized by Senate Joint Resolution 192 of the  
10 86th General Assembly. ~~For terms ending before December 31,~~  
11 ~~2019, the Director of Natural Resources shall receive an~~  
12 ~~annual salary as set by the Compensation Review Board.~~

13 For terms beginning on or after January 16, 2023, the  
14 Assistant Director of Natural Resources shall receive an  
15 annual salary of \$156,600 or as set by the Governor, whichever  
16 is higher. On July 1, 2023, and on each July 1 thereafter, the  
17 Assistant Director shall receive an increase in salary based  
18 on a cost of living adjustment as authorized by Senate Joint  
19 Resolution 192 of the 86th General Assembly. ~~For terms ending~~  
20 ~~before December 31, 2019, the Assistant Director of Natural~~  
21 ~~Resources shall receive an annual salary as set by the~~  
22 ~~Compensation Review Board.~~

23 (Source: P.A. 100-1179, eff. 1-18-19.)

24 (20 ILCS 5/5-395) (was 20 ILCS 5/9.17)

1           Sec. 5-395. In the Department of Healthcare and Family  
2 Services. For terms beginning on or after January 16, 2023,  
3 the Director of Healthcare and Family Services shall receive  
4 an annual salary of \$195,000 or as set by the Governor,  
5 whichever is higher. On July 1, 2023, and on each July 1  
6 thereafter, the Director shall receive an increase in salary  
7 based on a cost of living adjustment as authorized by Senate  
8 Joint Resolution 192 of the 86th General Assembly. ~~For terms~~  
9 ~~ending before December 31, 2019, the Director of Healthcare~~  
10 ~~and Family Services shall receive an annual salary as set by~~  
11 ~~the Compensation Review Board.~~

12           For terms beginning on or after January 16, 2023, the  
13 Assistant Director shall receive an annual salary of \$165,750  
14 or as set by the Governor, whichever is higher. On July 1,  
15 2023, and on each July 1 thereafter, the Assistant Director  
16 shall receive an increase in salary based on a cost of living  
17 adjustment as authorized by Senate Joint Resolution 192 of the  
18 86th General Assembly. ~~For terms ending before December 31,~~  
19 ~~2019, the Assistant Director of Healthcare and Family Services~~  
20 ~~shall receive an annual salary as set by the Compensation~~  
21 ~~Review Board.~~

22           (Source: P.A. 100-1179, eff. 1-18-19.)

23           (20 ILCS 5/5-400) (was 20 ILCS 5/9.07)

24           Sec. 5-400. In the Department of Public Health. For terms  
25 beginning on or after January 16, 2023, the Director of Public

1 Health shall receive an annual salary of \$200,000 or as set by  
2 the Governor, whichever is higher. On July 1, 2023, and on each  
3 July 1 thereafter, the Director shall receive an increase in  
4 salary based on a cost of living adjustment as authorized by  
5 Senate Joint Resolution 192 of the 86th General Assembly. For  
6 ~~terms ending before December 31, 2019, the Director of Public~~  
7 ~~Health shall receive an annual salary as set by the~~  
8 ~~Compensation Review Board.~~

9 For terms beginning on or after January 16, 2023, the  
10 Assistant Director shall receive an annual salary of \$170,000  
11 or as set by the Governor, whichever is higher. On July 1,  
12 2023, and on each July 1 thereafter, the Assistant Director  
13 shall receive an increase in salary based on a cost of living  
14 adjustment as authorized by Senate Joint Resolution 192 of the  
15 86th General Assembly. For terms ending before December 31,  
16 ~~2019, the Assistant Director of Public Health shall receive an~~  
17 ~~annual salary as set by the Compensation Review Board.~~

18 (Source: P.A. 100-1179, eff. 1-18-19.)

19 (20 ILCS 5/5-405) (was 20 ILCS 5/9.12)

20 Sec. 5-405. In the Department of Revenue. For terms  
21 beginning on or after January 16, 2023, the Director of  
22 Revenue shall receive an annual salary of \$195,000 or as set by  
23 the Governor, whichever is higher. On July 1, 2023, and on each  
24 July 1 thereafter, the Director shall receive an increase in  
25 salary based on a cost of living adjustment as authorized by

1 Senate Joint Resolution 192 of the 86th General Assembly. ~~For~~  
2 ~~terms ending before December 31, 2019, the Director of Revenue~~  
3 ~~shall receive an annual salary as set by the Compensation~~  
4 ~~Review Board.~~

5 For terms beginning on or after January 16, 2023, the  
6 Assistant Director of Revenue shall receive an annual salary  
7 of \$165,750 or as set by the Governor, whichever is higher. On  
8 July 1, 2023, and on each July 1 thereafter, the Assistant  
9 Director shall receive an increase in salary based on a cost of  
10 living adjustment as authorized by Senate Joint Resolution 192  
11 of the 86th General Assembly. ~~For terms ending before December~~  
12 ~~31, 2019, the Assistant Director of Revenue shall receive an~~  
13 ~~annual salary as set by the Compensation Review Board.~~

14 (Source: P.A. 100-1179, eff. 1-18-19.)

15 (20 ILCS 5/5-410) (was 20 ILCS 5/9.11)

16 Sec. 5-410. In the Illinois State Police. For terms  
17 beginning on or after January 16, 2023, the Director of the  
18 Illinois State Police shall receive an annual salary of  
19 \$200,000 or as set by the Governor, whichever is higher. On  
20 July 1, 2023, and on each July 1 thereafter, the Director shall  
21 receive an increase in salary based on a cost of living  
22 adjustment as authorized by Senate Joint Resolution 192 of the  
23 86th General Assembly. ~~For terms ending before December 31,~~  
24 ~~2019, the Director of the Illinois State Police shall receive~~  
25 ~~an annual salary as set by the Compensation Review Board.~~

1           ~~F~~

2           (Source: P.A. 102-538, eff. 8-20-21; revised 12-16-22.)

3                   (20 ILCS 5/5-415)   (was 20 ILCS 5/9.05)

4           Sec. 5-415. In the Department of Transportation. For terms  
5 beginning on or after January 16, 2023, the Secretary of  
6 Transportation shall receive an annual salary of \$200,000 or  
7 as set by the Governor, whichever is higher. On July 1, 2023,  
8 and on each July 1 thereafter, the Secretary shall receive an  
9 increase in salary based on a cost of living adjustment as  
10 authorized by Senate Joint Resolution 192 of the 86th General  
11 Assembly. ~~For terms ending before December 31, 2019, the~~  
12 Secretary of Transportation shall receive an annual salary as  
13 set by the Compensation Review Board.

14           For terms beginning on or after January 16, 2023, the  
15 Assistant Secretary of Transportation shall receive an annual  
16 salary of \$170,000 or as set by the Governor, whichever is  
17 higher. On July 1, 2023, and on each July 1 thereafter, the  
18 Assistant Secretary shall receive an increase in salary based  
19 on a cost of living adjustment as authorized by Senate Joint  
20 Resolution 192 of the 86th General Assembly. ~~For terms ending~~  
21 before December 31, 2019, the Assistant Secretary of  
22 Transportation shall receive an annual salary as set by the  
23 Compensation Review Board.

24           (Source: P.A. 100-1179, eff. 1-18-19.)

1 (20 ILCS 5/5-420) (was 20 ILCS 5/9.22)

2 Sec. 5-420. In the Department of Veterans' Affairs. For  
3 terms beginning on or after January 16, 2023, the Director of  
4 Veterans' Affairs shall receive an annual salary of \$200,000  
5 or as set by the Governor, whichever is higher. On July 1,  
6 2023, and on each July 1 thereafter, the Director shall  
7 receive an increase in salary based on a cost of living  
8 adjustment as authorized by Senate Joint Resolution 192 of the  
9 86th General Assembly. ~~For terms ending before December 31,~~  
10 ~~2019, the Director of Veterans' Affairs shall receive an~~  
11 ~~annual salary as set by the Compensation Review Board.~~

12 For terms beginning on or after January 16, 2023, the  
13 Assistant Director of Veterans' Affairs shall receive an  
14 annual salary of \$170,000 or as set by the Governor, whichever  
15 is higher. On July 1, 2023, and on each July 1 thereafter, the  
16 Assistant Director shall receive an increase in salary based  
17 on a cost of living adjustment as authorized by Senate Joint  
18 Resolution 192 of the 86th General Assembly. ~~For terms ending~~  
19 ~~before December 31, 2019, the Assistant Director of Veterans'~~  
20 ~~Affairs shall receive an annual salary as set by the~~  
21 ~~Compensation Review Board.~~

22 (Source: P.A. 100-1179, eff. 1-18-19.)

23 Section 15-10. The Electric Vehicle Act is amended by  
24 changing Section 15 as follows:

1 (20 ILCS 627/15)

2 Sec. 15. Electric Vehicle Coordinator. The Governor, with  
3 the advice and consent of the Senate, shall appoint a person  
4 within the Illinois Environmental Protection Agency to serve  
5 as the Electric Vehicle Coordinator for the State of Illinois.  
6 This person may be an existing employee with other duties. The  
7 Electric Vehicle Coordinator shall receive an annual salary as  
8 set by the Governor and beginning July 1, 2022 shall be  
9 compensated from appropriations provided ~~made~~ to the  
10 Comptroller for this purpose. On July 1, 2023 and each July 1  
11 thereafter, the Electric Vehicle Coordinator shall receive an  
12 increase in salary based on a cost of living adjustment as  
13 authorized by Senate Joint Resolution 192 of the 86th General  
14 Assembly. ~~This person may be an existing employee with other~~  
15 ~~duties.~~ The Coordinator shall act as a point person for  
16 electric vehicle-related and electric vehicle charging-related  
17 policies and activities in Illinois, including, but not  
18 limited to, the issuance of electric vehicle rebates for  
19 consumers and electric vehicle charging rebates for  
20 organizations and companies.

21 (Source: P.A. 102-444, eff. 8-20-21; 102-662, eff. 9-15-21;  
22 102-699, eff. 4-19-22.)

23 Section 15-15. The Illinois Lottery Law is amended by  
24 changing Section 5 as follows:

1 (20 ILCS 1605/5) (from Ch. 120, par. 1155)

2 Sec. 5. (a) The Department shall be under the supervision  
3 and direction of a Director, who shall be a person qualified by  
4 training and experience to perform the duties required by this  
5 Act. The Director shall be appointed by the Governor, by and  
6 with the advice and consent of the Senate. The term of office  
7 of the Director shall expire on the third Monday of January in  
8 odd numbered years provided that he or she shall hold office  
9 until a successor is appointed and qualified. ~~For terms ending~~  
10 ~~before December 31, 2019, the annual salary of the Director is~~  
11 ~~\$142,000.~~ For terms beginning after January 18, 2019 (the  
12 effective date of Public Act 100-1179) and before January 16,  
13 2023 ~~this amendatory Act of the 100th General Assembly,~~ the  
14 annual salary of the Director shall be as provided in Section  
15 5-300 of the Civil Administrative Code of Illinois.  
16 Notwithstanding any other provision of law, for terms  
17 beginning on or after January 16, 2023, the Director shall  
18 receive an annual salary of \$180,000 or as set by the Governor,  
19 whichever is higher. On July 1, 2023, and on each July 1  
20 thereafter, the Director shall receive an increase in salary  
21 based on a cost of living adjustment as authorized by Senate  
22 Joint Resolution 192 of the 86th General Assembly.

23 Any vacancy occurring in the office of the Director shall  
24 be filled in the same manner as the original appointment. In  
25 case of a vacancy during the recess of the Senate, the Governor  
26 shall make a temporary appointment until the next meeting of



1 the Senate, when the Governor shall nominate some person to  
2 fill the office, and any person so nominated who is confirmed  
3 by the Senate shall hold office during the remainder of the  
4 term and until his or her successor is appointed and  
5 qualified.

6 During the absence or inability to act of the Director, or  
7 in the case of a vacancy in the office of Director until a  
8 successor is appointed and qualified, the Governor may  
9 designate some person as Acting Director of the Lottery to  
10 execute the powers and discharge the duties vested by law in  
11 that office. A person who is designated as an Acting Director  
12 shall not continue in office for more than 60 calendar days  
13 unless the Governor files a message with the Secretary of the  
14 Senate nominating that person to fill the office. After 60  
15 calendar days, the office is considered vacant and shall be  
16 filled only under this Section. No person who has been  
17 appointed by the Governor to serve as Acting Director shall,  
18 except at the Senate's request, be designated again as an  
19 Acting Director at the same session of that Senate, subject to  
20 the provisions of this Section. A person appointed as an  
21 Acting Director is not required to meet the requirements of  
22 paragraph (1) of subsection (b) of this Section. In no case may  
23 the Governor designate a person to serve as Acting Director if  
24 that person has prior to the effective date of this amendatory  
25 Act of the 97th General Assembly exercised any of the duties  
26 and functions of the office of Director without having been

1 nominated by the Governor to serve as Director.

2 (b) The Director shall devote his or her entire time and  
3 attention to the duties of the office and shall not be engaged  
4 in any other profession or occupation.

5 The Director shall:

6 (1) be qualified by training and experience to direct  
7 a lottery, including, at a minimum, 5 years of senior  
8 executive-level experience in the successful advertising,  
9 marketing, and selling of consumer products, 4 years of  
10 successful experience directing a lottery on behalf of a  
11 governmental entity, or 5 years of successful senior-level  
12 management experience at a lottery on behalf of a  
13 governmental entity;

14 (2) have significant and meaningful management and  
15 regulatory experience; and

16 (3) have a good reputation, particularly as a person  
17 of honesty, independence, and integrity.

18 The Director shall not during his or her term of  
19 appointment: become a candidate for any elective office; hold  
20 any other elected or appointed public office; be actively  
21 involved in the affairs of any political party or political  
22 organization; advocate for the appointment of another person  
23 to an appointed or elected office or position; or actively  
24 participate in any campaign for any elective office. The  
25 Director may be appointed to serve on a governmental advisory  
26 or board study commission or as otherwise expressly authorized

1 by law.

2 (c) No person shall perform the duties and functions of  
3 the Director, or otherwise exercise the authority of the  
4 Director, unless the same shall have been appointed by the  
5 Governor pursuant to this Section.

6 (Source: P.A. 100-1179, eff. 1-18-19.)

7 Section 15-20. The Military Code of Illinois is amended by  
8 changing Section 17 as follows:

9 (20 ILCS 1805/17) (from Ch. 129, par. 220.17)

10 Sec. 17. The Adjutant General and the Assistant Adjutants  
11 General shall give their entire time to their military duties.  
12 ~~For terms ending before December 31, 2019, the Adjutant~~  
13 ~~General shall receive an annual salary as set by the~~  
14 ~~Compensation Review Board, and each Assistant Adjutant General~~  
15 ~~shall receive an annual salary as set by the Compensation~~  
16 ~~Review Board.~~ For terms beginning after January 18, 2019 (the  
17 effective date of Public Act 100-1179) and before January 16,  
18 2023 ~~this amendatory Act of the 100th General Assembly,~~ the  
19 annual salaries for the Adjutant General and the Assistant  
20 Adjutants General shall be an amount equal to 15% more than the  
21 respective officer's annual salary as of December 31, 2018.  
22 The calculation of the 2018 salary base for this adjustment  
23 shall not include any cost of living adjustments, as  
24 authorized by Senate Joint Resolution 192 of the 86th General

1 Assembly, for the period beginning July 1, 2009 to June 30,  
2 2019. On ~~Beginning~~ July 1, 2019 and each July 1 thereafter  
3 through July 1, 2022, the Adjutant General and the Assistant  
4 Adjutants General shall receive an increase in salary based on  
5 a cost of living adjustment as authorized by Senate Joint  
6 Resolution 192 of the 86th General Assembly.

7 Notwithstanding any other provision of law, for terms  
8 beginning on or after January 16, 2023, the Adjutant General  
9 shall receive an annual salary of \$165,000 or as set by the  
10 Governor, whichever is higher. On July 1, 2023, and on each  
11 July 1 thereafter, the Adjutant General shall receive an  
12 increase in salary based on a cost of living adjustment as  
13 authorized by Senate Joint Resolution 192 of the 86th General  
14 Assembly.

15 Notwithstanding any other provision of law, for terms  
16 beginning on or after January 16, 2023, the Assistant  
17 Adjutants General shall receive an annual salary of \$140,250  
18 or as set by the Governor, whichever is higher. On July 1,  
19 2023, and on each July 1 thereafter, the Assistant Adjutants  
20 General shall receive an increase in salary based on a cost of  
21 living adjustment as authorized by Senate Joint Resolution 192  
22 of the 86th General Assembly.

23 (Source: P.A. 100-1179, eff. 1-18-19.)

24 Section 15-25. The State Fire Marshal Act is amended by  
25 changing Section 1 as follows:

1 (20 ILCS 2905/1) (from Ch. 127 1/2, par. 1)

2 Sec. 1. There is hereby created the Office of the State  
3 Fire Marshal, hereinafter referred to as the Office.

4 The Office shall be under an executive director who shall  
5 be appointed by the Governor with the advice and consent of the  
6 Senate.

7 The executive director of the Office shall be known as the  
8 State Fire Marshal. ~~For terms ending before December 31, 2019,~~  
9 ~~the State Fire Marshal shall receive an annual salary as set by~~  
10 ~~the Compensation Review Board.~~ For terms beginning after  
11 January 18, 2019 (the effective date of Public Act 100-1179)  
12 and before January 16, 2023 ~~this amendatory Act of the 100th~~  
13 ~~General Assembly~~, the State Fire Marshal's annual salary shall  
14 be an amount equal to 15% more than the State Fire Marshal's  
15 annual salary as of December 31, 2018. The calculation of the  
16 2018 salary base for this adjustment shall not include any  
17 cost of living adjustments, as authorized by Senate Joint  
18 Resolution 192 of the 86th General Assembly, for the period  
19 beginning July 1, 2009 to June 30, 2019. On ~~Beginning~~ July 1,  
20 2019 and each July 1 thereafter through July 1, 2022, the State  
21 Fire Marshal shall receive an increase in salary based on a  
22 cost of living adjustment as authorized by Senate Joint  
23 Resolution 192 of the 86th General Assembly.

24 Notwithstanding any other provision of law, for terms  
25 beginning on or after January 16, 2023, the State Fire Marshal

1 shall receive an annual salary of \$165,000 or as set by the  
2 Governor, whichever is higher. On July 1, 2023, and on each  
3 July 1 thereafter, the State Fire Marshal shall receive an  
4 increase in salary based on a cost of living adjustment as  
5 authorized by Senate Joint Resolution 192 of the 86th General  
6 Assembly.

7       The Office of the State Fire Marshal shall have a division  
8 that shall assume the duties of the Division of Fire  
9 Prevention, Department of Law Enforcement, and a division that  
10 shall assume the duties of Illinois Fire Protection Personnel  
11 Standards and Education Commission. Each division shall be  
12 headed by a division manager who shall be employed by the Fire  
13 Marshal, subject to the Personnel Code, and shall be  
14 responsible to the Fire Marshal.

15 (Source: P.A. 100-1179, eff. 1-18-19.)

16       Section 15-30. The Illinois Emergency Management Agency  
17 Act is amended by changing Section 5 as follows:

18       (20 ILCS 3305/5) (from Ch. 127, par. 1055)

19       Sec. 5. Illinois Emergency Management Agency.

20       (a) There is created within the executive branch of the  
21 State Government an Illinois Emergency Management Agency and a  
22 Director of the Illinois Emergency Management Agency, herein  
23 called the "Director" who shall be the head thereof. The  
24 Director shall be appointed by the Governor, with the advice

1 and consent of the Senate, and shall serve for a term of 2  
2 years beginning on the third Monday in January of the  
3 odd-numbered year, and until a successor is appointed and has  
4 qualified; except that the term of the first Director  
5 appointed under this Act shall expire on the third Monday in  
6 January, 1989. The Director shall not hold any other  
7 remunerative public office. ~~For terms ending before December~~  
8 ~~31, 2019, the Director shall receive an annual salary as set by~~  
9 ~~the Compensation Review Board.~~ For terms beginning after  
10 January 18, 2019 (the effective date of Public Act 100-1179)  
11 and before January 16, 2023, the annual salary of the Director  
12 shall be as provided in Section 5-300 of the Civil  
13 Administrative Code of Illinois. Notwithstanding any other  
14 provision of law, for terms beginning on or after January 16,  
15 2023, the Director shall receive an annual salary of \$180,000  
16 or as set by the Governor, whichever is higher. On July 1,  
17 2023, and on each July 1 thereafter, the Director shall  
18 receive an increase in salary based on a cost of living  
19 adjustment as authorized by Senate Joint Resolution 192 of the  
20 86th General Assembly.

21 For terms beginning on or after January 16, 2023, the  
22 Assistant Director of the Illinois Emergency Management Agency  
23 shall receive an annual salary of \$156,600 or as set by the  
24 Governor, whichever is higher. On July 1, 2023, and on each  
25 July 1 thereafter, the Assistant Director shall receive an  
26 increase in salary based on a cost of living adjustment as

1 authorized by Senate Joint Resolution 192 of the 86th General  
2 Assembly.

3 (b) The Illinois Emergency Management Agency shall obtain,  
4 under the provisions of the Personnel Code, technical,  
5 clerical, stenographic and other administrative personnel, and  
6 may make expenditures within the appropriation therefor as may  
7 be necessary to carry out the purpose of this Act. The agency  
8 created by this Act is intended to be a successor to the agency  
9 created under the Illinois Emergency Services and Disaster  
10 Agency Act of 1975 and the personnel, equipment, records, and  
11 appropriations of that agency are transferred to the successor  
12 agency as of June 30, 1988 (the effective date of this Act).

13 (c) The Director, subject to the direction and control of  
14 the Governor, shall be the executive head of the Illinois  
15 Emergency Management Agency and the State Emergency Response  
16 Commission and shall be responsible under the direction of the  
17 Governor, for carrying out the program for emergency  
18 management of this State. The Director shall also maintain  
19 liaison and cooperate with the emergency management  
20 organizations of this State and other states and of the  
21 federal government.

22 (d) The Illinois Emergency Management Agency shall take an  
23 integral part in the development and revision of political  
24 subdivision emergency operations plans prepared under  
25 paragraph (f) of Section 10. To this end it shall employ or  
26 otherwise secure the services of professional and technical



1 personnel capable of providing expert assistance to the  
2 emergency services and disaster agencies. These personnel  
3 shall consult with emergency services and disaster agencies on  
4 a regular basis and shall make field examinations of the  
5 areas, circumstances, and conditions that particular political  
6 subdivision emergency operations plans are intended to apply.

7 (e) The Illinois Emergency Management Agency and political  
8 subdivisions shall be encouraged to form an emergency  
9 management advisory committee composed of private and public  
10 personnel representing the emergency management phases of  
11 mitigation, preparedness, response, and recovery. The Local  
12 Emergency Planning Committee, as created under the Illinois  
13 Emergency Planning and Community Right to Know Act, shall  
14 serve as an advisory committee to the emergency services and  
15 disaster agency or agencies serving within the boundaries of  
16 that Local Emergency Planning Committee planning district for:

17 (1) the development of emergency operations plan  
18 provisions for hazardous chemical emergencies; and

19 (2) the assessment of emergency response capabilities  
20 related to hazardous chemical emergencies.

21 (f) The Illinois Emergency Management Agency shall:

22 (1) Coordinate the overall emergency management  
23 program of the State.

24 (2) Cooperate with local governments, the federal  
25 government, and any public or private agency or entity in  
26 achieving any purpose of this Act and in implementing

1 emergency management programs for mitigation,  
2 preparedness, response, and recovery.

3 (2.5) Develop a comprehensive emergency preparedness  
4 and response plan for any nuclear accident in accordance  
5 with Section 65 of the Nuclear Safety Law of 2004 and in  
6 development of the Illinois Nuclear Safety Preparedness  
7 program in accordance with Section 8 of the Illinois  
8 Nuclear Safety Preparedness Act.

9 (2.6) Coordinate with the Department of Public Health  
10 with respect to planning for and responding to public  
11 health emergencies.

12 (3) Prepare, for issuance by the Governor, executive  
13 orders, proclamations, and regulations as necessary or  
14 appropriate in coping with disasters.

15 (4) Promulgate rules and requirements for political  
16 subdivision emergency operations plans that are not  
17 inconsistent with and are at least as stringent as  
18 applicable federal laws and regulations.

19 (5) Review and approve, in accordance with Illinois  
20 Emergency Management Agency rules, emergency operations  
21 plans for those political subdivisions required to have an  
22 emergency services and disaster agency pursuant to this  
23 Act.

24 (5.5) Promulgate rules and requirements for the  
25 political subdivision emergency management exercises,  
26 including, but not limited to, exercises of the emergency

1 operations plans.

2 (5.10) Review, evaluate, and approve, in accordance  
3 with Illinois Emergency Management Agency rules, political  
4 subdivision emergency management exercises for those  
5 political subdivisions required to have an emergency  
6 services and disaster agency pursuant to this Act.

7 (6) Determine requirements of the State and its  
8 political subdivisions for food, clothing, and other  
9 necessities in event of a disaster.

10 (7) Establish a register of persons with types of  
11 emergency management training and skills in mitigation,  
12 preparedness, response, and recovery.

13 (8) Establish a register of government and private  
14 response resources available for use in a disaster.

15 (9) Expand the Earthquake Awareness Program and its  
16 efforts to distribute earthquake preparedness materials to  
17 schools, political subdivisions, community groups, civic  
18 organizations, and the media. Emphasis will be placed on  
19 those areas of the State most at risk from an earthquake.  
20 Maintain the list of all school districts, hospitals,  
21 airports, power plants, including nuclear power plants,  
22 lakes, dams, emergency response facilities of all types,  
23 and all other major public or private structures which are  
24 at the greatest risk of damage from earthquakes under  
25 circumstances where the damage would cause subsequent harm  
26 to the surrounding communities and residents.

1           (10) Disseminate all information, completely and  
2 without delay, on water levels for rivers and streams and  
3 any other data pertaining to potential flooding supplied  
4 by the Division of Water Resources within the Department  
5 of Natural Resources to all political subdivisions to the  
6 maximum extent possible.

7           (11) Develop agreements, if feasible, with medical  
8 supply and equipment firms to supply resources as are  
9 necessary to respond to an earthquake or any other  
10 disaster as defined in this Act. These resources will be  
11 made available upon notifying the vendor of the disaster.  
12 Payment for the resources will be in accordance with  
13 Section 7 of this Act. The Illinois Department of Public  
14 Health shall determine which resources will be required  
15 and requested.

16           (11.5) In coordination with the Illinois State Police,  
17 develop and implement a community outreach program to  
18 promote awareness among the State's parents and children  
19 of child abduction prevention and response.

20           (12) Out of funds appropriated for these purposes,  
21 award capital and non-capital grants to Illinois hospitals  
22 or health care facilities located outside of a city with a  
23 population in excess of 1,000,000 to be used for purposes  
24 that include, but are not limited to, preparing to respond  
25 to mass casualties and disasters, maintaining and  
26 improving patient safety and quality of care, and

1 protecting the confidentiality of patient information. No  
2 single grant for a capital expenditure shall exceed  
3 \$300,000. No single grant for a non-capital expenditure  
4 shall exceed \$100,000. In awarding such grants, preference  
5 shall be given to hospitals that serve a significant  
6 number of Medicaid recipients, but do not qualify for  
7 disproportionate share hospital adjustment payments under  
8 the Illinois Public Aid Code. To receive such a grant, a  
9 hospital or health care facility must provide funding of  
10 at least 50% of the cost of the project for which the grant  
11 is being requested. In awarding such grants the Illinois  
12 Emergency Management Agency shall consider the  
13 recommendations of the Illinois Hospital Association.

14 (13) Do all other things necessary, incidental or  
15 appropriate for the implementation of this Act.

16 (g) The Illinois Emergency Management Agency is authorized  
17 to make grants to various higher education institutions,  
18 public K-12 school districts, area vocational centers as  
19 designated by the State Board of Education, inter-district  
20 special education cooperatives, regional safe schools, and  
21 nonpublic K-12 schools for safety and security improvements.  
22 For the purpose of this subsection (g), "higher education  
23 institution" means a public university, a public community  
24 college, or an independent, not-for-profit or for-profit  
25 higher education institution located in this State. Grants  
26 made under this subsection (g) shall be paid out of moneys

1 appropriated for that purpose from the Build Illinois Bond  
2 Fund. The Illinois Emergency Management Agency shall adopt  
3 rules to implement this subsection (g). These rules may  
4 specify: (i) the manner of applying for grants; (ii) project  
5 eligibility requirements; (iii) restrictions on the use of  
6 grant moneys; (iv) the manner in which the various higher  
7 education institutions must account for the use of grant  
8 moneys; and (v) any other provision that the Illinois  
9 Emergency Management Agency determines to be necessary or  
10 useful for the administration of this subsection (g).

11 (g-5) The Illinois Emergency Management Agency is  
12 authorized to make grants to not-for-profit organizations  
13 which are exempt from federal income taxation under section  
14 501(c)(3) of the Federal Internal Revenue Code for eligible  
15 security improvements that assist the organization in  
16 preventing, preparing for, or responding to acts of terrorism.  
17 The Director shall establish procedures and forms by which  
18 applicants may apply for a grant and procedures for  
19 distributing grants to recipients. The procedures shall  
20 require each applicant to do the following:

21 (1) identify and substantiate prior threats or attacks  
22 by a terrorist organization, network, or cell against the  
23 not-for-profit organization;

24 (2) indicate the symbolic or strategic value of one or  
25 more sites that renders the site a possible target of  
26 terrorism;

1           (3) discuss potential consequences to the organization  
2           if the site is damaged, destroyed, or disrupted by a  
3           terrorist act;

4           (4) describe how the grant will be used to integrate  
5           organizational preparedness with broader State and local  
6           preparedness efforts;

7           (5) submit a vulnerability assessment conducted by  
8           experienced security, law enforcement, or military  
9           personnel, and a description of how the grant award will  
10          be used to address the vulnerabilities identified in the  
11          assessment; and

12          (6) submit any other relevant information as may be  
13          required by the Director.

14          The Agency is authorized to use funds appropriated for the  
15          grant program described in this subsection (g-5) to administer  
16          the program.

17          (h) Except as provided in Section 17.5 of this Act, any  
18          moneys received by the Agency from donations or sponsorships  
19          unrelated to a disaster shall be deposited in the Emergency  
20          Planning and Training Fund and used by the Agency, subject to  
21          appropriation, to effectuate planning and training activities.  
22          Any moneys received by the Agency from donations during a  
23          disaster and intended for disaster response or recovery shall  
24          be deposited into the Disaster Response and Recovery Fund and  
25          used for disaster response and recovery pursuant to the  
26          Disaster Relief Act.

1           (i) The Illinois Emergency Management Agency may by rule  
2 assess and collect reasonable fees for attendance at  
3 Agency-sponsored conferences to enable the Agency to carry out  
4 the requirements of this Act. Any moneys received under this  
5 subsection shall be deposited in the Emergency Planning and  
6 Training Fund and used by the Agency, subject to  
7 appropriation, for planning and training activities.

8           (j) The Illinois Emergency Management Agency is authorized  
9 to make grants to other State agencies, public universities,  
10 units of local government, and statewide mutual aid  
11 organizations to enhance statewide emergency preparedness and  
12 response.

13           (Source: P.A. 102-16, eff. 6-17-21; 102-538, eff. 8-20-21;  
14 102-813, eff. 5-13-22.)

15           Section 15-35. The Environmental Protection Act is amended  
16 by changing Section 4 as follows:

17           (415 ILCS 5/4) (from Ch. 111 1/2, par. 1004)

18           Sec. 4. Environmental Protection Agency; establishment;  
19 duties.

20           (a) There is established in the Executive Branch of the  
21 State Government an agency to be known as the Environmental  
22 Protection Agency. This Agency shall be under the supervision  
23 and direction of a Director who shall be appointed by the  
24 Governor with the advice and consent of the Senate. The term of



1 office of the Director shall expire on the third Monday of  
2 January in odd numbered years, provided that he or she shall  
3 hold office until a successor is appointed and has qualified.  
4 ~~For terms ending before December 31, 2019, the Director shall~~  
5 ~~receive an annual salary as set by the Compensation Review~~  
6 ~~Board.~~ For terms beginning after January 18, 2019 (the  
7 effective date of Public Act 100-1179) and before January 16,  
8 2023, the Director's annual salary shall be an amount equal to  
9 15% more than the Director's annual salary as of December 31,  
10 2018. The calculation of the 2018 salary base for this  
11 adjustment shall not include any cost of living adjustments,  
12 as authorized by Senate Joint Resolution 192 of the 86th  
13 General Assembly, for the period beginning July 1, 2009 to  
14 June 30, 2019. Beginning July 1, 2019 and each July 1  
15 thereafter, the Director shall receive an increase in salary  
16 based on a cost of living adjustment as authorized by Senate  
17 Joint Resolution 192 of the 86th General Assembly.  
18 Notwithstanding any other provision of law, for terms  
19 beginning on or after January 16, 2023, the Director shall  
20 receive an annual salary of \$180,000 or as set by the Governor,  
21 whichever is higher. On July 1, 2023, and on each July 1  
22 thereafter, the Director shall receive an increase in salary  
23 based on a cost of living adjustment as authorized by Senate  
24 Joint Resolution 192 of the 86th General Assembly. The  
25 Director, in accord with the Personnel Code, shall employ and  
26 direct such personnel, and shall provide for such laboratory

1 and other facilities, as may be necessary to carry out the  
2 purposes of this Act. In addition, the Director may by  
3 agreement secure such services as he or she may deem necessary  
4 from any other department, agency, or unit of the State  
5 Government, and may employ and compensate such consultants and  
6 technical assistants as may be required.

7 (b) The Agency shall have the duty to collect and  
8 disseminate such information, acquire such technical data, and  
9 conduct such experiments as may be required to carry out the  
10 purposes of this Act, including ascertainment of the quantity  
11 and nature of discharges from any contaminant source and data  
12 on those sources, and to operate and arrange for the operation  
13 of devices for the monitoring of environmental quality.

14 (c) The Agency shall have authority to conduct a program  
15 of continuing surveillance and of regular or periodic  
16 inspection of actual or potential contaminant or noise  
17 sources, of public water supplies, and of refuse disposal  
18 sites.

19 (d) In accordance with constitutional limitations, the  
20 Agency shall have authority to enter at all reasonable times  
21 upon any private or public property for the purpose of:

22 (1) Inspecting and investigating to ascertain possible  
23 violations of this Act, any rule or regulation adopted  
24 under this Act, any permit or term or condition of a  
25 permit, or any Board order; or

26 (2) In accordance with the provisions of this Act,

1 taking whatever preventive or corrective action, including  
2 but not limited to removal or remedial action, that is  
3 necessary or appropriate whenever there is a release or a  
4 substantial threat of a release of (A) a hazardous  
5 substance or pesticide or (B) petroleum from an  
6 underground storage tank.

7 (e) The Agency shall have the duty to investigate  
8 violations of this Act, any rule or regulation adopted under  
9 this Act, any permit or term or condition of a permit, or any  
10 Board order; to issue administrative citations as provided in  
11 Section 31.1 of this Act; and to take such summary enforcement  
12 action as is provided for by Section 34 of this Act.

13 (f) The Agency shall appear before the Board in any  
14 hearing upon a petition for variance or time-limited water  
15 quality standard, the denial of a permit, or the validity or  
16 effect of a rule or regulation of the Board, and shall have the  
17 authority to appear before the Board in any hearing under the  
18 Act.

19 (g) The Agency shall have the duty to administer, in  
20 accord with Title X of this Act, such permit and certification  
21 systems as may be established by this Act or by regulations  
22 adopted thereunder. The Agency may enter into written  
23 delegation agreements with any department, agency, or unit of  
24 State or local government under which all or portions of this  
25 duty may be delegated for public water supply storage and  
26 transport systems, sewage collection and transport systems,

1 air pollution control sources with uncontrolled emissions of  
2 100 tons per year or less and application of algicides to  
3 waters of the State. Such delegation agreements will require  
4 that the work to be performed thereunder will be in accordance  
5 with Agency criteria, subject to Agency review, and shall  
6 include such financial and program auditing by the Agency as  
7 may be required.

8 (h) The Agency shall have authority to require the  
9 submission of complete plans and specifications from any  
10 applicant for a permit required by this Act or by regulations  
11 thereunder, and to require the submission of such reports  
12 regarding actual or potential violations of this Act, any rule  
13 or regulation adopted under this Act, any permit or term or  
14 condition of a permit, or any Board order, as may be necessary  
15 for the purposes of this Act.

16 (i) The Agency shall have authority to make  
17 recommendations to the Board for the adoption of regulations  
18 under Title VII of the Act.

19 (j) The Agency shall have the duty to represent the State  
20 of Illinois in any and all matters pertaining to plans,  
21 procedures, or negotiations for interstate compacts or other  
22 governmental arrangements relating to environmental  
23 protection.

24 (k) The Agency shall have the authority to accept,  
25 receive, and administer on behalf of the State any grants,  
26 gifts, loans, indirect cost reimbursements, or other funds

1 made available to the State from any source for purposes of  
2 this Act or for air or water pollution control, public water  
3 supply, solid waste disposal, noise abatement, or other  
4 environmental protection activities, surveys, or programs. Any  
5 federal funds received by the Agency pursuant to this  
6 subsection shall be deposited in a trust fund with the State  
7 Treasurer and held and disbursed by him in accordance with  
8 Treasurer as Custodian of Funds Act, provided that such monies  
9 shall be used only for the purposes for which they are  
10 contributed and any balance remaining shall be returned to the  
11 contributor.

12 The Agency is authorized to promulgate such regulations  
13 and enter into such contracts as it may deem necessary for  
14 carrying out the provisions of this subsection.

15 (1) The Agency is hereby designated as water pollution  
16 agency for the state for all purposes of the Federal Water  
17 Pollution Control Act, as amended; as implementing agency for  
18 the State for all purposes of the Safe Drinking Water Act,  
19 Public Law 93-523, as now or hereafter amended, except Section  
20 1425 of that Act; as air pollution agency for the state for all  
21 purposes of the Clean Air Act of 1970, Public Law 91-604,  
22 approved December 31, 1970, as amended; and as solid waste  
23 agency for the state for all purposes of the Solid Waste  
24 Disposal Act, Public Law 89-272, approved October 20, 1965,  
25 and amended by the Resource Recovery Act of 1970, Public Law  
26 91-512, approved October 26, 1970, as amended, and amended by

1 the Resource Conservation and Recovery Act of 1976, (P.L.  
2 94-580) approved October 21, 1976, as amended; as noise  
3 control agency for the state for all purposes of the Noise  
4 Control Act of 1972, Public Law 92-574, approved October 27,  
5 1972, as amended; and as implementing agency for the State for  
6 all purposes of the Comprehensive Environmental Response,  
7 Compensation, and Liability Act of 1980 (P.L. 96-510), as  
8 amended; and otherwise as pollution control agency for the  
9 State pursuant to federal laws integrated with the foregoing  
10 laws, for financing purposes or otherwise. The Agency is  
11 hereby authorized to take all action necessary or appropriate  
12 to secure to the State the benefits of such federal Acts,  
13 provided that the Agency shall transmit to the United States  
14 without change any standards adopted by the Pollution Control  
15 Board pursuant to Section 5(c) of this Act. This subsection  
16 (1) of Section 4 shall not be construed to bar or prohibit the  
17 Environmental Protection Trust Fund Commission from accepting,  
18 receiving, and administering on behalf of the State any  
19 grants, gifts, loans or other funds for which the Commission  
20 is eligible pursuant to the Environmental Protection Trust  
21 Fund Act. The Agency is hereby designated as the State agency  
22 for all purposes of administering the requirements of Section  
23 313 of the federal Emergency Planning and Community  
24 Right-to-Know Act of 1986.

25 Any municipality, sanitary district, or other political  
26 subdivision, or any Agency of the State or interstate Agency,

1 which makes application for loans or grants under such federal  
2 Acts shall notify the Agency of such application; the Agency  
3 may participate in proceedings under such federal Acts.

4 (m) The Agency shall have authority, consistent with  
5 Section 5(c) and other provisions of this Act, and for  
6 purposes of Section 303(e) of the Federal Water Pollution  
7 Control Act, as now or hereafter amended, to engage in  
8 planning processes and activities and to develop plans in  
9 cooperation with units of local government, state agencies and  
10 officers, and other appropriate persons in connection with the  
11 jurisdiction or duties of each such unit, agency, officer or  
12 person. Public hearings shall be held on the planning process,  
13 at which any person shall be permitted to appear and be heard,  
14 pursuant to procedural regulations promulgated by the Agency.

15 (n) In accordance with the powers conferred upon the  
16 Agency by Sections 10(g), 13(b), 19, 22(d) and 25 of this Act,  
17 the Agency shall have authority to establish and enforce  
18 minimum standards for the operation of laboratories relating  
19 to analyses and laboratory tests for air pollution, water  
20 pollution, noise emissions, contaminant discharges onto land  
21 and sanitary, chemical, and mineral quality of water  
22 distributed by a public water supply. The Agency may enter  
23 into formal working agreements with other departments or  
24 agencies of state government under which all or portions of  
25 this authority may be delegated to the cooperating department  
26 or agency.

1           (o) The Agency shall have the authority to issue  
2 certificates of competency to persons and laboratories meeting  
3 the minimum standards established by the Agency in accordance  
4 with Section 4(n) of this Act and to promulgate and enforce  
5 regulations relevant to the issuance and use of such  
6 certificates. The Agency may enter into formal working  
7 agreements with other departments or agencies of state  
8 government under which all or portions of this authority may  
9 be delegated to the cooperating department or agency.

10           (p) Except as provided in Section 17.7, the Agency shall  
11 have the duty to analyze samples as required from each public  
12 water supply to determine compliance with the contaminant  
13 levels specified by the Pollution Control Board. The maximum  
14 number of samples which the Agency shall be required to  
15 analyze for microbiological quality shall be 6 per month, but  
16 the Agency may, at its option, analyze a larger number each  
17 month for any supply. Results of sample analyses for  
18 additional required bacteriological testing, turbidity,  
19 residual chlorine and radionuclides are to be provided to the  
20 Agency in accordance with Section 19. Owners of water supplies  
21 may enter into agreements with the Agency to provide for  
22 reduced Agency participation in sample analyses.

23           (q) The Agency shall have the authority to provide notice  
24 to any person who may be liable pursuant to Section 22.2(f) of  
25 this Act for a release or a substantial threat of a release of  
26 a hazardous substance or pesticide. Such notice shall include



1 the identified response action and an opportunity for such  
2 person to perform the response action.

3 (r) The Agency may enter into written delegation  
4 agreements with any unit of local government under which it  
5 may delegate all or portions of its inspecting, investigating  
6 and enforcement functions. Such delegation agreements shall  
7 require that work performed thereunder be in accordance with  
8 Agency criteria and subject to Agency review. Notwithstanding  
9 any other provision of law to the contrary, no unit of local  
10 government shall be liable for any injury resulting from the  
11 exercise of its authority pursuant to such a delegation  
12 agreement unless the injury is proximately caused by the  
13 willful and wanton negligence of an agent or employee of the  
14 unit of local government, and any policy of insurance coverage  
15 issued to a unit of local government may provide for the denial  
16 of liability and the nonpayment of claims based upon injuries  
17 for which the unit of local government is not liable pursuant  
18 to this subsection (r).

19 (s) The Agency shall have authority to take whatever  
20 preventive or corrective action is necessary or appropriate,  
21 including but not limited to expenditure of monies  
22 appropriated from the Build Illinois Bond Fund for removal or  
23 remedial action, whenever any hazardous substance or pesticide  
24 is released or there is a substantial threat of such a release  
25 into the environment. The State, the Director, and any State  
26 employee shall be indemnified for any damages or injury

1 arising out of or resulting from any action taken under this  
2 subsection. The Director of the Agency is authorized to enter  
3 into such contracts and agreements as are necessary to carry  
4 out the Agency's duties under this subsection.

5 (t) The Agency shall have authority to distribute grants,  
6 subject to appropriation by the General Assembly, to units of  
7 local government for financing and construction of wastewater  
8 facilities in both incorporated and unincorporated areas. With  
9 respect to all monies appropriated from the Build Illinois  
10 Bond Fund for wastewater facility grants, the Agency shall  
11 make distributions in conformity with the rules and  
12 regulations established pursuant to the Anti-Pollution Bond  
13 Act, as now or hereafter amended.

14 (u) Pursuant to the Illinois Administrative Procedure Act,  
15 the Agency shall have the authority to adopt such rules as are  
16 necessary or appropriate for the Agency to implement Section  
17 31.1 of this Act.

18 (v) (Blank.)

19 (w) Neither the State, nor the Director, nor the Board,  
20 nor any State employee shall be liable for any damages or  
21 injury arising out of or resulting from any action taken under  
22 subsection (s).

23 (x)(1) The Agency shall have authority to distribute  
24 grants, subject to appropriation by the General Assembly, to  
25 units of local government for financing and construction of  
26 public water supply facilities. With respect to all monies

1 appropriated from the Build Illinois Bond Fund for public  
2 water supply grants, such grants shall be made in accordance  
3 with rules promulgated by the Agency. Such rules shall include  
4 a requirement for a local match of 30% of the total project  
5 cost for projects funded through such grants.

6 (2) The Agency shall not terminate a grant to a unit of  
7 local government for the financing and construction of public  
8 water supply facilities unless and until the Agency adopts  
9 rules that set forth precise and complete standards, pursuant  
10 to Section 5-20 of the Illinois Administrative Procedure Act,  
11 for the termination of such grants. The Agency shall not make  
12 determinations on whether specific grant conditions are  
13 necessary to ensure the integrity of a project or on whether  
14 subagreements shall be awarded, with respect to grants for the  
15 financing and construction of public water supply facilities,  
16 unless and until the Agency adopts rules that set forth  
17 precise and complete standards, pursuant to Section 5-20 of  
18 the Illinois Administrative Procedure Act, for making such  
19 determinations. The Agency shall not issue a stop-work order  
20 in relation to such grants unless and until the Agency adopts  
21 precise and complete standards, pursuant to Section 5-20 of  
22 the Illinois Administrative Procedure Act, for determining  
23 whether to issue a stop-work order.

24 (y) The Agency shall have authority to release any person  
25 from further responsibility for preventive or corrective  
26 action under this Act following successful completion of

1 preventive or corrective action undertaken by such person upon  
2 written request by the person.

3 (z) To the extent permitted by any applicable federal law  
4 or regulation, for all work performed for State construction  
5 projects which are funded in whole or in part by a capital  
6 infrastructure bill enacted by the 96th General Assembly by  
7 sums appropriated to the Environmental Protection Agency, at  
8 least 50% of the total labor hours must be performed by actual  
9 residents of the State of Illinois. For purposes of this  
10 subsection, "actual residents of the State of Illinois" means  
11 persons domiciled in the State of Illinois. The Department of  
12 Labor shall promulgate rules providing for the enforcement of  
13 this subsection.

14 (aa) The Agency may adopt rules requiring the electronic  
15 submission of any information required to be submitted to the  
16 Agency pursuant to any State or federal law or regulation or  
17 any court or Board order. Any rules adopted under this  
18 subsection (aa) must include, but are not limited to,  
19 identification of the information to be submitted  
20 electronically.

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

22 Section 15-40. The Reimagine Public Safety Act is amended  
23 by changing Section 35-20 as follows:

24 (430 ILCS 69/35-20)

1           Sec. 35-20. Office of Firearm Violence Prevention.

2           (a) On or before October 1, 2021, an Office of Firearm  
3 Violence Prevention is established within the Illinois  
4 Department of Human Services. The Assistant Secretary of  
5 Violence Prevention shall report his or her actions to the  
6 Secretary of Human Services and the Office of the Governor.  
7 The Office shall have the authority to coordinate and  
8 integrate all programs and services listed in this Act and  
9 other programs and services the Governor establishes by  
10 executive order to maximize an integrated approach to reducing  
11 Illinois' firearm violence epidemic and ultimately ending this  
12 public health crisis.

13           (b) The Department of Human Services and the Office of  
14 Firearm Violence Prevention shall have grant making,  
15 operational, and procurement authority to distribute funds to  
16 violence prevention organizations, youth development  
17 organizations, high-risk youth intervention organizations,  
18 approved technical assistance and training providers,  
19 evaluation and assessment organizations, and other entities  
20 necessary to execute the functions established in this Act and  
21 other programs and services the Governor establishes by  
22 executive order for the Department and the Office.

23           (c) The Assistant Secretary of Firearm Violence Prevention  
24 shall be appointed by the Governor with the advice and consent  
25 of the Senate. The Assistant Secretary of Firearm Violence  
26 Prevention shall receive an annual salary of \$170,000 or as

1 set by the Governor, whichever is higher, and, beginning July  
2 1, 2023, shall be compensated from appropriations provided to  
3 the Comptroller for this purpose. On July 1, 2023, and on each  
4 July 1 thereafter, the Assistant Secretary shall receive an  
5 increase in salary based on a cost of living adjustment as  
6 authorized by Senate Joint Resolution 192 of the 86th General  
7 Assembly. The Assistant Secretary of Firearm Violence  
8 Prevention shall report to the Secretary of Human Services and  
9 also report his or her actions to the Office of the Governor.

10 (d) For Illinois municipalities with a 1,000,000 or more  
11 population, the Office of Firearm Violence Prevention shall  
12 determine the 10 most violent neighborhoods. When possible,  
13 this shall be determined by measuring the number of per capita  
14 fatal and nonfatal firearm-shot victims, excluding  
15 self-inflicted incidents, from January 1, 2016 through  
16 December 31, 2020. These 10 communities shall qualify for  
17 grants under this Act and coordination of other State services  
18 from the Office of Firearm Violence Prevention. The Office  
19 shall, after identifying the top 10 neighborhoods, identify an  
20 additional 7 eligible neighborhoods by considering the number  
21 of victims in rank order in addition to the per capita rate. If  
22 appropriate, and subject to appropriation, the Office shall  
23 have the authority to consider adding up to 5 additional  
24 eligible neighborhoods or clusters of contiguous neighborhoods  
25 utilizing the same data sets so as to maximize the potential  
26 impact for firearm violence reduction. For Illinois

1 municipalities with less than 1,000,000 residents and more  
2 than 35,000 residents, the Office of Firearm Violence  
3 Prevention shall identify the 10 municipalities or contiguous  
4 geographic areas that have the greatest concentrated firearm  
5 violence victims. When possible, this shall be determined by  
6 measuring the number of fatal and nonfatal firearm-shot  
7 victims, excluding self-inflicted incidents, from January 1,  
8 2016 through December 31, 2020 divided by the number of  
9 residents for each municipality or area. These 10  
10 municipalities or contiguous geographic areas and up to 5  
11 additional municipalities or contiguous geographic areas  
12 identified by the Office of Firearm Violence Prevention shall  
13 qualify for grants under this Act and coordination of other  
14 State services from the Office of Firearm Violence Prevention.  
15 The Office of Firearm Violence Prevention shall consider  
16 factors listed in subsection (a) of Section 35-40 to determine  
17 up to 5 additional municipalities or contiguous geographic  
18 areas that qualify for grants under this Act. The Office of  
19 Firearm Violence Prevention may, subject to appropriation,  
20 identify up to 5 additional neighborhoods, municipalities,  
21 contiguous geographic areas, or other local  
22 government-identified boundary areas to receive funding under  
23 this Act after considering additional risk factors that  
24 contribute to community firearm violence. The data analysis to  
25 identify new eligible neighborhoods and municipalities shall  
26 be updated to reflect eligibility based on the most recently

1 available 5 full years of data no more frequently than once  
2 every 3 years.

3 (e) The Office of Firearm Violence Prevention shall issue  
4 a report to the General Assembly no later than January 1 of  
5 each year that identifies communities within Illinois  
6 municipalities of 1,000,000 or more residents and  
7 municipalities with less than 1,000,000 residents and more  
8 than 35,000 residents that are experiencing concentrated  
9 firearm violence, explaining the investments that are being  
10 made to reduce concentrated firearm violence, and making  
11 further recommendations on how to end Illinois' firearm  
12 violence epidemic.

13 (Source: P.A. 102-16, eff. 6-17-21; 102-679, eff. 12-10-21.)

14 ARTICLE 20

15 Section 20-5. The Illinois Power Agency Act is amended by  
16 changing Section 1-70 as follows:

17 (20 ILCS 3855/1-70)

18 Sec. 1-70. Agency officials.

19 (a) The Agency shall have a Director who meets the  
20 qualifications specified in Section 5-222 of the Civil  
21 Administrative Code of Illinois.

22 (b) Within the Illinois Power Agency, the Agency shall  
23 establish a Planning and Procurement Bureau and may establish



1 a Resource Development Bureau. Each Bureau shall report to the  
2 Director.

3 (c) The Chief of the Planning and Procurement Bureau shall  
4 be appointed by the Director, at the Director's sole  
5 discretion, and (i) shall have at least 5 years of direct  
6 experience in electricity supply planning and procurement and  
7 (ii) shall also hold an advanced degree in risk management,  
8 law, business, or a related field.

9 (d) The Chief of the Resource Development Bureau may be  
10 appointed by the Director and (i) shall have at least 5 years  
11 of direct experience in electric generating project  
12 development and (ii) shall also hold an advanced degree in  
13 economics, engineering, law, business, or a related field.

14 (e) Notwithstanding any other provision of law, for terms  
15 beginning on or after January 16, 2023, the Director shall  
16 receive an annual salary of \$165,000. On July 1, 2023, and on  
17 each July 1 thereafter, the Director shall receive an increase  
18 in salary based on a cost of living adjustment as authorized by  
19 Senate Joint Resolution 192 of the 86th General Assembly. For  
20 ~~terms ending before December 31, 2019, the Director shall~~  
21 ~~receive an annual salary of \$100,000 or as set by the Executive~~  
22 ~~Ethics Commission based on a review of comparable State agency~~  
23 ~~director salaries, whichever is higher.~~ No annual salary for  
24 the Director or a Bureau Chief shall exceed the amount of  
25 salary set by law for the Governor that is in effect on July 1  
26 of that fiscal year.

1           (f) The Director and each Bureau Chief ~~Bureau Chiefs~~ shall  
2 not, for 2 years prior to appointment or for 2 years after he  
3 or she leaves his or her position, be employed by an electric  
4 utility, independent power producer, power marketer, or  
5 alternative retail electric supplier regulated by the  
6 Commission or the Federal Energy Regulatory Commission.

7           (g) The Director and Bureau Chiefs are prohibited from:  
8 (i) owning, directly or indirectly, 5% or more of the voting  
9 capital stock of an electric utility, independent power  
10 producer, power marketer, or alternative retail electric  
11 supplier; (ii) being in any chain of successive ownership of  
12 5% or more of the voting capital stock of any electric utility,  
13 independent power producer, power marketer, or alternative  
14 retail electric supplier; (iii) receiving any form of  
15 compensation, fee, payment, or other consideration from an  
16 electric utility, independent power producer, power marketer,  
17 or alternative retail electric supplier, including legal fees,  
18 consulting fees, bonuses, or other sums. These limitations do  
19 not apply to any compensation received pursuant to a defined  
20 benefit plan or other form of deferred compensation, provided  
21 that the individual has otherwise severed all ties to the  
22 utility, power producer, power marketer, or alternative retail  
23 electric supplier.

24           (Source: P.A. 102-662, eff. 9-15-21.)

1           Section 25-5. The Commission on Equity and Inclusion Act  
2 is amended by changing Section 40-5 as follows:

3           (30 ILCS 574/40-5)

4           Sec. 40-5. Commission on Equity and Inclusion.

5           (a) There is hereby created the Commission on Equity and  
6 Inclusion, which shall consist of 7 members appointed by the  
7 Governor with the advice and consent of the Senate. No more  
8 than 4 members shall be of the same political party. The  
9 Governor shall designate one member as chairperson, ~~who shall~~  
10 ~~be the chief administrative and executive officer of the~~  
11 ~~Commission, and shall have general supervisory authority over~~  
12 ~~all personnel of the Commission.~~

13           (b) Of the members first appointed, 4 shall be appointed  
14 for a term to expire on the third Monday of January, 2023, and  
15 3 (including the Chairperson) shall be appointed for a term to  
16 expire on the third Monday of January, 2025.

17           Thereafter, each member shall serve for a term of 4 years  
18 and until his or her successor is appointed and qualified;  
19 except that any member chosen to fill a vacancy occurring  
20 otherwise than by expiration of a term shall be appointed only  
21 for the unexpired term of the member whom he or she shall  
22 succeed and until his or her successor is appointed and  
23 qualified.

24           (c) In case of a vacancy on the Commission during the

1 recess of the Senate, the Governor shall make a temporary  
2 appointment until the next meeting of the Senate, when he or  
3 she shall appoint a person to fill the vacancy. Any person so  
4 nominated who is confirmed by the Senate shall hold office  
5 during the remainder of the term and until his or her successor  
6 is appointed and qualified. Vacancies in the Commission shall  
7 not impair the right of the remaining members to exercise all  
8 the powers of the Commission.

9 (d) The Chairperson of the Commission shall be compensated  
10 at the rate of \$128,000 per year, or as otherwise set by this  
11 Section, during his or her service as Chairperson, and each  
12 other member shall be compensated at the rate of \$121,856 per  
13 year, or as otherwise set by this Section. In addition, all  
14 members of the Commission shall be reimbursed for expenses  
15 actually and necessarily incurred by them in the performance  
16 of their duties. Members of the Commission are eligible to  
17 receive pension under the State Employees' Retirement System  
18 of Illinois as provided under Article 14 of the Illinois  
19 Pension Code.

20 (e) The Commission shall have an Executive Director who is  
21 appointed by the Governor and who shall be the chief  
22 administrative and operational officer of the Commission,  
23 shall direct and supervise its administrative affairs and  
24 general management, and perform such other duties as may be  
25 prescribed from time to time by the Commission.  
26 Notwithstanding any other provision of law, beginning on the

1 effective date of this amendatory Act of the 102nd General  
2 Assembly, the Executive Director shall receive an annual  
3 salary as set by the Governor.

4 The Executive Director or any committee of the Commission  
5 may carry out such responsibilities of the Commission as the  
6 Commission by resolution may delegate. The Executive Director  
7 shall attend all meetings of the Commission; however, no  
8 action of the Commission shall be invalid on account of the  
9 absence of the Executive Director from a meeting. The  
10 Executive Director may employ and determine the compensation  
11 of staff, as appropriations permit.

12 (f) The budget established for the Commission for any  
13 given fiscal year shall be no less than that established for  
14 the Human Rights Commission for that same fiscal year.

15 (Source: P.A. 101-657, eff. 1-1-22.)

16 ARTICLE 30

17 Section 30-5. The Salaries Act is amended by changing  
18 Section 1 as follows:

19 (5 ILCS 290/1) (from Ch. 53, par. 1)

20 Sec. 1. There shall be allowed and paid an annual salary in  
21 lieu of all other salaries, fees, perquisites, benefit of  
22 compensation in any form whatsoever, to each of the officers  
23 herein named, the following respectively: -

1           (1) For terms beginning before January 9, 2023:

2                   To the Governor, a salary set by the Compensation  
3           Review Board, together with the use and occupancy of  
4           the executive mansion.

5                   To the Lieutenant Governor, a salary set by the  
6           Compensation Review Board.

7                   To the Secretary of State, a salary set by the  
8           Compensation Review Board.

9                   To the Comptroller, a salary set by the  
10          Compensation Review Board.

11                  To the Treasurer, a salary set by the Compensation  
12          Review Board.

13                  To the Attorney General, a salary set by the  
14          Compensation Review Board.

15           (2) For terms beginning on or after January 9, 2023:

16                   To the Governor, a salary of \$205,700 or as set by  
17           the Compensation Review Board, whichever is greater,  
18           together with the use and occupancy of the executive  
19           mansion.

20                   To the Lieutenant Governor, a salary of \$160,900  
21           or as set by the Compensation Review Board, whichever  
22           is greater.

23                   To the Secretary of State, a salary of \$183,300 or  
24           as set by the Compensation Review Board, whichever is  
25           greater.

26                   To the Comptroller, a salary of \$160,900 or as set



1 the second Wednesday in January 1989, the Speaker and the  
2 minority leader of the House of Representatives and the  
3 President and the minority leader of the Senate, \$16,000 each;  
4 the majority leader in the House of Representatives \$13,500; 5  
5 assistant majority leaders and 5 assistant minority leaders in  
6 the Senate, \$12,000 each; 6 assistant majority leaders and 6  
7 assistant minority leaders in the House of Representatives,  
8 \$10,500 each; 2 Deputy Majority leaders in the House of  
9 Representatives \$11,500 each; and 2 Deputy Minority leaders in  
10 the House of Representatives, \$11,500 each; the majority  
11 caucus chairman and minority caucus chairman in the Senate,  
12 \$12,000 each; and beginning the second Wednesday in January,  
13 1989, the majority conference chairman and the minority  
14 conference chairman in the House of Representatives, \$10,500  
15 each; beginning the second Wednesday in January, 1989, the  
16 chairman and minority spokesman of each standing committee of  
17 the Senate, except the Rules Committee, the Committee on  
18 Committees, and the Committee on Assignment of Bills, \$6,000  
19 each; and beginning the second Wednesday in January, 1989, the  
20 chairman and minority spokesman of each standing and select  
21 committee of the House of Representatives, \$6,000 each; and  
22 beginning fiscal year 2020, the majority leader in the Senate,  
23 an amount equal to the majority leader in the House. For any  
24 General Assembly in which the majority party in the House of  
25 Representatives has 71 or more elected Representatives, the  
26 majority party shall have one additional majority officer who



1 shall have the title of speaker pro tempore and who shall  
2 receive an amount equal to the majority leader in the House and  
3 one majority officer who shall receive an amount equal to an  
4 assistant majority leader in the House of Representatives. For  
5 any General Assembly in which the majority party in the Senate  
6 has 36 or more elected Senators, the majority party shall have  
7 one additional majority officer who shall receive an amount  
8 equal to the majority leader in the House and one majority  
9 officer who shall receive an amount equal to an assistant  
10 majority leader in the Senate. A member who serves in more than  
11 one position as an officer, committee chairman, or committee  
12 minority spokesman shall receive only one additional amount  
13 based on the position paying the highest additional amount.  
14 Prior to the 103rd General Assembly, the compensation provided  
15 for in this Section to be paid per year to members of the  
16 General Assembly, including the additional sums payable per  
17 year to officers of the General Assembly shall be paid in 12  
18 equal monthly installments. The first such installment is  
19 payable on January 31, 1977. All subsequent equal monthly  
20 installments are payable on the last working day of the month.  
21 Prior to the 103rd General Assembly, a member who has held  
22 office any part of a month is entitled to compensation for an  
23 entire month.

24 Beginning with the 103rd General Assembly, the  
25 compensation provided for in this Section to be paid per year  
26 to members of the General Assembly, including additional sums

1 payable per year to officers of the General Assembly, shall be  
2 paid bi-monthly. Members who resign before completing the  
3 entire term in office shall be compensated on a prorated  
4 basis. Members completing the term of a vacancy shall be  
5 compensated on a prorated basis.

6 Mileage shall be paid at the rate of 20 cents per mile  
7 before January 9, 1985, and at the mileage allowance rate in  
8 effect under regulations promulgated pursuant to 5 U.S.C.  
9 5707(b)(2) beginning January 9, 1985, for the number of actual  
10 highway miles necessarily and conveniently traveled by the  
11 most feasible route to be present upon convening of the  
12 sessions of the General Assembly by such member in each and  
13 every trip during each session in going to and returning from  
14 the seat of government, to be computed by the Comptroller. A  
15 member traveling by public transportation for such purposes,  
16 however, shall be paid his actual cost of that transportation  
17 instead of on the mileage rate if his cost of public  
18 transportation exceeds the amount to which he would be  
19 entitled on a mileage basis. No member may be paid, whether on  
20 a mileage basis or for actual costs of public transportation,  
21 for more than one such trip for each week the General Assembly  
22 is actually in session. Each member shall also receive an  
23 allowance of \$36 per day for lodging and meals while in  
24 attendance at sessions of the General Assembly before January  
25 9, 1985; beginning January 9, 1985, such food and lodging  
26 allowance shall be equal to the amount per day permitted to be

1 deducted for such expenses under the Internal Revenue Code;  
2 however, beginning May 31, 1995, no allowance for food and  
3 lodging while in attendance at sessions is authorized for  
4 periods of time after the last day in May of each calendar  
5 year, except (i) if the General Assembly is convened in  
6 special session by either the Governor or the presiding  
7 officers of both houses, as provided by subsection (b) of  
8 Section 5 of Article IV of the Illinois Constitution or (ii) if  
9 the General Assembly is convened to consider bills vetoed,  
10 item vetoed, reduced, or returned with specific  
11 recommendations for change by the Governor as provided in  
12 Section 9 of Article IV of the Illinois Constitution. For  
13 fiscal year 2011 and for session days in fiscal years 2012,  
14 2013, 2014, 2015, 2016, 2017, 2018, and 2019 only (i) the  
15 allowance for lodging and meals is \$111 per day and (ii)  
16 mileage for automobile travel shall be reimbursed at a rate of  
17 \$0.39 per mile.

18 Notwithstanding any other provision of law to the  
19 contrary, beginning in fiscal year 2012, travel reimbursement  
20 for General Assembly members on non-session days shall be  
21 calculated using the guidelines set forth by the Legislative  
22 Travel Control Board, except that fiscal year 2012, 2013,  
23 2014, 2015, 2016, 2017, 2018, and 2019 mileage reimbursement  
24 is set at a rate of \$0.39 per mile.

25 If a member dies having received only a portion of the  
26 amount payable as compensation, the unpaid balance shall be

1 paid to the surviving spouse of such member, or, if there be  
2 none, to the estate of such member.

3 (Source: P.A. 101-10, eff. 6-5-19; 102-558, eff. 8-20-21;  
4 102-664, eff. 1-1-22.)

5 ARTICLE 40

6 Section 40-5. The Legislative Materials Act is amended by  
7 changing Section 1 as follows:

8 (25 ILCS 105/1) (from Ch. 63, par. 801)

9 Sec. 1. Fees.

10 (a) The Clerk of the House of Representatives may  
11 establish a schedule of reasonable fees to be charged for  
12 providing copies of daily and bound journals, committee  
13 documents, committee tape recordings, transcripts of committee  
14 proceedings, and committee notices, for providing copies of  
15 bills on a continuing or individual basis, and for providing  
16 tape recordings and transcripts of floor debates and other  
17 proceedings of the House.

18 (b) The Secretary of the Senate may establish a schedule  
19 of reasonable fees to be charged for providing copies of daily  
20 and bound journals, committee notices, for providing copies of  
21 bills on a continuing or individual basis, and for providing  
22 tape recordings and transcripts of floor debates and other  
23 proceedings of the Senate.

1           (c) The Clerk of the House of Representatives and the  
2 Secretary of the Senate may establish a schedule of reasonable  
3 fees to be charged for providing live audio of floor debates  
4 and other proceedings of the House of Representatives and the  
5 Senate. The Clerk and the Secretary shall have complete  
6 discretion over the distribution of live audio under this  
7 subsection (c), including discretion over the conditions under  
8 which live audio shall be distributed, except that live audio  
9 shall be distributed to the General Assembly and its staffs.  
10 Nothing in this subsection (c) shall be construed to create an  
11 obligation on the part of the Clerk or Secretary to provide  
12 live audio to any person or entity other than to the General  
13 Assembly and its staffs.

14           (c-5) The Clerk of the House of Representatives, to the  
15 extent authorized by the House Rules, and the Secretary of the  
16 Senate, to the extent authorized by the Rules of the Senate,  
17 may establish a schedule of reasonable fees to be charged to  
18 members for the preparation, filing, and reproduction of  
19 non-substantive resolutions.

20           (c-10) Through December 31, 2010, the Clerk of the House  
21 of Representatives may sell to a member of the House of  
22 Representatives one or more of the chairs that comprise member  
23 seating in the House chamber. The Clerk must charge the  
24 original cost of the chairs.

25           (c-15) Through December 31, 2010, the Secretary of the  
26 Senate may sell to a member of the Senate one or more of the

1 chairs that comprise member seating in the Senate chamber. The  
2 Secretary must charge the original cost of the chairs.

3 (d) Receipts from all fees and charges established under  
4 this Section shall be deposited by the Clerk and the Secretary  
5 into the General Assembly Operations Revolving Fund, a special  
6 fund in the State treasury. Amounts in the Fund may be  
7 appropriated for the operations of the offices of the Clerk of  
8 the House of Representatives and the Secretary of the Senate,  
9 including the replacement of items sold under subsections  
10 (c-10) and (c-15).

11 (Source: P.A. 95-21, eff. 8-3-07.)

12 ARTICLE 99

13 Section 99-997. Severability. The provisions of this Act  
14 are severable under Section 1.31 of the Statute on Statutes.

15 Section 99-999. Effective date. This Act takes effect upon  
16 becoming law, except that Section 5-27 takes effect upon  
17 becoming law or on the date House Bill 4285 of the 102nd  
18 General Assembly takes effect, whichever is later and Section  
19 5-36 takes effect July 1, 2024."