



Rep. Greg Harris

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1 AMENDMENT TO SENATE BILL 2196

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2196 by replacing  
3 everything after the enacting clause with the following:

4 "ARTICLE 1.

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

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

10 ARTICLE 3.

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

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

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

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

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

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

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

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

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

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

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

16 (110 ILCS 305/165 new)

17 Sec. 165. Climate Jobs Institute.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

17 ARTICLE 4.

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

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

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

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

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

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

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

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

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

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

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

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

1           Section 4-20. Use of other broadband funds. The Department  
2 of Commerce and Economic Opportunity, the Office of Broadband,  
3 or any other State agency, board, office, or commission  
4 appropriated funding to provide grants for broadband  
5 deployment, broadband expansion, broadband access, broadband  
6 affordability, and broadband improvement projects must  
7 establish program eligibility and selection criteria by  
8 administrative rules.

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

11           (25 ILCS 10/20)

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

13           Sec. 20. Legislative Budget Oversight Commission.

14           (a) The General Assembly hereby finds and declares that  
15 the State is confronted with an unprecedented fiscal crisis.  
16 In light of this crisis, and the challenges it presents for the  
17 budgeting process, the General Assembly hereby establishes the  
18 Legislative Budget Oversight Commission. The purpose of the  
19 Commission is: to monitor budget management actions taken by  
20 the Office of the Governor or Governor's Office of Management  
21 and Budget; ~~and~~ to oversee the distribution and expenditure of  
22 federal financial relief for State and local governments  
23 related to the COVID-19 pandemic; and to advise and review

1 planned expenditures of State and federal grants for broadband  
2 projects.

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

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

22 (1) any budget management actions taken by the Office  
23 of the Governor, Governor's Office of Management and  
24 Budget, or any agency or board under the Office of the  
25 Governor in the prior quarter;

26 (2) year-to-date general funds revenues as compared to

1 anticipated revenues;

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

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

18 (5) any additional items reasonably requested by the  
19 Commission.

20 (c-5) Any plans, responses to requests, letters of intent,  
21 application materials, or other documents prepared on behalf  
22 of the State describing the State's intended plan for  
23 distributing grants pursuant to Division F of the  
24 Infrastructure Investment and Jobs Act must be, to the extent  
25 practical, provided to the Legislative Budget Oversight  
26 Commission for review at least 30 days prior to submission to

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

1 Commission. After completing its review and consideration of  
2 any such testimony offered and written public comments  
3 received, the Commission shall submit its written comments and  
4 suggestions to the Governor or designated State entity  
5 responsible for administering the grant programs under  
6 Division F of the Infrastructure Investment and Jobs Act on  
7 behalf of the State. The Governor, or designated State entity  
8 responsible for administering the grant programs pursuant to  
9 Division F of the Infrastructure Investment and Jobs Act, must  
10 consider comments and suggestions provided by the members of  
11 the Legislative Budget Oversight Commission and members of the  
12 public.

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

19 (d) The Legislative Budget Oversight Commission shall  
20 consist of the following members:

21 (1) 7 members of the House of Representatives  
22 appointed by the Speaker of the House of Representatives;

23 (2) 7 members of the Senate appointed by the Senate  
24 President;

25 (3) 4 members of the House of Representatives  
26 appointed by the Minority Leader of the House of



1 Representatives; and

2 (4) 4 members of the Senate appointed by the Senate  
3 Minority Leader.

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

8 (f) As used in this Section:

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

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

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

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

22 ARTICLE 5.

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

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

2 Sec. 2.

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

18 (b) In the case of an amendment to Article IV of the  
19 Constitution initiated pursuant to Section 3 of Article XIV of  
20 the Constitution, the proponents shall be those persons so  
21 designated at the time of the filing of the petition as  
22 provided in Section 10-8 of the Election Code, and the  
23 opponents shall be those members of the General Assembly  
24 opposing such amendment, or if there are none, anyone  
25 designated by the General Assembly and such opponents shall

1 prepare a brief argument against such amendment. The  
2 proponent's explanation and argument in favor of and the  
3 opponents argument against an amendment to Article IV  
4 initiated by petition must be submitted to the Attorney  
5 General, who may rewrite them for accuracy and fairness. The  
6 explanation, the arguments for and against each constitutional  
7 amendment, and the form in which the amendment will appear on  
8 the separate ballot shall be filed in the office of the  
9 Secretary of State with the proposed amendment.

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

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

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

26 (e) Except as provided in subsection (f), the Secretary of

1 State shall mail such pamphlet to every mailing address in the  
2 State, addressed to the attention of the Postal Patron. He  
3 shall also maintain a reasonable supply of such pamphlets so  
4 as to make them available to any person requesting one.

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

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

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

16 (20 ILCS 301/5-10)

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

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

21 (1) Design, coordinate and fund comprehensive  
22 community-based and culturally and gender-appropriate  
23 services throughout the State. These services must include  
24 prevention, early intervention, treatment, and other

1 recovery support services for substance use disorders that  
2 are accessible and addresses the needs of at-risk  
3 individuals and their families.

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

11 (2.5) In partnership with the Department of Healthcare  
12 and Family Services, act as one of the principal State  
13 agencies for the sole purpose of calculating the  
14 maintenance of effort requirement under Section 1930 of  
15 Title XIX, Part B, Subpart II of the Public Health Service  
16 Act (42 U.S.C. 300x-30) and the Interim Final Rule (45 CFR  
17 96.134).

18 (3) Coordinate a statewide strategy for the  
19 prevention, early intervention, treatment, and recovery  
20 support of substance use disorders. This strategy shall  
21 include the development of a comprehensive plan, submitted  
22 annually with the application for federal substance use  
23 disorder block grant funding, for the provision of an  
24 array of such services. The plan shall be based on local  
25 community-based needs and upon data including, but not  
26 limited to, that which defines the prevalence of and costs

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

20 The plan developed under this Section shall include an  
21 explanation of the rationale to be used in ensuring that  
22 funding shall be based upon local community needs,  
23 including, but not limited to, the incidence and  
24 prevalence of, and costs associated with, substance use  
25 disorders, as well as upon demonstrated program  
26 performance.

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

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

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

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

22           (B) Cooperate with and assist the Illinois  
23 Department of Public Health in the establishment,  
24 funding and support of programs and services for the  
25 promotion of maternal and child health and the  
26 prevention and treatment of infectious diseases,



1 including but not limited to HIV infection, especially  
2 with respect to those persons who are high risk due to  
3 intravenous injection of illegal drugs, or who may  
4 have been sexual partners of these individuals, or who  
5 may have impaired immune systems as a result of a  
6 substance use disorder.

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

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

17 (E) Cooperate with and assist DCFS in carrying out  
18 its mandates to:

19 (i) identify substance use disorders among its  
20 clients and their families; and

21 (ii) develop services to deal with such  
22 disorders.

23 These services may include, but shall not be limited  
24 to, programs to prevent or treat substance use  
25 disorders with DCFS clients and their families,  
26 identifying child care needs within such treatment,

1 and assistance with other issues as required.

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

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

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

18 (I) (Blank).

19 (5) From monies appropriated to the Department from  
20 the Drunk and Drugged Driving Prevention Fund, reimburse  
21 DUI evaluation and risk education programs licensed by the  
22 Department for providing indigent persons with free or  
23 reduced-cost evaluation and risk education services  
24 relating to a charge of driving under the influence of  
25 alcohol or other drugs.

26 (6) Promulgate regulations to identify and disseminate

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

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

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

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

24 (10) Identify and disseminate evidence-based best  
25 practice guidelines as maintained in administrative rule  
26 that can be utilized to determine a substance use disorder

1 diagnosis.

2 (11) (Blank).

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

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

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

23 (15) Conduct a public information campaign to inform  
24 the State's Hispanic residents regarding the prevention  
25 and treatment of substance use disorders.

26 (b) In addition to the powers, duties and functions vested

1 in it by this Act, or by other laws of this State, the  
2 Department may undertake, but shall not be limited to, the  
3 following activities:

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

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

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

22 (4) Develop and coordinate, with regional and local  
23 agencies, education and training programs for persons  
24 engaged in providing services for persons with substance  
25 use disorders, which programs may include specific HIV  
26 education and training for program personnel.

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

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

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

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

20           (9) (Blank).

21           (10) (Blank).

22           (11) Fund, promote, or assist entities dealing with  
23 substance use disorders.

24           (12) With monies appropriated from the Group Home Loan  
25 Revolving Fund, make loans, directly or through  
26 subcontract, to assist in underwriting the costs of

1 housing in which individuals recovering from substance use  
2 disorders may reside, pursuant to Section 50-40 of this  
3 Act.

4 (13) Promulgate such regulations as may be necessary  
5 to carry out the purposes and enforce the provisions of  
6 this Act.

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

20 (c) There is created within the Department of Human  
21 Services an Office of Opioid Settlement Administration. The  
22 Office shall be responsible for implementing and administering  
23 approved abatement programs as described in Exhibit B of the  
24 Illinois Opioid Allocation Agreement, effective December 30,  
25 2021. The Office may also implement and administer other  
26 opioid-related programs, including but not limited to

1 prevention, treatment, and recovery services from other funds  
2 made available to the Department of Human Services. The  
3 Secretary of Human Services shall appoint or assign staff as  
4 necessary to carry out the duties and functions of the Office.

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

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

9 (20 ILCS 405/405-280) (was 20 ILCS 405/67.15)

10 Sec. 405-280. State garages; charging stations; passenger  
11 cars.

12 (a) To supervise and administer all State garages used for  
13 the repair, maintenance, or servicing of State-owned motor  
14 vehicles except those operated by any State college or  
15 university or by the Illinois Mathematics and Science Academy;  
16 to supervise and administer the design, purchase,  
17 installation, operation, and maintenance of electric vehicle  
18 charging infrastructure and associated improvements on any  
19 property that is owned or controlled by the State; and to  
20 acquire, maintain, and administer the operation of the  
21 passenger cars reasonably necessary to the operations of the  
22 executive department of the State government. To this end, the  
23 Department shall adopt regulations setting forth guidelines  
24 for the acquisition, use, maintenance, and replacement of



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

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

22 (b) The Department shall evaluate the availability and  
23 cost of GPS systems that State agencies may be able to use to  
24 track State-owned motor vehicles.

25 (c) The Department shall distribute a spreadsheet or  
26 otherwise make data entry available to each State agency to

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

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

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

18 (d) Beginning on January 1, 2013 (the effective date of  
19 Public Act 97-922) ~~this amendatory Act of the 97th General~~  
20 ~~Assembly~~, and notwithstanding any provision of law to the  
21 contrary, the Department may not make any new motor vehicle  
22 purchases until the Department sets forth procedures to  
23 condition the purchase of new motor vehicles on (i) a  
24 determination of need based on a breakeven analysis, and (ii)  
25 a determination that no other available means, including car  
26 sharing or rental agreements, would be more cost-effective to

1 the State. However, the Department may purchase motor vehicles  
2 not meeting or exceeding a breakeven analysis only if there is  
3 no alternative available to carry out agency work functions  
4 and the purchase is approved by the Manager of the Division of  
5 Vehicles upon the receipt of a written explanation from the  
6 agency head of the operational needs justifying the purchase.  
7 (Source: P.A. 100-651, eff. 1-1-19.)

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

10 (20 ILCS 505/35.11 new)

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

1 care.

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

6 (20 ILCS 605/605-55) (was 20 ILCS 605/46.21)

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

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

21 (20 ILCS 605/605-705) (was 20 ILCS 605/46.6a)

22 Sec. 605-705. Grants to local tourism and convention  
23 bureaus.

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

1 the Director of the Department may provide for the award of  
2 grant funds to one or more entities if in the Department's  
3 judgment that action is necessary in order to prevent a loss of  
4 funding critical to promoting tourism in a designated  
5 geographic area of the State.

6 (b) To distribute grants to local tourism and convention  
7 bureaus from appropriations made from the Local Tourism Fund  
8 for that purpose. Of the amounts appropriated annually to the  
9 Department for expenditure under this Section prior to July 1,  
10 2011, one-third of those monies shall be used for grants to  
11 convention and tourism bureaus in cities with a population  
12 greater than 500,000. The remaining two-thirds of the annual  
13 appropriation prior to July 1, 2011 shall be used for grants to  
14 convention and tourism bureaus in the remainder of the State,  
15 in accordance with a formula based upon the population served.  
16 Of the amounts appropriated annually to the Department for  
17 expenditure under this Section beginning July 1, 2011, 18% of  
18 such moneys shall be used for grants to convention and tourism  
19 bureaus in cities with a population greater than 500,000. Of  
20 the amounts appropriated annually to the Department for  
21 expenditure under this Section beginning July 1, 2011, 82% of  
22 such moneys shall be used for grants to convention bureaus in  
23 the remainder of the State, in accordance with a formula based  
24 upon the population served. The Department may reserve up to  
25 3% of total local tourism funds available for costs of  
26 administering the program to conduct audits of grants, to

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

19 To provide for the expeditious and timely implementation  
20 of the changes made by Public Act 101-636 ~~this amendatory Act~~  
21 ~~of the 101st General Assembly~~, emergency rules to implement  
22 the changes made by Public Act 101-636 ~~this amendatory Act of~~  
23 ~~the 101st General Assembly~~ may be adopted by the Department  
24 subject to the provisions of Section 5-45 of the Illinois  
25 Administrative Procedure Act.

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

1 (20 ILCS 605/605-1095 new)

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

3 (a) In 2019, the hotel industry in the State of Illinois  
4 directly employed more than 60,000 people and generated  
5 \$4,000,000,000 in State and local taxes. During the first year  
6 of the COVID-19 pandemic, one in three hotel workers were laid  
7 off or furloughed, and hotels lost \$3,600,000,000 in economic  
8 activity. Unlike other segments of the hospitality industry,  
9 the hotel industry has not received any direct hotel-specific  
10 support from the federal government. Funds awarded under this  
11 Section will be used by hotels to support their workforce and  
12 recover from the COVID-19 pandemic.

13 (b) As used in this Section:

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

21 "Short-term rental" means a single-family dwelling, or a  
22 residential dwelling unit in a multi-unit structure,  
23 condominium, cooperative, timeshare, or similar joint property  
24 ownership arrangement, that is rented for a fee for less than  
25 30 consecutive days. "Short-term rental" includes a vacation



1 rental.

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

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

23 (d) Any operator who receives grant funds under this  
24 Section shall use a minimum of 80% of the funds on payroll  
25 costs, to the extent permitted by Section 9901 of ARPA,  
26 including, but not limited to, wages, benefits, and employer

1 contributions to employee healthcare costs. The remaining  
2 funds shall be used on any other costs and losses permitted by  
3 ARPA.

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

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

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

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

20 (20 ILCS 605/605-1100 new)

21 Sec. 605-1100. Restaurant Employment and Stabilization  
22 Grant Program.

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

25 (1) the restaurant or tavern is located in the State

1 of Illinois;

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

5 (3) the restaurant or tavern employs 50 or fewer  
6 employees;

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

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

15 (b) The Department may receive State funds and, directly  
16 or indirectly, federal funds under the authority of  
17 legislation passed in response to the Coronavirus epidemic  
18 including, but not limited to, ARPA; such funds shall be used  
19 in accordance with the ARPA legislation and other State and  
20 federal law. Upon receipt or availability of such State or  
21 federal funds, and subject to appropriations for their use,  
22 the Department shall establish the Restaurant Employment and  
23 Stabilization Grant Program for the purpose of providing  
24 direct economic relief to eligible entities that continue to  
25 be impacted by COVID-19 economic pandemic conditions. The  
26 Department shall award a one-time grant in an amount of up to

1 \$50,000 to each eligible entity. Grant award amounts will be  
2 determined, based on the eligible entity's reported losses  
3 during a timeframe determined by the Department.

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

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

20 (e) If an eligible entity that receives a grant under this  
21 Section fails to use all of those grant funds within one year  
22 after receiving the grant, the eligible entity shall return to  
23 the Department any grant funds that the eligible entity  
24 received under this Section and did not use for allowable  
25 expenses under subsection (c).

26 (f) The Department may establish by rule administrative

1 procedures for the grant program, including any application  
2 procedures, grant agreements, certifications, payment  
3 methodologies, and other accountability measures that may be  
4 imposed upon participants in the program. The emergency  
5 rulemaking process may be used to promulgate the initial rules  
6 of the program following the effective date of this amendatory  
7 Act of the 102nd General Assembly.

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

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

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

14 (20 ILCS 627/15)

15 Sec. 15. Electric Vehicle Coordinator. The Governor, with  
16 the advice and consent of the Senate, shall appoint a person  
17 within the Illinois Environmental Protection Agency to serve  
18 as the Electric Vehicle Coordinator for the State of Illinois.  
19 The Electric Vehicle Coordinator shall receive an annual  
20 salary as set by the Governor and beginning July 1, 2022 shall  
21 be compensated from appropriations made to the Comptroller for  
22 this purpose. This person may be an existing employee with  
23 other duties. The Coordinator shall act as a point person for  
24 electric vehicle-related and electric vehicle charging-related

1 policies and activities in Illinois, including, but not  
2 limited to, the issuance of electric vehicle rebates for  
3 consumers and electric vehicle charging rebates for  
4 organizations and companies.

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

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

8 (20 ILCS 801/1-15)

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

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

18 (b) The Department (i) shall obtain, store, and process  
19 relevant data; recommend technological, administrative, and  
20 legislative changes and developments; cooperate with other  
21 federal, state, and local governmental research agencies,  
22 facilities, or institutes in the selection of projects for  
23 study; cooperate with the Board of Higher Education and with  
24 the public and private colleges and universities in this State

1 in developing relevant interdisciplinary approaches to  
2 problems; and evaluate curricula at all levels of education  
3 and provide assistance to instructors and (ii) may sponsor an  
4 annual conference of leaders in government, industry, health,  
5 and education to evaluate the state of this State's  
6 environment and natural resources.

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

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

19 (d) In addition to its other powers, the Department has  
20 the following powers:

21 (1) To obtain, store, process, and provide data and  
22 information related to the powers and duties of the  
23 Department under this Act. This subdivision (d)(1) does  
24 not give authority to the Department to require reports  
25 from nongovernmental sources or entities.

26 (2) To cooperate with and support the Illinois Science

1 and Technology Advisory Committee and the Illinois  
2 Coalition for the purpose of facilitating the effective  
3 operations and activities of such entities. Support may  
4 include, but need not be limited to, providing space for  
5 the operations of the Committee and the Illinois  
6 Coalition.

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

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

25 (g) The Department shall recognize, preserve, and promote  
26 our special heritage of recreational hunting and trapping by



1 providing opportunities to hunt and trap in accordance with  
2 the Wildlife Code.

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

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

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

12 (20 ILCS 1305/1-20)

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

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

19 (b) The Department may employ personnel (in accordance  
20 with the Personnel Code), provide facilities, contract for  
21 goods and services, and adopt rules as necessary to carry out  
22 its functions and purposes, all in accordance with applicable  
23 State and federal law.

24 (c) On and after the date 6 months after the effective date

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

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

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

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

18 (20 ILCS 1345/4.5 new)

19 Sec. 4.5. Serve Illinois Commission Fund; creation. The  
20 Serve Illinois Commission Fund is created as a special fund in  
21 the State treasury. All federal grant moneys awarded in  
22 support of the activities authorized under this Act to the  
23 Department of Human Services or the Commission may be  
24 deposited into the Serve Illinois Commission Fund. In addition

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

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

16 (20 ILCS 1605/2) (from Ch. 120, par. 1152)

17 Sec. 2. This Act is enacted to implement and establish  
18 within the State a lottery to be conducted by the State through  
19 the Department. The entire net proceeds of the Lottery are to  
20 be used for the support of the State's Common School Fund,  
21 except as otherwise provided in this Act ~~subsection (e) of~~  
22 ~~Section 9.1 and Sections 21.5, 21.6, 21.7, 21.8, 21.9, 21.10,~~  
23 ~~21.11, 21.12, and 21.13.~~ The General Assembly finds that it is  
24 in the public interest for the Department to conduct the

1 functions of the Lottery with the assistance of a private  
2 manager under a management agreement overseen by the  
3 Department. The Department shall be accountable to the General  
4 Assembly and the people of the State through a comprehensive  
5 system of regulation, audits, reports, and enduring  
6 operational oversight. The Department's ongoing conduct of the  
7 Lottery through a management agreement with a private manager  
8 shall act to promote and ensure the integrity, security,  
9 honesty, and fairness of the Lottery's operation and  
10 administration. It is the intent of the General Assembly that  
11 the Department shall conduct the Lottery with the assistance  
12 of a private manager under a management agreement at all times  
13 in a manner consistent with 18 U.S.C. 1307(a)(1), 1307(b)(1),  
14 1953(b)(4).

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

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

22 (20 ILCS 1605/7.12)

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

24 Sec. 7.12. Internet program.

25 (a) The General Assembly finds that:

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

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

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

12           It is the intent of the General Assembly to create an  
13 Internet program for the sale of lottery tickets to capture  
14 this new form of market participant.

15           (b) The Department shall create a program that allows an  
16 individual 18 years of age or older to purchase lottery  
17 tickets or shares on the Internet without using a Lottery  
18 retailer with on-line status, as those terms are defined by  
19 rule. The Department shall restrict the sale of lottery  
20 tickets on the Internet to transactions initiated and received  
21 or otherwise made exclusively within the State of Illinois.  
22 The Department shall adopt rules necessary for the  
23 administration of this program. These rules shall include,  
24 among other things, requirements for marketing of the Lottery  
25 to infrequent players, as well as limitations on the purchases  
26 that may be made through any one individual's lottery account.

1 The provisions of this Act and the rules adopted under this Act  
2 shall apply to the sale of lottery tickets or shares under this  
3 program.

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

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

26 Nothing in this Section shall be construed as prohibiting

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

9 (c) (Blank).

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

11 (Source: P.A. 100-23, eff. 7-6-17; 100-587, eff. 6-4-18;  
12 101-35, eff. 6-28-19.)

13 (20 ILCS 1605/9.1)

14 Sec. 9.1. Private manager and management agreement.

15 (a) As used in this Section:

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

18 "Request for qualifications" means all materials and  
19 documents prepared by the Department to solicit the following  
20 from offerors:

21 (1) Statements of qualifications.

22 (2) Proposals to enter into a management agreement,  
23 including the identity of any prospective vendor or  
24 vendors that the offeror intends to initially engage to  
25 assist the offeror in performing its obligations under the

1 management agreement.

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

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

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

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



1 following:

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

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

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

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

23 (c-5) The Department shall include provisions in the  
24 management agreement whereby the private manager shall, for a  
25 fee, and pursuant to a contract negotiated with the Department  
26 (the "Employee Use Contract"), utilize the services of current

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

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

15 (1) A term not to exceed 10 years, including any  
16 renewals.

17 (2) A provision specifying that the Department:

18 (A) shall exercise actual control over all  
19 significant business decisions;

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

23 (B) has ready access at any time to information  
24 regarding Lottery operations;

25 (C) has the right to demand and receive  
26 information from the private manager concerning any

1 aspect of the Lottery operations at any time; and

2 (D) retains ownership of all trade names,  
3 trademarks, and intellectual property associated with  
4 the Lottery.

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

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

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

25 (6) (Blank).

26 (7) A provision requiring the deposit of all Lottery

1 proceeds to be deposited into the State Lottery Fund  
2 except as otherwise provided in Section 20 of this Act.

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

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

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

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

21 (B) The rights and obligations under contracts  
22 with retailers and vendors.

23 (C) The implementation of a comprehensive security  
24 program by the private manager.

25 (D) The implementation of a comprehensive system  
26 of internal audits.

1           (E) The implementation of a program by the private  
2 manager to curb compulsive gambling by persons playing  
3 the Lottery.

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

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

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

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

23           (13) A requirement that the Department monitor and  
24 oversee the private manager's practices and take action  
25 that the Department considers appropriate to ensure that  
26 the private manager is in compliance with the terms of the

1 management agreement, while allowing the manager, unless  
2 specifically prohibited by law or the management  
3 agreement, to negotiate and sign its own contracts with  
4 vendors.

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

9 (15) Cash reserves requirements.

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

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

16 (18) Procedures for amendment of the agreement.

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

26 (20) The transition of rights and obligations,

1 including any associated equipment or other assets used in  
2 the operation of the Lottery, from the manager to any  
3 successor manager of the lottery, including the  
4 Department, following the termination of or foreclosure  
5 upon the management agreement.

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

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

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

21 (1) the offeror's ability to market the Lottery to  
22 those residents who are new, infrequent, or lapsed players  
23 of the Lottery, especially those who are most likely to  
24 make regular purchases on the Internet;

25 (2) the offeror's ability to address the State's  
26 concern with the social effects of gambling on those who

1 can least afford to do so;

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

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

11 (f) The Department may retain the services of an advisor  
12 or advisors with significant experience in financial services  
13 or the management, operation, and procurement of goods,  
14 services, and equipment for a government-run lottery to assist  
15 in the preparation of the terms of the request for  
16 qualifications and selection of the private manager. Any  
17 prospective advisor seeking to provide services under this  
18 subsection (f) shall disclose any material business or  
19 financial relationship during the past 3 years with any  
20 potential offeror, or with a contractor or subcontractor  
21 presently providing goods, services, or equipment to the  
22 Department to support the Lottery. The Department shall  
23 evaluate the material business or financial relationship of  
24 each prospective advisor. The Department shall not select any  
25 prospective advisor with a substantial business or financial  
26 relationship that the Department deems to impair the



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

21 (g) The Department shall select at least 2 offerors as  
22 finalists to potentially serve as the private manager no later  
23 than August 9, 2010. Upon making preliminary selections, the  
24 Department shall schedule a public hearing on the finalists'  
25 proposals and provide public notice of the hearing at least 7  
26 calendar days before the hearing. The notice must include all

1 of the following:

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

3 (2) The subject matter of the hearing.

4 (3) A brief description of the management agreement to  
5 be awarded.

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

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

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

1 management services in a manner that best achieves the  
2 objectives of this Section. The Governor shall also sign the  
3 management agreement with the private manager.

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

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

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

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

23 (m) Neither this Section nor any management agreement  
24 entered into under this Section prohibits the General Assembly  
25 from authorizing forms of gambling that are not in direct  
26 competition with the Lottery. The forms of gambling authorized

1 by Public Act 101-31 constitute authorized forms of gambling  
2 that are not in direct competition with the Lottery.

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

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

1 providing goods, services, or both goods and services to the  
2 private manager under the terms of the management agreement,  
3 including subcontractors of such vendors.

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

21 Notwithstanding any other provision of this Section to the  
22 contrary, the Chief Procurement Officer shall adopt  
23 administrative rules, including emergency rules, to establish  
24 a procurement process to select a successor private manager if  
25 a private management agreement has been terminated. The  
26 selection process shall at a minimum take into account the

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

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

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

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

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

1 year 2009, as adjusted for inflation, to the Common School  
2 Fund.

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

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

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

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

22 (2) upon request of the Chief Procurement Officer, the  
23 Department shall promptly produce information related to  
24 the procurement activities of the Department and the  
25 private manager requested by the Chief Procurement  
26 Officer; the Chief Procurement Officer must retain

1 confidential, proprietary, or trade secret information  
2 designated by the Department in complete confidence  
3 pursuant to subsection (g) of Section 7 of the Freedom of  
4 Information Act; and

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

10 (Source: P.A. 101-31, eff. 6-28-19; 101-81, eff. 7-12-19;  
11 101-561, eff. 8-23-19; 102-558, eff. 8-20-21.)

12 (20 ILCS 1605/9.2 new)

13 Sec. 9.2. Reconciliation of Fiscal Year 2017 through  
14 Fiscal Year 2022 annual net lottery proceeds.

15 (a) The Office of the Auditor General concluded in the  
16 Department's annual fiscal year audits for Fiscal Year 2017,  
17 Fiscal Year 2018, Fiscal Year 2019, Fiscal Year 2020, and  
18 Fiscal Year 2021 that annual net lottery proceeds from the  
19 State Lottery Fund to the Common School Fund exceeded the  
20 annual net lottery proceeds available to transfer as described  
21 in subsection (o) of Section 9.1. The excess transfers to the  
22 Common School Fund during those fiscal years resulted in  
23 transfers of annual net lottery proceeds to the Capital  
24 Projects Fund as required by paragraph (4) of subsection (o)  
25 of Section 9.1 not being sent. The Department had no statutory



1 authority to offset future transfers as described in paragraph  
2 (4) of subsection (a) of Section 9.3 during Fiscal Year 2017,  
3 Fiscal Year 2018, Fiscal Year 2019, Fiscal Year 2020, or  
4 Fiscal Year 2021 to reconcile the discrepancies.

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

20 (c) The Department is also authorized to reconcile any  
21 discrepancies that may occur in Fiscal Year 2022, if the  
22 annual net lottery proceeds transferred from the State Lottery  
23 Fund to the Common School Fund exceed the annual net lottery  
24 proceeds available to transfer. The Department shall determine  
25 whether there were any excess transfers by June 30, 2023. The  
26 Department shall reconcile any discrepancies by offsetting its

1 monthly transfers to the Common School Fund to recover the  
2 resulting cash deficit in the State Lottery Fund and  
3 separately transferring the deficient amounts owed to the  
4 Capital Projects Fund. All offsets and transfers shall be done  
5 in accordance with Generally Accepted Accounting principles.  
6 All offsets and transfers for Fiscal Year 2022 discrepancies  
7 shall be completed no later than June 30, 2024.

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

9 (20 ILCS 1605/9.3 new)

10 Sec. 9.3. Expenditure and distribution of lottery  
11 proceeds.

12 (a) Beginning July 1, 2022, except as provided in Sections  
13 21.5, 21.6, 21.7, 21.8, 21.9, 21.10, 21.11, 21.12, and 21.13  
14 of this Act and Section 25-70 of the Sports Wagering Act, the  
15 Department shall distribute all proceeds of lottery tickets  
16 and shares sold in the following priority and manner:

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

18 (2) The payment of costs incurred in the operation and  
19 administration of the Lottery, including the payment of  
20 sums due to the private manager under the management  
21 agreement with the Department and including costs of  
22 administering the Lottery sports wagering program pursuant  
23 to Section 25-70 of the Sports Wagering Act.

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

1       State Treasurer shall transfer from the State Lottery Fund  
2       to the Common School Fund the Department's estimate of net  
3       lottery proceeds.

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

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

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

1 (20 ILCS 2310/2310-50.10 new)

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

9 Section 5-30. The Illinois Council on Developmental  
10 Disabilities Law is amended by changing Section 2003 as  
11 follows:

12 (20 ILCS 4010/2003) (from Ch. 91 1/2, par. 1953)

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

21 The Council shall receive and disburse funds authorized  
22 under Chapter 75 of Title 42 of the United States Code (42  
23 U.S.C. 6000, et seq.), as now or hereafter amended. The

1 Council may also receive funds from any source, public or  
2 private, to be used for the purposes authorized by this Act or  
3 otherwise authorized by law.

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

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

7 (25 ILCS 115/4) (from Ch. 63, par. 15.1)

8 Sec. 4. Office allowance. Beginning July 1, 2001 and  
9 through July 1, 2020, each member of the House of  
10 Representatives is authorized to approve the expenditure of  
11 not more than \$61,000 per year and each member of the Senate is  
12 authorized to approve the expenditure of not more than \$73,000  
13 per year to pay for "personal services", "contractual  
14 services", "commodities", "printing", "travel", "operation of  
15 automotive equipment", "telecommunications services", as  
16 defined in the State Finance Act, and the compensation of one  
17 or more legislative assistants authorized pursuant to this  
18 Section, in connection with his or her legislative duties and  
19 not in connection with any political campaign. On July 1, 2002  
20 and on July 1 of each year thereafter, the amount authorized  
21 per year under this Section for each member of the Senate and  
22 each member of the House of Representatives shall be increased  
23 by a percentage increase equivalent to the lesser of (i) the  
24 increase in the designated cost of living index or (ii) 5%. The

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

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

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

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

22 Each member of the General Assembly is authorized to  
23 employ one or more legislative assistants, who shall be solely  
24 under the direction and control of that member, for the  
25 purpose of assisting the member in the performance of his or  
26 her official duties. A legislative assistant may be employed

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



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

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

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

17 If a vacancy occurs in the office of Senator or  
18 Representative in the General Assembly, any office equipment  
19 in the possession of the vacating member shall transfer to the  
20 member's successor; if the successor does not want such  
21 equipment, it shall be transferred to the Secretary of the  
22 Senate or Clerk of the House of Representatives, as the case  
23 may be, and if not wanted by other members of the General  
24 Assembly then to the Department of Central Management Services  
25 for treatment as surplus property under the State Property  
26 Control Act. Each member, on or before June 30th of each year,

1 shall conduct an inventory of all equipment purchased pursuant  
2 to this Act. Such inventory shall be filed with the Secretary  
3 of the Senate or the Clerk of the House, as the case may be.  
4 Whenever a vacancy occurs, the Secretary of the Senate or the  
5 Clerk of the House, as the case may be, shall conduct an  
6 inventory of equipment purchased.

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

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

22 The appropriation for the annual allowances permitted by  
23 this Section shall be included in an appropriation to the  
24 President of the Senate and to the Speaker of the House of  
25 Representatives for their respective members. The President of  
26 the Senate and the Speaker of the House shall voucher for

1 payment individual members' expenditures from their annual  
2 office allowances to the State Comptroller, subject to the  
3 authority of the Comptroller under Section 9 of the State  
4 Comptroller Act.

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

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

11 Section 5-34. The Legislative Commission Reorganization  
12 Act of 1984 is amended by changing Sections 8A-15, 8A-20, and  
13 8A-30 and by adding Section 8A-37 as follows:

14 (25 ILCS 130/8A-15)

15 Sec. 8A-15. Master plan.

16 (a) The term "legislative complex" means (i) the buildings  
17 and facilities located in Springfield, Illinois, and occupied  
18 in whole or in part by the General Assembly or any of its  
19 support service agencies, (ii) the grounds, walkways, and  
20 pedestrian or utility tunnels surrounding or connected to  
21 those buildings and facilities, and (iii) the off-street  
22 parking areas serving those buildings and facilities,  
23 including parking lots D, DD, E, F, G, H, O, M, N, R, S, and  
24 the legislative parking garage located under parking lot O.

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

20           The Architect of the Capitol may change the master plan  
21 and shall submit changes in the master plan that relate to  
22 areas other than the State Capitol Building to the Capitol  
23 Historic Preservation Board for its review and comment. All  
24 changes in the master plan must be submitted to and approved by  
25 the Board of the Office of the Architect of the Capitol before  
26 implementation.

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

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

20           The Architect may enter into agreements with other State  
21 agencies for the provision of materials or performance of  
22 services necessary for the implementation of the master plan.

23           State officers and agencies providing normal, day-to-day  
24 repair, maintenance, or landscaping or providing security,  
25 commissary, utility, parking, banking, tour guide, event  
26 scheduling, or other operational services for buildings and

1 facilities within the legislative complex immediately prior to  
2 the effective date of this amendatory Act of the 93rd General  
3 Assembly shall continue to provide that normal, day-to-day  
4 repair, maintenance, or landscaping or those services on the  
5 same basis, whether by contract or employees, that the repair,  
6 maintenance, landscaping, or services were provided  
7 immediately prior to the effective date of this amendatory Act  
8 of the 93rd General Assembly, subject to the provisions of the  
9 master plan and with the approval of or as otherwise directed  
10 by the Architect of the Capitol.

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

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

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

1 (25 ILCS 130/8A-20)

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

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

11 (25 ILCS 130/8A-30)

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



1 Appellate Court Building.

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

3 (25 ILCS 130/8A-37 new)

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

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

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

20 Section 5-35. The State Finance Act is amended by changing  
21 Sections 5.857, 6z-21, 6z-27, 6z-30, 6z-32, 6z-51, 6z-70,  
22 6z-77, 6z-81, 6z-100, 6z-121, 8.3, 8.6, 8.12, 8g-1, 13.2,  
23 24.2, and 25 and by adding Sections 5.970, 5.971, 5.972,  
24 5.973, 5.974, 5.975, 5.976, 6z-130, 6z-131, 6z-132, and 6z-133

1 as follows:

2 (30 ILCS 105/5.857)

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

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

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

6 (Source: P.A. 101-10, eff. 6-5-19; 101-645, eff. 6-26-20;  
7 102-16, eff. 6-17-21.)

8 (30 ILCS 105/5.970 new)

9 Sec. 5.970. The Serve Illinois Commission Fund.

10 (30 ILCS 105/5.971 new)

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

12 (30 ILCS 105/5.972 new)

13 Sec. 5.972. The Board of Higher Education State Contracts  
14 and Grants Fund.

15 (30 ILCS 105/5.973 new)

16 Sec. 5.973. The Agriculture Federal Projects Fund.

17 (30 ILCS 105/5.974 new)

18 Sec. 5.974. The DNR Federal Projects Fund.

19 (30 ILCS 105/5.975 new)

1       Sec. 5.975. The Illinois Opioid Remediation State Trust  
2 Fund.

3           (30 ILCS 105/5.976 new)

4       Sec. 5.976. The General Assembly Technology Fund.

5           (30 ILCS 105/6z-21) (from Ch. 127, par. 142z-21)

6       Sec. 6z-21. Education Assistance Fund; transfers to and  
7 from the Education Assistance Fund. All monies deposited into  
8 the Education Assistance Fund, a special fund in the State  
9 treasury which is hereby created, shall be appropriated to  
10 provide financial assistance for elementary and secondary  
11 education programs including, among others, distributions  
12 under Sections ~~Section~~ 18-19 and 29-5 of the ~~The~~ School Code,  
13 and for higher education programs, including, among others,  
14 the Monetary Award Program under Section 35 of the Higher  
15 Education Student Assistance Act. During fiscal years 2012 and  
16 2013 only, the State Comptroller may order transferred and the  
17 State Treasurer may transfer from the General Revenue Fund to  
18 the Education Assistance Fund, or the State Comptroller may  
19 order transferred and the State Treasurer may transfer from  
20 the Education Assistance Fund to the General Revenue Fund,  
21 such amounts as may be required to honor the vouchers  
22 presented by the State Universities Retirement System, by a  
23 public institution of higher education, as defined in Section  
24 1 of the Board of Higher Education Act, or by the State Board

1 of Education pursuant to Sections 18-3, 18-4.3, 18-5, 18-6,  
2 and 18-7 of the School Code.

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

4 (30 ILCS 105/6z-27)

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

9 Within 30 days after July 1, 2022, or as soon thereafter as  
10 practical ~~the effective date of this amendatory Act of the~~  
11 ~~102nd General Assembly,~~ the State Comptroller shall order  
12 transferred and the State Treasurer shall transfer from the  
13 following funds moneys in the specified amounts for deposit  
14 into the Audit Expense Fund:

15	<u>Attorney General Court Ordered and Voluntary Compliance</u>	
16	<u>Payment Projects Fund</u> .....	<u>\$38,974</u>
17	<u>Attorney General Sex Offender Awareness,</u>	
18	<u>Training, and Education Fund</u> .....	<u>\$539</u>
19	<u>Aggregate Operations Regulatory Fund</u> .....	<u>\$711</u>
20	<u>Agricultural Premium Fund</u> .....	<u>\$25,265</u>
21	<u>Attorney General's State Projects and Court</u>	
22	<u>Ordered Distribution Fund</u> .....	<u>\$43,667</u>
23	<u>Anna Veterans Home Fund</u> .....	<u>\$15,792</u>
24	<u>Appraisal Administration Fund</u> .....	<u>\$4,017</u>
25	<u>Attorney General Whistleblower Reward</u>	

1	<u>and Protection Fund</u> .....	\$22,896
2	<u>Bank and Trust Company Fund</u> .....	\$78,017
3	<u>Cannabis Expungement Fund</u> .....	\$4,501
4	<u>Capital Development Board Revolving Fund</u> .....	\$2,494
5	<u>Care Provider Fund for Persons with</u>	
6	<u>a Developmental Disability</u> .....	\$5,707
7	<u>CDLIS/AAMVAnet/NMVTIS Trust Fund</u> .....	\$1,702
8	<u>Cemetery Oversight Licensing and Disciplinary Fund</u> ....	\$5,002
9	<u>Chicago State University Education</u>	
10	<u>Improvement Fund</u> .....	\$16,218
11	<u>Child Support Administrative Fund</u> .....	\$2,657
12	<u>Clean Air Act Permit Fund</u> .....	\$10,108
13	<u>Coal Technology Development Assistance Fund</u> .....	\$12,943
14	<u>Commitment to Human Services Fund</u> .....	\$111,465
15	<u>Common School Fund</u> .....	\$445,997
16	<u>Community Mental Health Medicaid Trust Fund</u> .....	\$9,599
17	<u>Community Water Supply Laboratory Fund</u> .....	\$637
18	<u>Credit Union Fund</u> .....	\$16,048
19	<u>DCFS Children's Services Fund</u> .....	\$287,247
20	<u>Department of Business Services</u>	
21	<u>Special Operations Fund</u> .....	\$4,402
22	<u>Department of Corrections Reimbursement</u>	
23	<u>and Education Fund</u> .....	\$60,429
24	<u>Design Professionals Administration</u>	
25	<u>and Investigation Fund</u> .....	\$3,362
26	<u>Department of Human Services Community Services Fund</u> ..	\$5,239

1	<u>Downstate Public Transportation Fund .....</u>	<u>\$30,625</u>
2	<u>Driver Services Administration Fund.....</u>	<u>\$639</u>
3	<u>Drivers Education Fund .....</u>	<u>\$1,202</u>
4	<u>Drug Rebate Fund .....</u>	<u>\$22,702</u>
5	<u>Drug Treatment Fund.....</u>	<u>\$571</u>
6	<u>Drycleaner Environmental Response Trust Fund .....</u>	<u>\$846</u>
7	<u>Education Assistance Fund.....</u>	<u>\$1,969,661</u>
8	<u>Environmental Protection Permit and</u>	
9	<u>    Inspection Fund.....</u>	<u>\$7,079</u>
10	<u>Facilities Management Revolving Fund .....</u>	<u>\$16,163</u>
11	<u>Federal High Speed Rail Trust Fund .....</u>	<u>\$1,264</u>
12	<u>Federal Workforce Training Fund.....</u>	<u>\$91,791</u>
13	<u>Feed Control Fund.....</u>	<u>\$1,701</u>
14	<u>Fertilizer Control Fund.....</u>	<u>\$1,791</u>
15	<u>Fire Prevention Fund .....</u>	<u>\$3,507</u>
16	<u>Firearm Dealer License Certification Fund.....</u>	<u>\$648</u>
17	<u>Fund for the Advancement of Education .....</u>	<u>\$44,609</u>
18	<u>General Professions Dedicated Fund .....</u>	<u>\$31,353</u>
19	<u>General Revenue Fund .....</u>	<u>\$17,663,958</u>
20	<u>Grade Crossing Protection Fund .....</u>	<u>\$1,856</u>
21	<u>Hazardous Waste Fund .....</u>	<u>\$8,446</u>
22	<u>Health and Human Services Medicaid Trust Fund .....</u>	<u>\$6,134</u>
23	<u>Healthcare Provider Relief Fund.....</u>	<u>\$185,164</u>
24	<u>Horse Racing Fund.....</u>	<u>\$169,632</u>
25	<u>Hospital Provider Fund .....</u>	<u>\$63,346</u>
26	<u>ICCB Federal Trust Fund.....</u>	<u>\$10,805</u>

1	<u>Illinois Affordable Housing Trust Fund</u> .....	\$5,414
2	<u>Illinois Charity Bureau Fund</u> .....	\$3,298
3	<u>Illinois Clean Water Fund</u> .....	\$11,951
4	<u>Illinois Forestry Development Fund</u> .....	\$11,004
5	<u>Illinois Gaming Law Enforcement Fund</u> .....	\$1,869
6	<u>IMSA Income Fund</u> .....	\$2,188
7	<u>Illinois Military Family Relief Fund</u> .....	\$6,986
8	<u>Illinois Power Agency Operations Fund</u> .....	\$41,229
9	<u>Illinois State Dental Disciplinary Fund</u> .....	\$6,127
10	<u>Illinois State Fair Fund</u> .....	\$660
11	<u>Illinois State Medical Disciplinary Fund</u> .....	\$23,384
12	<u>Illinois State Pharmacy Disciplinary Fund</u> .....	\$10,308
13	<u>Illinois Veterans Assistance Fund</u> .....	\$2,016
14	<u>Illinois Veterans' Rehabilitation Fund</u> .....	\$862
15	<u>Illinois Wildlife Preservation Fund</u> .....	\$1,742
16	<u>Illinois Workers' Compensation Commission</u>	
17	<u>Operations Fund</u> .....	\$4,476
18	<u>Income Tax Refund Fund</u> .....	\$239,691
19	<u>Insurance Financial Regulation Fund</u> .....	\$104,462
20	<u>Insurance Premium Tax Refund Fund</u> .....	\$23,121
21	<u>Insurance Producer Administration Fund</u> .....	\$104,566
22	<u>International Tourism Fund</u> .....	\$1,985
23	<u>LaSalle Veterans Home Fund</u> .....	\$46,145
24	<u>LEADS Maintenance Fund</u> .....	\$681
25	<u>Live and Learn Fund</u> .....	\$8,120
26	<u>Local Government Distributive Fund</u> .....	\$154,289

1	<u>Long-Term Care Provider Fund</u> .....	\$6,468
2	<u>Manteno Veterans Home Fund</u> .....	\$93,493
3	<u>Mental Health Fund</u> .....	\$12,227
4	<u>Mental Health Reporting Fund</u> .....	\$611
5	<u>Monitoring Device Driving Permit</u>	
6	<u>Administration Fee Fund</u> .....	\$617
7	<u>Motor Carrier Safety Inspection Fund</u> .....	\$1,823
8	<u>Motor Fuel Tax Fund</u> .....	\$103,497
9	<u>Motor Vehicle License Plate Fund</u> .....	\$5,656
10	<u>Motor Vehicle Theft Prevention and Insurance</u>	
11	<u>Verification Trust Fund</u> .....	\$2,618
12	<u>Nursing Dedicated and Professional Fund</u> .....	\$11,973
13	<u>Off-Highway Vehicle Trails Fund</u> .....	\$1,994
14	<u>Open Space Lands Acquisition and Development Fund</u> ....	\$45,493
15	<u>Optometric Licensing and Disciplinary Board Fund</u> .....	\$1,169
16	<u>Partners For Conservation Fund</u> .....	\$19,950
17	<u>Pawnbroker Regulation Fund</u> .....	\$1,053
18	<u>Personal Property Tax Replacement Fund</u> .....	\$203,036
19	<u>Pesticide Control Fund</u> .....	\$6,845
20	<u>Professional Services Fund</u> .....	\$2,778
21	<u>Professions Indirect Cost Fund</u> .....	\$172,106
22	<u>Public Pension Regulation Fund</u> .....	\$6,919
23	<u>Public Transportation Fund</u> .....	\$77,303
24	<u>Quincy Veterans Home Fund</u> .....	\$91,704
25	<u>Real Estate License Administration Fund</u> .....	\$33,329
26	<u>Registered Certified Public Accountants'</u>	



1	<u>Administration and Disciplinary Fund</u> .....	\$3,617
2	<u>Renewable Energy Resources Trust Fund</u> .....	\$1,591
3	<u>Rental Housing Support Program Fund</u> .....	\$1,539
4	<u>Residential Finance Regulatory Fund</u> .....	\$20,510
5	<u>Road Fund</u> .....	\$399,062
6	<u>Regional Transportation Authority Occupation and</u>	
7	<u>Use Tax Replacement Fund</u> .....	\$5,205
8	<u>Salmon Fund</u> .....	\$655
9	<u>School Infrastructure Fund</u> .....	\$14,015
10	<u>Secretary of State DUI Administration Fund</u> .....	\$1,025
11	<u>Secretary of State Identification Security</u>	
12	<u>and Theft Prevention Fund</u> .....	\$4,502
13	<u>Secretary of State Special License Plate Fund</u> .....	\$1,384
14	<u>Secretary of State Special Services Fund</u> .....	\$8,114
15	<u>Securities Audit and Enforcement Fund</u> .....	\$2,824
16	<u>State Small Business Credit Initiative Fund</u> .....	\$4,331
17	<u>Solid Waste Management Fund</u> .....	\$10,397
18	<u>Special Education Medicaid Matching Fund</u> .....	\$2,924
19	<u>Sports Wagering Fund</u> .....	\$8,572
20	<u>State Police Law Enforcement Administration Fund</u> .....	\$6,822
21	<u>State and Local Sales Tax Reform Fund</u> .....	\$10,355
22	<u>State Asset Forfeiture Fund</u> .....	\$1,740
23	<u>State Aviation Program Fund</u> .....	\$557
24	<u>State Construction Account Fund</u> .....	\$195,722
25	<u>State Crime Laboratory Fund</u> .....	\$7,743
26	<u>State Gaming Fund</u> .....	\$204,660

1	<u>State Garage Revolving Fund</u> .....	\$3,731
2	<u>State Lottery Fund</u> .....	\$129,814
3	<u>State Offender DNA Identification System Fund</u> .....	\$1,405
4	<u>State Pensions Fund</u> .....	\$500,000
5	<u>State Police Firearm Services Fund</u> .....	\$16,122
6	<u>State Police Services Fund</u> .....	\$21,151
7	<u>State Police Vehicle Fund</u> .....	\$3,013
8	<u>State Police Whistleblower Reward</u>	
9	<u>and Protection Fund</u> .....	\$2,452
10	<u>Subtitle D Management Fund</u> .....	\$1,431
11	<u>Supplemental Low-Income Energy Assistance Fund</u> .....	\$68,591
12	<u>Tax Compliance and Administration Fund</u> .....	\$5,259
13	<u>Technology Management Revolving Fund</u> .....	\$244,294
14	<u>Tobacco Settlement Recovery Fund</u> .....	\$4,653
15	<u>Tourism Promotion Fund</u> .....	\$35,322
16	<u>Traffic and Criminal Conviction Surcharge Fund</u> .....	\$136,332
17	<u>Underground Storage Tank Fund</u> .....	\$20,429
18	<u>University of Illinois Hospital Services Fund</u> .....	\$3,664
19	<u>Vehicle Inspection Fund</u> .....	\$11,203
20	<u>Violent Crime Victims Assistance Fund</u> .....	\$14,202
21	<u>Weights and Measures Fund</u> .....	\$6,127
22	<u>Working Capital Revolving Fund</u> .....	\$18,120
23	<del>Agricultural Premium Fund</del> .....	<del>145,477</del>
24	<del>Amusement Ride and Patron Safety Fund</del> .....	<del>10,067</del>
25	<del>Assisted Living and Shared Housing Regulatory Fund</del> .....	<del>2,696</del>
26	<del>Capital Development Board Revolving Fund</del> .....	<del>1,807</del>

1	<del>Care Provider Fund for Persons with a Developmental</del>	
2	<del>Disability .....</del>	<del>15,438</del>
3	<del>CDLIS/AAMVANet/NMVTIS Trust Fund .....</del>	<del>5,148</del>
4	<del>Chicago State University Education Improvement Fund .....</del>	<del>4,748</del>
5	<del>Child Labor and Day and Temporary Labor Services</del>	
6	<del>Enforcement Fund .....</del>	<del>18,662</del>
7	<del>Child Support Administrative Fund .....</del>	<del>5,832</del>
8	<del>Clean Air Act Permit Fund .....</del>	<del>1,410</del>
9	<del>Common School Fund .....</del>	<del>259,307</del>
10	<del>Community Mental Health Medicaid Trust Fund .....</del>	<del>23,472</del>
11	<del>Death Certificate Surcharge Fund .....</del>	<del>4,161</del>
12	<del>Death Penalty Abolition Fund .....</del>	<del>4,095</del>
13	<del>Department of Business Services Special Operations Fund</del>	<del>12,790</del>
14	<del>Department of Human Services Community Services Fund ..</del>	<del>8,744</del>
15	<del>Downstate Public Transportation Fund .....</del>	<del>12,100</del>
16	<del>Dram Shop Fund .....</del>	<del>155,250</del>
17	<del>Driver Services Administration Fund .....</del>	<del>1,920</del>
18	<del>Drug Rebate Fund .....</del>	<del>39,351</del>
19	<del>Drug Treatment Fund .....</del>	<del>896</del>
20	<del>Education Assistance Fund .....</del>	<del>1,818,170</del>
21	<del>Emergency Public Health Fund .....</del>	<del>7,450</del>
22	<del>Employee Classification Fund .....</del>	<del>1,518</del>
23	<del>EMS Assistance Fund .....</del>	<del>1,286</del>
24	<del>Environmental Protection Permit and Inspection Fund .....</del>	<del>671</del>
25	<del>Estate Tax Refund Fund .....</del>	<del>2,150</del>
26	<del>Facilities Management Revolving Fund .....</del>	<del>33,930</del>

1	<del>Facility Licensing Fund</del> .....	3,894
2	<del>Fair and Exposition Fund</del> .....	5,904
3	<del>Federal Financing Cost Reimbursement Fund</del> .....	1,579
4	<del>Federal High Speed Rail Trust Fund</del> .....	517
5	<del>Feed Control Fund</del> .....	9,601
6	<del>Fertilizer Control Fund</del> .....	8,941
7	<del>Fire Prevention Fund</del> .....	4,456
8	<del>Fund for the Advancement of Education</del> .....	17,988
9	<del>General Revenue Fund</del> .....	17,653,153
10	<del>General Professions Dedicated Fund</del> .....	3,567
11	<del>Governor's Administrative Fund</del> .....	4,052
12	<del>Governor's Grant Fund</del> .....	16,687
13	<del>Grade Crossing Protection Fund</del> .....	629
14	<del>Grant Accountability and Transparency Fund</del> .....	910
15	<del>Hazardous Waste Fund</del> .....	849
16	<del>Hazardous Waste Research Fund</del> .....	528
17	<del>Health and Human Services Medicaid Trust Fund</del> .....	10,635
18	<del>Health Facility Plan Review Fund</del> .....	3,190
19	<del>Healthcare Provider Relief Fund</del> .....	360,142
20	<del>Healthy Smiles Fund</del> .....	745
21	<del>Home Care Services Agency Licensure Fund</del> .....	2,824
22	<del>Hospital Licensure Fund</del> .....	1,313
23	<del>Hospital Provider Fund</del> .....	128,466
24	<del>ICJIA Violence Prevention Fund</del> .....	742
25	<del>Illinois Affordable Housing Trust Fund</del> .....	7,829
26	<del>Illinois Clean Water Fund</del> .....	1,915

1	<del>IMSA Income Fund</del> .....	12,557
2	<del>Illinois Health Facilities Planning Fund</del> .....	2,704
3	<del>Illinois Power Agency Operations Fund</del> .....	36,874
4	<del>Illinois School Asbestos Abatement Fund</del> .....	1,556
5	<del>Illinois State Fair Fund</del> .....	41,374
6	<del>Illinois Veterans' Rehabilitation Fund</del> .....	1,008
7	<del>Illinois Workers' Compensation Commission Operations</del>	
8	<del>Fund</del> .....	189,581
9	<del>Income Tax Refund Fund</del> .....	53,295
10	<del>Lead Poisoning Screening, Prevention, and Abatement</del>	
11	<del>Fund</del> .....	14,747
12	<del>Live and Learn Fund</del> .....	23,420
13	<del>Lobbyist Registration Administration Fund</del> .....	1,178
14	<del>Local Government Distributive Fund</del> .....	36,680
15	<del>Long Term Care Monitor/Receiver Fund</del> .....	40,812
16	<del>Long Term Care Provider Fund</del> .....	18,266
17	<del>Mandatory Arbitration Fund</del> .....	1,618
18	<del>Medical Interagency Program Fund</del> .....	890
19	<del>Mental Health Fund</del> .....	10,924
20	<del>Metabolic Screening and Treatment Fund</del> .....	35,159
21	<del>Monitoring Device Driving Permit Administration Fee Fund</del>	2,355
22	<del>Motor Fuel Tax Fund</del> .....	36,804
23	<del>Motor Vehicle License Plate Fund</del> .....	13,274
24	<del>Motor Vehicle Theft Prevention and Insurance Verification</del>	
25	<del>Trust Fund</del> .....	8,773
26	<del>Multiple Sclerosis Research Fund</del> .....	670

1	<del>Nuclear Safety Emergency Preparedness Fund .....</del>	<del>17,663</del>
2	<del>Nursing Dedicated and Professional Fund .....</del>	<del>2,667</del>
3	<del>Open Space Lands Acquisition and Development Fund .....</del>	<del>1,463</del>
4	<del>Partners for Conservation Fund .....</del>	<del>75,235</del>
5	<del>Personal Property Tax Replacement Fund .....</del>	<del>85,166</del>
6	<del>Pesticide Control Fund .....</del>	<del>44,745</del>
7	<del>Plumbing Licensure and Program Fund .....</del>	<del>5,297</del>
8	<del>Professional Services Fund .....</del>	<del>6,549</del>
9	<del>Public Health Laboratory Services Revolving Fund .....</del>	<del>9,044</del>
10	<del>Public Transportation Fund .....</del>	<del>47,744</del>
11	<del>Radiation Protection Fund .....</del>	<del>6,575</del>
12	<del>Renewable Energy Resources Trust Fund .....</del>	<del>8,169</del>
13	<del>Road Fund .....</del>	<del>284,307</del>
14	<del>Regional Transportation Authority Occupation and Use Tax</del>	
15	<del>Replacement Fund .....</del>	<del>1,278</del>
16	<del>School Infrastructure Fund .....</del>	<del>8,938</del>
17	<del>Secretary of State DUI Administration Fund .....</del>	<del>2,044</del>
18	<del>Secretary of State Identification Security and Theft</del>	
19	<del>Prevention Fund .....</del>	<del>15,122</del>
20	<del>Secretary of State Police Services Fund .....</del>	<del>815</del>
21	<del>Secretary of State Special License Plate Fund .....</del>	<del>4,441</del>
22	<del>Secretary of State Special Services Fund .....</del>	<del>21,797</del>
23	<del>Securities Audit and Enforcement Fund .....</del>	<del>8,480</del>
24	<del>Solid Waste Management Fund .....</del>	<del>1,427</del>
25	<del>Special Education Medicaid Matching Fund .....</del>	<del>5,854</del>
26	<del>State and Local Sales Tax Reform Fund .....</del>	<del>2,742</del>

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

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

21           These provisions do not apply to funds classified by the  
22           Comptroller as federal trust funds or State trust funds. The  
23           Audit Expense Fund may receive transfers from those trust  
24           funds only as directed herein, except where prohibited by the  
25           terms of the trust fund agreement. The Auditor General shall  
26           notify the trustees of those funds of the estimated cost of the

1 audit to be incurred under the Illinois State Auditing Act for  
2 the fund. The trustees of those funds shall direct the State  
3 Comptroller and Treasurer to transfer the estimated amount to  
4 the Audit Expense Fund.

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

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

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

26 Beginning with fiscal year 1994 and during each fiscal



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

14 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;  
15 102-16, eff. 6-17-21.)

16 (30 ILCS 105/6z-30)

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

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

21 (1) (Blank). ~~As soon as possible after the beginning~~  
22 ~~of fiscal year 2010, and in no event later than July 30,~~  
23 ~~the State Comptroller and the State Treasurer shall~~  
24 ~~automatically transfer \$30,000,000 from the General~~  
25 ~~Revenue Fund to the University of Illinois Hospital~~

1 ~~Services Fund.~~

2 (1.5) (Blank). ~~Starting in fiscal year 2011, and~~  
3 ~~continuing through fiscal year 2017, as soon as possible~~  
4 ~~after the beginning of each fiscal year, and in no event~~  
5 ~~later than July 30, the State Comptroller and the State~~  
6 ~~Treasurer shall automatically transfer \$45,000,000 from~~  
7 ~~the General Revenue Fund to the University of Illinois~~  
8 ~~Hospital Services Fund; except that, in fiscal year 2012~~  
9 ~~only, the State Comptroller and the State Treasurer shall~~  
10 ~~transfer \$90,000,000 from the General Revenue Fund to the~~  
11 ~~University of Illinois Hospital Services Fund under this~~  
12 ~~paragraph, and, in fiscal year 2013 only, the State~~  
13 ~~Comptroller and the State Treasurer shall transfer no~~  
14 ~~amounts from the General Revenue Fund to the University of~~  
15 ~~Illinois Hospital Services Fund under this paragraph.~~

16 (1.7) (Blank). ~~Starting in fiscal year 2018, at the~~  
17 ~~direction of and upon notification from the Director of~~  
18 ~~Healthcare and Family Services, the State Comptroller~~  
19 ~~shall direct and the State Treasurer shall transfer an~~  
20 ~~amount of at least \$20,000,000 but not exceeding a total~~  
21 ~~of \$45,000,000 from the General Revenue Fund to the~~  
22 ~~University of Illinois Hospital Services Fund in each~~  
23 ~~fiscal year.~~

24 (1.8) Starting in fiscal year 2022, at the direction  
25 of and upon notification from the Director of Healthcare  
26 and Family Services, the State Comptroller shall direct

1       and the State Treasurer shall transfer an amount of at  
2       least \$20,000,000 but not exceeding a total of \$55,000,000  
3       from the General Revenue Fund to the University of  
4       Illinois Hospital Services Fund in each fiscal year.

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

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

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

17          (b) Moneys in the fund may be used by the Department of  
18       Healthcare and Family Services, subject to appropriation and  
19       to an interagency agreement between that Department and the  
20       Board of Trustees of the University of Illinois, to reimburse  
21       the University of Illinois Hospital for hospital and pharmacy  
22       services, to reimburse practitioners who are employed by the  
23       University of Illinois, to reimburse other health care  
24       facilities and health plans operated by the University of  
25       Illinois, and to pass through to the University of Illinois  
26       federal financial participation earned by the State as a

1 result of expenditures made by the University of Illinois.

2 (c) (Blank).

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

4 (30 ILCS 105/6z-32)

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

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

22 (1) To foster sustainable agriculture practices and  
23 control soil erosion, sedimentation, and nutrient loss  
24 from farmland, including grants to Soil and Water  
25 Conservation Districts for conservation practice

1 cost-share grants and for personnel, educational, and  
2 administrative expenses.

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

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

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

19 (5) To partner with private landowners and with units  
20 of State, federal, and local government and with  
21 not-for-profit organizations in order to integrate State  
22 and federal programs with Illinois' natural resource  
23 protection and restoration efforts and to meet  
24 requirements to obtain federal and other funds for  
25 conservation or protection of natural resources.

26 (6) To implement the State's Nutrient Loss Reduction

1 Strategy, including, but not limited to, funding the  
 2 resources needed to support the Strategy's Policy Working  
 3 Group, cover water quality monitoring in support of  
 4 Strategy implementation, prepare a biennial report on the  
 5 progress made on the Strategy every 2 years, and provide  
 6 cost share funding for nutrient capture projects.

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

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

21 Fiscal Year	Amount
22 1996	\$ 3,500,000
23 1997	\$ 9,000,000
24 1998	\$10,000,000
25 1999	\$11,000,000
26 2000	\$12,500,000

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

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

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

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

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

2 (30 ILCS 105/6z-51)

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

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

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

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

23 (d) For Fiscal Years ~~Year~~ 2020 through 2022 ~~, and beyond,~~  
24 any transfers into the Fund pursuant to the Cannabis  
25 Regulation and Tax Act may be transferred to the General



1 Revenue Fund in order for the Comptroller to address  
2 outstanding vouchers and shall not be subject to repayment  
3 back into the Budget Stabilization Fund.

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

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

10 (30 ILCS 105/6z-70)

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

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

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

23 (c) (Blank).

24 (d) (Blank).

25 (e) (Blank).

1 (f) (Blank).

2 (g) (Blank).

3 (h) (Blank).

4 (i) (Blank).

5 (j) (Blank).

6 (k) (Blank).

7 (l) (Blank).

8 (m) (Blank). ~~Notwithstanding any other provision of State~~  
9 ~~law to the contrary, on or after July 1, 2020, and until June~~  
10 ~~30, 2021, in addition to any other transfers that may be~~  
11 ~~provided for by law, at the direction of and upon notification~~  
12 ~~of the Secretary of State, the State Comptroller shall direct~~  
13 ~~and the State Treasurer shall transfer amounts into the~~  
14 ~~Secretary of State Identification Security and Theft~~  
15 ~~Prevention Fund from the designated funds not exceeding the~~  
16 ~~following totals:~~

17 ~~Division of Corporations Registered Limited~~

18 ~~Liability Partnership Fund ..... \$287,000~~

19 ~~Securities Investors Education Fund..... \$1,500,000~~

20 ~~Department of Business Services Special~~

21 ~~Operations Fund..... \$4,500,000~~

22 ~~Securities Audit and Enforcement Fund ..... \$5,000,000~~

23 ~~Corporate Franchise Tax Refund Fund ..... \$3,000,000~~

24 (n) Notwithstanding any other provision of State law to  
25 the contrary, on or after July 1, 2021, and until June 30,  
26 2022, in addition to any other transfers that may be provided

1 for by law, at the direction of and upon notification of the  
2 Secretary of State, the State Comptroller shall direct and the  
3 State Treasurer shall transfer amounts into the Secretary of  
4 State Identification Security and Theft Prevention Fund from  
5 the designated funds not exceeding the following totals:

6 Division of Corporations Registered Limited

7 Liability Partnership Fund ..... \$287,000

8 Securities Investors Education Fund..... \$1,500,000

9 Department of Business Services Special

10 Operations Fund..... \$4,500,000

11 Securities Audit and Enforcement Fund..... \$5,000,000

12 Corporate Franchise Tax Refund Fund..... \$3,000,000

13 (o) Notwithstanding any other provision of State law to  
14 the contrary, on or after July 1, 2022, and until June 30,  
15 2023, in addition to any other transfers that may be provided  
16 for by law, at the direction of and upon notification of the  
17 Secretary of State, the State Comptroller shall direct and the  
18 State Treasurer shall transfer amounts into the Secretary of  
19 State Identification Security and Theft Prevention Fund from  
20 the designated funds not exceeding the following totals:

21 Division of Corporations Registered Limited

22 Liability Partnership Fund ..... \$400,000

23 Department of Business Services Special

24 Operations Fund..... \$5,500,000

25 Securities Audit and Enforcement Fund..... \$4,000,000

26 Corporate Franchise Tax Refund Fund..... \$4,000,000

1 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;  
2 102-16, eff. 6-17-21.)

3 (30 ILCS 105/6z-77)

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

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

1 (30 ILCS 105/6z-81)

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

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

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

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

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

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

22 (4) For making necessary transfers to other State  
23 funds to deposit Home and Community-Based Services federal  
24 matching revenue received as a result of the enhancement  
25 to the federal medical assistance percentage authorized by  
26 Section 9817 of the federal American Rescue Plan Act of

1       2021.

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

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

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

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

14          (3.5) Proceeds from the assessment authorized under  
15 Article V-H of the Illinois Public Aid Code.

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

18          (5) All federal matching funds received by the  
19 Illinois Department of Healthcare and Family Services as a  
20 result of expenditures made by the Department for Medical  
21 Assistance from the General Revenue Fund, the Tobacco  
22 Settlement Recovery Fund, the Long-Term Care Provider  
23 Fund, and the Drug Rebate Fund related to individuals  
24 eligible for medical assistance pursuant to the Patient  
25 Protection and Affordable Care Act (P.L. 111-148) and  
26 Section 5-2 of the Illinois Public Aid Code.

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

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

12           (f) Notwithstanding any other State law to the contrary,  
13 and in addition to any other transfers that may be provided for  
14 by law, the State Comptroller shall order transferred and the  
15 State Treasurer shall transfer \$500,000,000 to the Healthcare  
16 Provider Relief Fund from the General Revenue Fund in equal  
17 monthly installments of \$100,000,000, with the first transfer  
18 to be made on July 1, 2012, or as soon thereafter as practical,  
19 and with each of the remaining transfers to be made on August  
20 1, 2012, September 1, 2012, October 1, 2012, and November 1,  
21 2012, or as soon thereafter as practical. This transfer may  
22 assist the Department of Healthcare and Family Services in  
23 improving Medical Assistance bill processing timeframes or in  
24 meeting the possible requirements of Senate Bill 3397, or  
25 other similar legislation, of the 97th General Assembly should  
26 it become law.

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

7 (Source: P.A. 100-587, eff. 6-4-18; 101-9, eff. 6-5-19;  
8 101-650, eff. 7-7-20.)

9 (30 ILCS 105/6z-100)

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

11 Sec. 6z-100. Capital Development Board Revolving Fund;  
12 payments into and use. All monies received by the Capital  
13 Development Board for publications or copies issued by the  
14 Board, and all monies received for contract administration  
15 fees, charges, or reimbursements owing to the Board shall be  
16 deposited into a special fund known as the Capital Development  
17 Board Revolving Fund, which is hereby created in the State  
18 treasury. The monies in this Fund shall be used by the Capital  
19 Development Board, as appropriated, for expenditures for  
20 personal services, retirement, social security, contractual  
21 services, legal services, travel, commodities, printing,  
22 equipment, electronic data processing, or telecommunications.  
23 For fiscal year 2021 and thereafter, the monies in this Fund  
24 may also be appropriated to and used by the Executive Ethics  
25 Commission for oversight and administration of the Chief



1 Procurement Officer appointed under paragraph (1) of  
2 subsection (a) of Section 10-20 of the Illinois Procurement  
3 Code. Unexpended moneys in the Fund shall not be transferred  
4 or allocated by the Comptroller or Treasurer to any other  
5 fund, nor shall the Governor authorize the transfer or  
6 allocation of those moneys to any other fund. This Section is  
7 repealed July 1, 2023 ~~2022~~.

8 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;  
9 101-645, eff. 6-26-20; 102-16, eff. 6-17-21.)

10 (30 ILCS 105/6z-121)

11 Sec. 6z-121. State Coronavirus Urgent Remediation  
12 Emergency Fund.

13 (a) The State Coronavirus Urgent Remediation Emergency  
14 (State CURE) Fund is created as a federal trust fund within the  
15 State treasury. The State CURE Fund shall be held separate and  
16 apart from all other funds in the State treasury. The State  
17 CURE Fund is established: (1) to receive, directly or  
18 indirectly, federal funds from the Coronavirus Relief Fund in  
19 accordance with Section 5001 of the federal Coronavirus Aid,  
20 Relief, and Economic Security (CARES) Act, the Coronavirus  
21 State Fiscal Recovery Fund in accordance with Section 9901 of  
22 the American Rescue Plan Act of 2021, or from any other federal  
23 fund pursuant to any other provision of the American Rescue  
24 Plan Act of 2021 or any other federal law; and (2) to provide  
25 for the transfer, distribution and expenditure of such federal

1 funds as permitted in the federal Coronavirus Aid, Relief, and  
2 Economic Security (CARES) Act, the American Rescue Plan Act of  
3 2021, and related federal guidance or any other federal law,  
4 and as authorized by this Section.

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

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

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

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

24 (e) The Illinois Emergency Management Agency, in  
25 coordination with the Governor's Office of Management and  
26 Budget, shall identify amounts derived from the State's

1 Coronavirus Relief Fund allocation and transferred from the  
2 State CURE Fund as directed by the Governor under this Section  
3 that remain unobligated and unexpended for the period that  
4 ended on December 31, 2021. The Agency shall certify to the  
5 State Comptroller and the State Treasurer the amounts  
6 identified as unobligated and unexpended. The State  
7 Comptroller shall direct and the State Treasurer shall  
8 transfer the unobligated and unexpended funds identified by  
9 the Agency and held in other funds of the State Treasury under  
10 this Section to the State CURE Fund. Unexpended funds in the  
11 State CURE Fund shall be paid back to the federal government at  
12 the direction of the Governor.

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

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

23 (h) In addition to any other transfers that may be  
24 provided for by law, at the direction of the Governor, the  
25 State Comptroller shall direct and the State Treasurer shall  
26 transfer the sum of \$45,180,000 from the State CURE Fund to the

1 Local Tourism Fund.

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

3 (30 ILCS 105/6z-130 new)

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

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

14 (1) appropriations by the General Assembly;

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

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

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

20 (b) Moneys in the Fund:

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

24 (2) are not subject to transfer to any other Fund or to  
25 transfer, assignment, or reassignment for any other use or

1 purpose outside of those specified in this Section.

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

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

10 (30 ILCS 105/6z-131 new)

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

1 (30 ILCS 105/6z-132 new)

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

15 (30 ILCS 105/6z-133 new)

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

17 (a) As used in this Section:

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

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

24 (3) "Opioid-related settlement" means current or  
25 future settlements reached by the Attorney General,



1 including judgments entered that are subject to the  
2 Illinois Opioid Allocation Agreement, effective December  
3 30, 2021.

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

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

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

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

23 (f) In addition to proceeds directed by the Attorney  
24 General into the Illinois Opioid Remediation State Trust Fund,  
25 the Attorney General may, at his or her discretion, direct  
26 additional funds received from any opioid-related settlement

1 into the DHS State Projects Fund.

2 (30 ILCS 105/8.3) (from Ch. 127, par. 144.3)

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

11 first -- to pay the cost of administration of Chapters  
12 2 through 10 of the Illinois Vehicle Code, except the cost  
13 of administration of Articles I and II of Chapter 3 of that  
14 Code, and to pay the costs of the Executive Ethics  
15 Commission for oversight and administration of the Chief  
16 Procurement Officer appointed under paragraph (2) of  
17 subsection (a) of Section 10-20 of the Illinois  
18 Procurement Code for transportation; and

19 secondly -- for expenses of the Department of  
20 Transportation for construction, reconstruction,  
21 improvement, repair, maintenance, operation, and  
22 administration of highways in accordance with the  
23 provisions of laws relating thereto, or for any purpose  
24 related or incident to and connected therewith, including  
25 the separation of grades of those highways with railroads

1 and with highways and including the payment of awards made  
2 by the Illinois Workers' Compensation Commission under the  
3 terms of the Workers' Compensation Act or Workers'  
4 Occupational Diseases Act for injury or death of an  
5 employee of the Division of Highways in the Department of  
6 Transportation; or for the acquisition of land and the  
7 erection of buildings for highway purposes, including the  
8 acquisition of highway right-of-way or for investigations  
9 to determine the reasonably anticipated future highway  
10 needs; or for making of surveys, plans, specifications and  
11 estimates for and in the construction and maintenance of  
12 flight strips and of highways necessary to provide access  
13 to military and naval reservations, to defense industries  
14 and defense-industry sites, and to the sources of raw  
15 materials and for replacing existing highways and highway  
16 connections shut off from general public use at military  
17 and naval reservations and defense-industry sites, or for  
18 the purchase of right-of-way, except that the State shall  
19 be reimbursed in full for any expense incurred in building  
20 the flight strips; or for the operating and maintaining of  
21 highway garages; or for patrolling and policing the public  
22 highways and conserving the peace; or for the operating  
23 expenses of the Department relating to the administration  
24 of public transportation programs; ~~or, during fiscal year~~  
25 ~~2021 only, for the purposes of a grant not to exceed~~  
26 ~~\$8,394,800 to the Regional Transportation Authority on~~

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

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

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

- 22 1. Department of Public Health;
- 23 2. Department of Transportation, only with respect to  
24 subsidies for one-half fare Student Transportation and  
25 Reduced Fare for Elderly, ~~except fiscal year 2021 only~~  
26 ~~when no more than \$17,570,000 may be expended and except~~

1 fiscal year 2022 ~~only~~ when no more than \$17,570,000 may be  
2 expended and except fiscal year 2023 when no more than  
3 \$17,570,000 may be expended;

4 3. Department of Central Management Services, except  
5 for expenditures incurred for group insurance premiums of  
6 appropriate personnel;

7 4. Judicial Systems and Agencies.

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

14 1. Illinois State Police, except for expenditures with  
15 respect to the Division of Patrol Operations and Division  
16 of Criminal Investigation;

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

23 Beginning with fiscal year 1982 and thereafter, no Road  
24 Fund monies shall be appropriated to the following Departments  
25 or agencies of State government for administration, grants, or  
26 operations; but this limitation is not a restriction upon

1 appropriating for those purposes any Road Fund monies that are  
2 eligible for federal reimbursement: Department of Central  
3 Management Services, except for awards made by the Illinois  
4 Workers' Compensation Commission under the terms of the  
5 Workers' Compensation Act or Workers' Occupational Diseases  
6 Act for injury or death of an employee of the Division of  
7 Highways in the Department of Transportation.

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

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

17 2. State Officers.

18 Beginning with fiscal year 1984 and thereafter, no Road  
19 Fund monies shall be appropriated to any Department or agency  
20 of State government for administration, grants, or operations  
21 except as provided hereafter; but this limitation is not a  
22 restriction upon appropriating for those purposes any Road  
23 Fund monies that are eligible for federal reimbursement. It  
24 shall not be lawful to circumvent the above appropriation  
25 limitations by governmental reorganization or other methods.  
26 Appropriations shall be made from the Road Fund only in

1 accordance with the provisions of this Section.

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

11 first -- to pay the cost of administration of Chapters  
12 2 through 10 of the Illinois Vehicle Code; and

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

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

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

24 Except as provided in this paragraph, beginning with  
25 fiscal year 1991 and thereafter, no Road Fund monies shall be  
26 appropriated to the Illinois State Police for the purposes of



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

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

24 Beginning with fiscal year 1995 and thereafter, no Road  
25 Fund monies shall be appropriated to the Secretary of State  
26 for the purposes of this Section in excess of the total fiscal

1 year 1994 Road Fund appropriations to the Secretary of State  
2 for those purposes. It shall not be lawful to circumvent this  
3 limitation on appropriations by governmental reorganization or  
4 other methods.

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

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

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

21 Beginning in fiscal year 2011, moneys in the Road Fund  
22 shall be appropriated to the Secretary of State for the  
23 exclusive purpose of paying refunds due to overpayment of fees  
24 related to Chapter 3 of the Illinois Vehicle Code unless  
25 otherwise provided for by law.

26 It shall not be lawful to circumvent this limitation on

1 appropriations by governmental reorganization or other  
2 methods.

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

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

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

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

25 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;  
26 102-16, eff. 6-17-21; 102-538, eff. 8-20-21; revised

1 10-15-21.)

2 (30 ILCS 105/8.6) (from Ch. 127, par. 144.6)

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

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

24 (30 ILCS 105/8.12) (from Ch. 127, par. 144.12)

1           Sec. 8.12. State Pensions Fund.

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

21           "Designated retirement systems" means:

22           (1) the State Employees' Retirement System of  
23 Illinois;

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

26           (3) the State Universities Retirement System;

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

2 (5) the General Assembly Retirement System.

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

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

22 (c-5) For fiscal years 2006 through 2023 ~~2022~~, the General  
23 Assembly shall appropriate from the State Pensions Fund to the  
24 State Universities Retirement System the amount estimated to  
25 be available during the fiscal year in the State Pensions  
26 Fund; provided, however, that the amounts appropriated under

1 this subsection (c-5) shall not reduce the amount in the State  
2 Pensions Fund below \$5,000,000.

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

21 (d) The Governor's Office of Management and Budget shall  
22 determine the individual and total reserve deficiencies of the  
23 designated retirement systems. For this purpose, the  
24 Governor's Office of Management and Budget shall utilize the  
25 latest available audit and actuarial reports of each of the  
26 retirement systems and the relevant reports and statistics of

1 the Public Employee Pension Fund Division of the Department of  
2 Insurance.

3 (d-1) (Blank).

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

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

9 (30 ILCS 105/8g-1)

10 Sec. 8g-1. Fund transfers.

11 (a) (Blank).

12 (b) (Blank).

13 (c) (Blank).

14 (d) (Blank).

15 (e) (Blank).

16 (f) (Blank).

17 (g) (Blank).

18 (h) (Blank).

19 (i) (Blank).

20 (j) (Blank).

21 (k) (Blank).

22 (l) (Blank).

23 (m) (Blank).

24 (n) (Blank).

25 (o) (Blank).



1 (p) (Blank).

2 (q) (Blank).

3 (r) (Blank).

4 (s) (Blank).

5 (t) (Blank).

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

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

22 (w) In addition to any other transfers that may be  
23 provided for by law, on July 1, 2021, 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 Grant Accountability and Transparency

1 Fund.

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

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

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

22 (aa) In addition to any other transfers that may be  
23 provided for by law, on the effective date of this amendatory  
24 Act of the 102nd General Assembly, or as soon thereafter as  
25 practical, but no later than June 30, 2022, the State  
26 Comptroller shall direct and the State Treasurer shall

1 transfer the sum of \$180,000,000 from the General Revenue Fund  
2 to the Rebuild Illinois Projects Fund.

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

8 (cc) 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 \$500,000 from the General  
12 Revenue Fund to the Grant Accountability and Transparency  
13 Fund.

14 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;  
15 102-16, eff. 6-17-21.)

16 (30 ILCS 105/13.2) (from Ch. 127, par. 149.2)

17 Sec. 13.2. Transfers among line item appropriations.

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

24 (a-1) No transfers may be made from one agency to another  
25 agency, nor may transfers be made from one institution of

1 higher education to another institution of higher education  
2 except as provided by subsection (a-4).

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

12 (a-2.5) (Blank).

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

22 (a-4) Long-Term Care Rebalancing. The Governor may  
23 designate amounts set aside for institutional services  
24 appropriated from the General Revenue Fund or any other State  
25 fund that receives monies for long-term care services to be  
26 transferred to all State agencies responsible for the

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

21 (b) In addition to the general transfer authority provided  
22 under subsection (c), the following agencies have the specific  
23 transfer authority granted in this subsection:

24 The Department of Healthcare and Family Services is  
25 authorized to make transfers representing savings attributable  
26 to not increasing grants due to the births of additional

1 children from line items for payments of cash grants to line  
2 items for payments for employment and social services for the  
3 purposes outlined in subsection (f) of Section 4-2 of the  
4 Illinois Public Aid Code.

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

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

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

1 appropriation was made.

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

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

24 The Department of Central Management Services is  
25 authorized to make transfers not exceeding 2% of the aggregate  
26 amount appropriated to it, within the same treasury fund, from

1 the various line items appropriated to the Department, into  
2 the following line item appropriations: auto liability claims  
3 and related expenses and payment of claims under the State  
4 Employee Indemnification Act.

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



1 of such claims.

2 (c-1) (Blank).

3 (c-2) (Blank).

4 (c-3) (Blank).

5 (c-4) (Blank).

6 (c-5) (Blank).

7 (c-6) (Blank).

8 (c-7) (Blank). ~~Special provisions for State fiscal year~~  
9 ~~2021. Notwithstanding any other provision of this Section, for~~  
10 ~~State fiscal year 2021, transfers among line item~~  
11 ~~appropriations to a State agency from the same State treasury~~  
12 ~~fund may be made for operational or lump sum expenses only,~~  
13 ~~provided that the sum of such transfers for a State agency in~~  
14 ~~State fiscal year 2021 shall not exceed 8% of the aggregate~~  
15 ~~amount appropriated to that State agency for operational or~~  
16 ~~lump sum expenses for State fiscal year 2021. For the purpose~~  
17 ~~of this subsection, "operational or lump sum expenses"~~  
18 ~~includes the following objects: personal services; extra help;~~  
19 ~~student and inmate compensation; State contributions to~~  
20 ~~retirement systems; State contributions to social security;~~  
21 ~~State contributions for employee group insurance; contractual~~  
22 ~~services; travel; commodities; printing; equipment; electronic~~  
23 ~~data processing; operation of automotive equipment;~~  
24 ~~telecommunications services; travel and allowance for~~  
25 ~~committed, paroled, and discharged prisoners; library books;~~  
26 ~~federal matching grants for student loans; refunds; workers'~~

1 ~~compensation, occupational disease, and tort claims; Late~~  
2 ~~Interest Penalties under the State Prompt Payment Act and~~  
3 ~~Sections 368a and 370a of the Illinois Insurance Code; lump~~  
4 ~~sum and other purposes; and lump sum operations. For the~~  
5 ~~purpose of this subsection, "State agency" does not include~~  
6 ~~the Attorney General, the Secretary of State, the Comptroller,~~  
7 ~~the Treasurer, or the judicial or legislative branches.~~

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

1 occupational disease, and tort claims; Late Interest Penalties  
2 under the State Prompt Payment Act and Sections 368a and 370a  
3 of the Illinois Insurance Code; lump sum and other purposes;  
4 and lump sum operations. For the purpose of this subsection,  
5 "State agency" does not include the Attorney General, the  
6 Secretary of State, the Comptroller, the Treasurer, or the  
7 judicial or legislative branches.

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

1 occupational disease, and tort claims; late interest penalties  
2 under the State Prompt Payment Act and Sections 368a and 370a  
3 of the Illinois Insurance Code; lump sum and other purposes;  
4 and lump sum operations. For the purpose of this subsection,  
5 "State agency" does not include the Attorney General, the  
6 Secretary of State, the Comptroller, the Treasurer, or the  
7 judicial or legislative branches.

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

22 The officer responsible for approval shall certify that  
23 the transfer is necessary to carry out the programs and  
24 purposes for which the appropriations were made by the General  
25 Assembly and shall transmit to the State Comptroller a  
26 certified copy of the approval which shall set forth the

1 specific amounts transferred so that the Comptroller may  
2 change his records accordingly. The Comptroller shall furnish  
3 the Governor with information copies of all transfers approved  
4 for agencies of the Legislative and Judicial departments and  
5 transfers approved by the constitutionally elected officials  
6 of the Executive branch other than the Governor, showing the  
7 amounts transferred and indicating the dates such changes were  
8 entered on the Comptroller's records.

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

20 (1) Disabled Student Personnel Reimbursement (Section  
21 14-13.01 of the School Code);

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

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

26 (4) Extraordinary Special Education (Section 14-7.02b

1 of the School Code);

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

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

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

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

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

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

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

21 (30 ILCS 105/24.2) (from Ch. 127, par. 160.2)

22 Sec. 24.2. The item "operation of automotive equipment",  
23 when used in an appropriation act, means and includes all  
24 expenditures incurred in the operation, maintenance and repair  
25 of automotive equipment, including expenditures for motor

1 fuel, tires, oil, electric vehicle batteries, electric vehicle  
2 components, electric vehicle diagnostic tools, repair parts,  
3 and other articles which, except for the operation of this  
4 Section ~~section~~, would be classified as "commodities" or  
5 "contractual services", but not including expenditures for the  
6 purchase or rental of equipment.

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

8 (30 ILCS 105/25) (from Ch. 127, par. 161)

9 Sec. 25. Fiscal year limitations.

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

16 (b) Outstanding liabilities as of June 30, payable from  
17 appropriations which have otherwise expired, may be paid out  
18 of the expiring appropriations during the 2-month period  
19 ending at the close of business on August 31. Any service  
20 involving professional or artistic skills or any personal  
21 services by an employee whose compensation is subject to  
22 income tax withholding must be performed as of June 30 of the  
23 fiscal year in order to be considered an "outstanding  
24 liability as of June 30" that is thereby eligible for payment  
25 out of the expiring appropriation.

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

16           (b-2) (Blank).

17           (b-2.5) (Blank).

18           (b-2.6) (Blank).

19           (b-2.6a) (Blank).

20           (b-2.6b) (Blank).

21           (b-2.6c) (Blank).

22           (b-2.6d) All outstanding liabilities as of June 30, 2020,  
23 payable from appropriations that would otherwise expire at the  
24 conclusion of the lapse period for fiscal year 2020, and  
25 interest penalties payable on those liabilities under the  
26 State Prompt Payment Act, may be paid out of the expiring



1 appropriations until December 31, 2020, without regard to the  
2 fiscal year in which the payment is made, as long as vouchers  
3 for the liabilities are received by the Comptroller no later  
4 than September 30, 2020.

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

12 (b-2.7) For fiscal years 2012, 2013, 2014, 2018, 2019,  
13 2020, 2021, ~~and~~ and 2022, and 2023, interest penalties payable  
14 under the State Prompt Payment Act associated with a voucher  
15 for which payment is issued after June 30 may be paid out of  
16 the next fiscal year's appropriation. The future year  
17 appropriation must be for the same purpose and from the same  
18 fund as the original payment. An interest penalty voucher  
19 submitted against a future year appropriation must be  
20 submitted within 60 days after the issuance of the associated  
21 voucher, except that, for fiscal year 2018 only, an interest  
22 penalty voucher submitted against a future year appropriation  
23 must be submitted within 60 days of June 5, 2019 (the effective  
24 date of Public Act 101-10). The Comptroller must issue the  
25 interest payment within 60 days after acceptance of the  
26 interest voucher.

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

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

1 appropriation during the 4-month period ending at the close of  
2 business on October 31.

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

18 (b-6) (Blank).

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

24 (b-8) Reimbursements to eligible airport sponsors for the  
25 construction or upgrading of Automated Weather Observation  
26 Systems may be made by the Department of Transportation from

1 appropriations for those purposes for any fiscal year, without  
2 regard to the fact that the qualification or obligation may  
3 have occurred in a prior fiscal year, provided that at the time  
4 the expenditure was made the project had been approved by the  
5 Department of Transportation prior to June 1, 2012 and, as a  
6 result of recent changes in federal funding formulas, can no  
7 longer receive federal reimbursement.

8 (b-9) (Blank).

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

1 Infants and Children Nutrition Program payable from  
2 appropriations that have otherwise expired may be paid out of  
3 the expiring appropriations during the 4-month period ending  
4 at the close of business on October 31.

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

18 (e) The Department of Healthcare and Family Services, the  
19 Department of Human Services (acting as successor to the  
20 Department of Public Aid), and the Department of Human  
21 Services making fee-for-service payments relating to substance  
22 abuse treatment services provided during a previous fiscal  
23 year shall each annually submit to the State Comptroller,  
24 Senate President, Senate Minority Leader, Speaker of the  
25 House, House Minority Leader, the respective Chairmen and  
26 Minority Spokesmen of the Appropriations Committees of the

1 Senate and the House, on or before November 30, a report that  
2 shall document by program or service category those  
3 expenditures from the most recently completed fiscal year used  
4 to pay for (i) services provided in prior fiscal years and (ii)  
5 services for which claims were received in prior fiscal years.

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

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

21 (1) Explanations of the exact causes of the variance  
22 between the previous year's estimated and actual  
23 liabilities.

24 (2) Factors affecting the Department of Healthcare and  
25 Family Services' liabilities, including, but not limited  
26 to, numbers of aid recipients, levels of medical service

1 utilization by aid recipients, and inflation in the cost  
2 of medical services.

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

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

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

13 (1) billing user agencies in advance for payments or  
14 authorized inter-fund transfers based on estimated charges  
15 for goods or services;

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

22 (3) issuing catch-up billings to user agencies during  
23 the subsequent fiscal year for amounts remaining due when  
24 payments or authorized inter-fund transfers received from  
25 the user agency during the prior fiscal year were less  
26 than the total amount owed for that period.

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

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

20 (j) Notwithstanding any other provision of this Act, the  
21 aggregate amount of payments to be made without regard for  
22 fiscal year limitations as contained in subsections (b-1),  
23 (b-3), (b-4), (b-5), and (c) of this Section, and determined  
24 by using Generally Accepted Accounting Principles, shall not  
25 exceed the following amounts:

26 (1) \$6,000,000,000 for outstanding liabilities related



1 to fiscal year 2012;

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

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

6 (4) \$4,000,000,000 for outstanding liabilities related  
7 to fiscal year 2015;

8 (5) \$3,300,000,000 for outstanding liabilities related  
9 to fiscal year 2016;

10 (6) \$2,600,000,000 for outstanding liabilities related  
11 to fiscal year 2017;

12 (7) \$2,000,000,000 for outstanding liabilities related  
13 to fiscal year 2018;

14 (8) \$1,300,000,000 for outstanding liabilities related  
15 to fiscal year 2019;

16 (9) \$600,000,000 for outstanding liabilities related  
17 to fiscal year 2020; and

18 (10) \$0 for outstanding liabilities related to fiscal  
19 year 2021 and fiscal years thereafter.

20 (k) Department of Healthcare and Family Services Medical  
21 Assistance Payments.

22 (1) Definition of Medical Assistance.

23 For purposes of this subsection, the term "Medical  
24 Assistance" shall include, but not necessarily be  
25 limited to, medical programs and services authorized  
26 under Titles XIX and XXI of the Social Security Act,

1 the Illinois Public Aid Code, the Children's Health  
2 Insurance Program Act, the Covering ALL KIDS Health  
3 Insurance Act, the Long Term Acute Care Hospital  
4 Quality Improvement Transfer Program Act, and medical  
5 care to or on behalf of persons suffering from chronic  
6 renal disease, persons suffering from hemophilia, and  
7 victims of sexual assault.

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

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

22 (B) Bills for Medical Assistance services rendered  
23 in a particular fiscal year, but received and recorded  
24 by the Department of Healthcare and Family Services  
25 after June 30th of that fiscal year, may be paid from  
26 either appropriations for that fiscal year or future

1 fiscal year appropriations for Medical Assistance.  
2 Such payments shall not be subject to the requirements  
3 of subparagraph (A).

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

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

20 (3) Extended lapse period for Department of Healthcare  
21 and Family Services Medical Assistance payments.  
22 Notwithstanding any other State law to the contrary,  
23 outstanding Department of Healthcare and Family Services  
24 Medical Assistance liabilities, as of June 30th, payable  
25 from appropriations which have otherwise expired, may be  
26 paid out of the expiring appropriations during the 4-month

1 period ending at the close of business on October 31st.

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

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

14 (Source: P.A. 101-10, eff. 6-5-19; 101-275, eff. 8-9-19;  
15 101-636, eff. 6-10-20; 102-16, eff. 6-17-21; 102-291, eff.  
16 8-6-21; revised 9-28-21.)

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

19 (30 ILCS 115/12) (from Ch. 85, par. 616)

20 Sec. 12. Personal Property Tax Replacement Fund. There is  
21 hereby created the Personal Property Tax Replacement Fund, a  
22 special fund in the State Treasury into which shall be paid all  
23 revenue realized:

24 (a) all amounts realized from the additional personal

1 property tax replacement income tax imposed by subsections  
2 (c) and (d) of Section 201 of the Illinois Income Tax Act,  
3 except for those amounts deposited into the Income Tax  
4 Refund Fund pursuant to subsection (c) of Section 901 of  
5 the Illinois Income Tax Act; and

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

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

23 The payments of revenue into the Personal Property Tax  
24 Replacement Fund shall be used exclusively for distribution to  
25 taxing districts, regional offices and officials, and local  
26 officials as provided in this Section and in the School Code,

1 payment of the ordinary and contingent expenses of the  
2 Property Tax Appeal Board, payment of the expenses of the  
3 Department of Revenue incurred in administering the collection  
4 and distribution of monies paid into the Personal Property Tax  
5 Replacement Fund and transfers due to refunds to taxpayers for  
6 overpayment of liability for taxes paid into the Personal  
7 Property Tax Replacement Fund.

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

20 As soon as may be after June 26, 1980 (the effective date  
21 of Public Act 81-1255), the Department of Revenue shall  
22 certify to the Treasurer the amount of net replacement revenue  
23 paid into the General Revenue Fund prior to that effective  
24 date from the additional tax imposed by Section 2a.1 of the  
25 Messages Tax Act; Section 2a.1 of the Gas Revenue Tax Act;  
26 Section 2a.1 of the Public Utilities Revenue Act; Section 3 of

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

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

17 Prior to December 31, 1980, as soon as may be after the end  
18 of each quarter beginning with the quarter ending December 31,  
19 1979, and on and after December 31, 1980, as soon as may be  
20 after January 1, March 1, April 1, May 1, July 1, August 1,  
21 October 1 and December 1 of each year, the Department of  
22 Revenue shall allocate to each taxing district as defined in  
23 Section 1-150 of the Property Tax Code, in accordance with the  
24 provisions of paragraph (2) of this Section the portion of the  
25 funds held in the Personal Property Tax Replacement Fund which  
26 is required to be distributed, as provided in paragraph (1),

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

20 Any township which receives an allocation based in whole  
21 or in part upon personal property taxes which it levied  
22 pursuant to Section 6-507 or 6-512 of the Illinois Highway  
23 Code and which was previously required to be paid over to a  
24 municipality shall immediately pay over to that municipality a  
25 proportionate share of the personal property replacement funds  
26 which such township receives.



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

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

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

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

16 The amount available for distribution shall be the  
17 total amount in the fund at such time minus the necessary  
18 administrative and other authorized expenses as limited by  
19 the appropriation and the amount determined by: (a) \$2.8  
20 million for fiscal year 1981; (b) for fiscal year 1982,  
21 .54% of the funds distributed from the fund during the  
22 preceding fiscal year; (c) for fiscal year 1983 through  
23 fiscal year 1988, .54% of the funds distributed from the  
24 fund during the preceding fiscal year less .02% of such  
25 fund for fiscal year 1983 and less .02% of such funds for  
26 each fiscal year thereafter; (d) for fiscal year 1989

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

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

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

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

26 The Personal Property Replacement Ratio of each Cook

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

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

25 Taxing districts located both in Cook County and in one or  
26 more other counties shall receive both a Cook County

1 allocation and a Downstate allocation determined in the same  
2 way as all other taxing districts.

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

10 If two or more taxing districts in existence on July 1,  
11 1979, or a successor or successors thereto shall consolidate  
12 into one taxing district, the Tax Base of such consolidated  
13 taxing district shall be the sum of the Tax Bases of each of  
14 the taxing districts which have consolidated.

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

21 If a portion of the territory of a taxing district is  
22 disconnected and annexed to another taxing district of the  
23 same type, the Tax Base of the taxing district from which  
24 disconnection was made shall be reduced in proportion to the  
25 then current equalized assessed value of the disconnected  
26 territory as compared with the then current equalized assessed

1 value within the entire territory of the taxing district prior  
2 to disconnection, and the amount of such reduction shall be  
3 added to the Tax Base of the taxing district to which  
4 annexation is made.

5 If a community college district is created after July 1,  
6 1979, beginning on January 1, 1996 (the effective date of  
7 Public Act 89-327), its Tax Base shall be 3.5% of the sum of  
8 the personal property tax collected for the 1977 tax year  
9 within the territorial jurisdiction of the district.

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

20 Monies received by any taxing districts from the Personal  
21 Property Tax Replacement Fund shall be first applied toward  
22 payment of the proportionate amount of debt service which was  
23 previously levied and collected from extensions against  
24 personal property on bonds outstanding as of December 31, 1978  
25 and next applied toward payment of the proportionate share of  
26 the pension or retirement obligations of the taxing district

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

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

22 Section 5-47. The Agricultural Fair Act is amended by  
23 changing Sections 5, 6, 10, and 13 as follows:

24 (30 ILCS 120/5) (from Ch. 85, par. 655)



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

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

17 (30 ILCS 120/6) (from Ch. 85, par. 656)

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

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

1 (30 ILCS 120/10) (from Ch. 85, par. 660)

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

13 (b) The Department shall reimburse each eligible county  
14 fair as follows:

15 100% of the first \$2,000 of approved premiums awarded at  
16 each eligible county fair;

17 85% of the next \$2,000;

18 75% of the next \$3,000;

19 65% of the next \$3,000;

20 55% of the next \$4,000; and

21 50% of the remaining premiums paid until the total  
22 reimbursement equals the authorized base amount for each fair.

23 (c) If, after all approved state aid claims are paid for  
24 the current year pursuant to subsection (b) of this Section,  
25 any amount remains in the appropriations for state aid, that  
26 remaining amount shall be distributed on a grant basis. If the

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

17 Grant monies received by a county fair shall be used only  
18 for premiums, awards, judge's fees, and other expenses  
19 incurred by the fair which are directly related to the  
20 operation of the fair and approved by regulation of the  
21 Department. Each fair shall file with the Department a fiscal  
22 accounting of the expenditure of the grant monies received  
23 under this subsection each year at the same time it files its  
24 report under Section 12 in relation to the fair held in the  
25 next succeeding year.

26 Effective with fiscal year 1989 and each odd numbered

1 fiscal year thereafter, the authorized base of all  
2 participating county fairs shall be adjusted by applying 66  
3 2/3% to the amount of approved premiums paid in the highest of  
4 the previous 2 fiscal years.

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

6 (30 ILCS 120/13) (from Ch. 85, par. 663)

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

1 follows:

2 100% of the first \$5,000 or any part thereof;

3 75% of the next \$20,000 or any part thereof;

4 50% of the next \$20,000 or any part thereof.

5 The lesser of either \$20,000 or 50% of the amount received  
6 by a county fair pursuant to this Section may be expended for  
7 liability and casualty insurance.

8 The maximum amount the DeWitt County Fair may be  
9 reimbursed in each of fiscal years 2022 and 2023, subject to  
10 appropriation, is \$13,250.

11 If a county fair expends more than is needed in any year  
12 for approved projects to maximize State reimbursement under  
13 this Section and provides itemized receipts and other evidence  
14 of expenditures for that year, any excess may be carried over  
15 to the succeeding year. The amount carried over shall  
16 constitute a claim for reimbursement for a subsequent period  
17 not to exceed 7 years as long as funds are available.

18 Before June 30 of each year, the president and secretary  
19 of each county fair which has participated in this program  
20 shall file with the Department a sworn statement of the amount  
21 expended during the period July 1 to June 30 of the State's  
22 fiscal year, accompanied by itemized receipted bills and other  
23 evidence of expenditures. If the Department approves the  
24 claim, the State Comptroller is authorized and directed to  
25 draw a warrant payable from the Agricultural Premium Fund on  
26 the State Treasurer for the amount of the rehabilitation

1 claims.

2 If after all claims are paid, there remains any amount of  
3 the appropriation for rehabilitation, the remaining amount  
4 shall be distributed as a grant to the participating fairs  
5 qualifying for the maximum reimbursement and shall be  
6 distributed to the eligible fairs on an equal basis not to  
7 exceed each eligible fair's pro rata share granted in this  
8 paragraph. A sworn statement of the amount expended  
9 accompanied by the itemized receipted bills as evidence of  
10 expenditure must be filed with the Department by June 30 of  
11 each year.

12 (Source: P.A. 94-261, eff. 1-1-06.)

13 Section 5-48. The General Obligation Bond Act is amended  
14 by changing Section 15 as follows:

15 (30 ILCS 330/15) (from Ch. 127, par. 665)

16 Sec. 15. Computation of principal and interest; transfers.

17 (a) Upon each delivery of Bonds authorized to be issued  
18 under this Act, the Comptroller shall compute and certify to  
19 the Treasurer the total amount of principal of, interest on,  
20 and premium, if any, on Bonds issued that will be payable in  
21 order to retire such Bonds, the amount of principal of,  
22 interest on and premium, if any, on such Bonds that will be  
23 payable on each payment date according to the tenor of such  
24 Bonds during the then current and each succeeding fiscal year,

1 and the amount of sinking fund payments needed to be deposited  
2 in connection with Qualified School Construction Bonds  
3 authorized by subsection (e) of Section 9. With respect to the  
4 interest payable on variable rate bonds, such certifications  
5 shall be calculated at the maximum rate of interest that may be  
6 payable during the fiscal year, after taking into account any  
7 credits permitted in the related indenture or other instrument  
8 against the amount of such interest required to be  
9 appropriated for such period pursuant to subsection (c) of  
10 Section 14 of this Act. With respect to the interest payable,  
11 such certifications shall include the amounts certified by the  
12 Director of the Governor's Office of Management and Budget  
13 under subsection (b) of Section 9 of this Act.

14 On or before the last day of each month the State Treasurer  
15 and Comptroller shall transfer from (1) the Road Fund with  
16 respect to Bonds issued under paragraphs (a) and (e) of  
17 Section 4 of this Act, or Bonds issued under authorization in  
18 Public Act 98-781, or Bonds issued for the purpose of  
19 refunding such bonds, and from (2) the General Revenue Fund,  
20 with respect to all other Bonds issued under this Act, to the  
21 General Obligation Bond Retirement and Interest Fund an amount  
22 sufficient to pay the aggregate of the principal of, interest  
23 on, and premium, if any, on Bonds payable, by their terms on  
24 the next payment date divided by the number of full calendar  
25 months between the date of such Bonds and the first such  
26 payment date, and thereafter, divided by the number of months

1 between each succeeding payment date after the first. Such  
2 computations and transfers shall be made for each series of  
3 Bonds issued and delivered. Interest payable on variable rate  
4 bonds shall be calculated at the maximum rate of interest that  
5 may be payable for the relevant period, after taking into  
6 account any credits permitted in the related indenture or  
7 other instrument against the amount of such interest required  
8 to be appropriated for such period pursuant to subsection (c)  
9 of Section 14 of this Act. Computations of interest shall  
10 include the amounts certified by the Director of the  
11 Governor's Office of Management and Budget under subsection  
12 (b) of Section 9 of this Act. Interest for which moneys have  
13 already been deposited into the capitalized interest account  
14 within the General Obligation Bond Retirement and Interest  
15 Fund shall not be included in the calculation of the amounts to  
16 be transferred under this subsection. Notwithstanding any  
17 other provision in this Section, the transfer provisions  
18 provided in this paragraph shall not apply to transfers made  
19 in fiscal year 2010 or fiscal year 2011 with respect to Bonds  
20 issued in fiscal year 2010 or fiscal year 2011 pursuant to  
21 Section 7.2 of this Act. In the case of transfers made in  
22 fiscal year 2010 or fiscal year 2011 with respect to the Bonds  
23 issued in fiscal year 2010 or fiscal year 2011 pursuant to  
24 Section 7.2 of this Act, on or before the 15th day of the month  
25 prior to the required debt service payment, the State  
26 Treasurer and Comptroller shall transfer from the General



1 Revenue Fund to the General Obligation Bond Retirement and  
2 Interest Fund an amount sufficient to pay the aggregate of the  
3 principal of, interest on, and premium, if any, on the Bonds  
4 payable in that next month.

5 The transfer of monies herein and above directed is not  
6 required if monies in the General Obligation Bond Retirement  
7 and Interest Fund are more than the amount otherwise to be  
8 transferred as herein above provided, and if the Governor or  
9 his authorized representative notifies the State Treasurer and  
10 Comptroller of such fact in writing.

11 (b) After the effective date of this Act, the balance of,  
12 and monies directed to be included in the Capital Development  
13 Bond Retirement and Interest Fund, Anti-Pollution Bond  
14 Retirement and Interest Fund, Transportation Bond, Series A  
15 Retirement and Interest Fund, Transportation Bond, Series B  
16 Retirement and Interest Fund, and Coal Development Bond  
17 Retirement and Interest Fund shall be transferred to and  
18 deposited in the General Obligation Bond Retirement and  
19 Interest Fund. This Fund shall be used to make debt service  
20 payments on the State's general obligation Bonds heretofore  
21 issued which are now outstanding and payable from the Funds  
22 herein listed as well as on Bonds issued under this Act.

23 (c) The unused portion of federal funds received for or as  
24 reimbursement for a capital facilities project, as authorized  
25 by Section 3 of this Act, for which monies from the Capital  
26 Development Fund have been expended shall remain in the

1 Capital Development Board Contributory Trust Fund and shall be  
2 used for capital projects and for no other purpose, subject to  
3 appropriation and as directed by the Capital Development  
4 Board. Any federal funds received as reimbursement for the  
5 completed construction of a capital facilities project, as  
6 authorized by Section 3 of this Act, for which monies from the  
7 Capital Development Fund have been expended may be used for  
8 any expense or project necessary for implementation of the  
9 Quincy Veterans' Home Rehabilitation and Rebuilding Act for a  
10 period of 5 years from July 17, 2018 (the effective date of  
11 Public Act 100-610) ~~this amendatory Act of the 100th General~~  
12 ~~Assembly, and any remaining funds shall be deposited in the~~  
13 ~~General Obligation Bond Retirement and Interest Fund.~~

14 (Source: P.A. 100-23, eff. 7-6-17; 100-610, eff. 7-17-18;  
15 101-30, eff. 6-28-19.)

16 Section 5-49. The Capital Development Bond Act of 1972 is  
17 amended by changing Section 9a as follows:

18 (30 ILCS 420/9a) (from Ch. 127, par. 759a)

19 Sec. 9a. The unused portion of federal funds received for  
20 or as reimbursement for a capital improvement project for  
21 which moneys from the Capital Development Fund have been  
22 expended shall remain in the Capital Development Board  
23 Contributory Trust Fund and shall be used for capital projects  
24 and for no other purpose, subject to appropriation and as

1 directed by the Capital Development Board. Any federal funds  
2 received as reimbursement for the completed construction of a  
3 capital improvement project for which moneys from the Capital  
4 Development Fund have been expended may be used for any  
5 expense or project necessary for implementation of the Quincy  
6 Veterans' Home Rehabilitation and Rebuilding Act for a period  
7 of 5 years from July 17, 2018 (the effective date of Public Act  
8 100-610) ~~this amendatory Act of the 100th General Assembly,~~  
9 ~~and any remaining funds shall be deposited in the Capital~~  
10 ~~Development Bond Retirement and Interest Fund.~~

11 (Source: P.A. 100-610, eff. 7-17-18.)

12 Section 5-55. The Illinois Grant Funds Recovery Act is  
13 amended by adding Section 5.1 as follows:

14 (30 ILCS 705/5.1 new)

15 Sec. 5.1. Restoration of grant award.

16 (a) A grantee who received an award pursuant to the Open  
17 Space Lands Acquisition and Development Act who was unable to  
18 complete the project within the 2 years required by Section 5  
19 due to the COVID-19 public health emergency, and whose grant  
20 agreement expired between January 1, 2021 and July 29, 2021,  
21 shall be eligible for an award under the same terms as the  
22 expired grant agreement, subject to the availability of  
23 appropriated moneys in the fund from which the original  
24 disbursement to the grantee was made. The grantee must

1 demonstrate prior compliance with the terms and conditions of  
2 the expired award to be eligible for funding under this  
3 Section.

4 (b) Any grant funds not expended or legally obligated by  
5 the expiration of the newly executed agreement must be  
6 returned to the grantor agency within 45 days, if the funds are  
7 not already on deposit with the grantor agency or the State  
8 Treasurer. Such returned funds shall be deposited into the  
9 fund from which the original grant disbursement to the grantee  
10 was made.

11 (c) This Section is repealed on July 31, 2024.

12 Section 5-57. The Charitable Trust Stabilization Act is  
13 amended by changing Section 5 as follows:

14 (30 ILCS 790/5)

15 Sec. 5. The Charitable Trust Stabilization Fund.

16 (a) The Charitable Trust Stabilization Fund is created as  
17 a special fund in the State treasury. From appropriations from  
18 the Fund, upon recommendation from the Charitable Trust  
19 Stabilization Committee, the State Treasurer may make grants  
20 to public and private entities in the State for the purposes  
21 set forth under subsection (b). Special attention shall be  
22 given to public and private entities with operating budgets of  
23 less than \$1,000,000 that are located within a depressed area,  
24 as defined under Section 3 of the Illinois Enterprise Zone

1 Act, and preferences for recommending grants to the State  
2 Treasurer may be given to these entities by the Committee.  
3 Moneys received for the purposes of this Section, including,  
4 without limitation, fees collected under subsection (m) of  
5 Section 115.10 of the General Not For Profit Corporation Act  
6 of 1986 and appropriations, gifts, grants, and awards from any  
7 public or private entity, must be deposited into the Fund. Any  
8 interest earnings that are attributable to moneys in the Fund  
9 must be deposited into the Fund.

10 (b) Moneys in the Fund may be used only for the following  
11 purposes:

12 ~~(1) (blank);~~

13 ~~(2) (blank);~~

14 (1) ~~(3)~~ grants for the ~~start up or~~ operational  
15 purposes of participating organizations; and

16 (2) ~~(4)~~ the administration of the Fund and this Act.

17 (c) Moneys deposited into ~~in~~ the Fund must be allocated as  
18 follows:

19 ~~(1) 20% of the amount deposited into the Fund in the~~  
20 ~~fiscal year must be set aside for the operating budget of~~  
21 ~~the Fund for the next fiscal year, but the operating~~  
22 ~~budget of the Fund may not exceed \$4,000,000 in any fiscal~~  
23 ~~year;~~

24 (1) 80% ~~(2) 50%~~ must be available for the purposes set  
25 forth under subsection (b); and

26 (2) 20% ~~(3) 30%~~ must be invested for the purpose of

1           earning interest or other investment income.

2           ~~(d) As soon as practical after the effective date of this~~  
3 ~~Act, the State Treasurer must transfer the amount of~~  
4 ~~\$1,000,000 from the General Revenue Fund to the Charitable~~  
5 ~~Trust Stabilization Fund. On the June 30 that occurs in the~~  
6 ~~third year after the transfer to the Charitable Trust~~  
7 ~~Stabilization Fund, the Treasurer must transfer the amount of~~  
8 ~~\$1,000,000 from the Charitable Trust Stabilization Fund to the~~  
9 ~~General Revenue Fund. If, on that date, less than \$1,000,000~~  
10 ~~is available for transfer, then the Treasurer must transfer~~  
11 ~~the remaining balance of the Charitable Trust Stabilization~~  
12 ~~Fund to the General Revenue Fund, and on each June 30~~  
13 ~~thereafter must transfer any balance in the Charitable Trust~~  
14 ~~Stabilization Fund to the General Revenue Fund until the~~  
15 ~~aggregate amount of \$1,000,000 has been transferred.~~

16           (Source: P.A. 97-274, eff. 8-8-11.)

17           Section 5-60. The Illinois Income Tax Act is amended by  
18 changing Sections 224 and 901 as follows:

19           (35 ILCS 5/224)

20           Sec. 224. Invest in Kids credit.

21           (a) For taxable years beginning on or after January 1,  
22 2018 and ending before January 1, 2024 ~~2023~~, each taxpayer for  
23 whom a tax credit has been awarded by the Department under the  
24 Invest in Kids Act is entitled to a credit against the tax

1 imposed under subsections (a) and (b) of Section 201 of this  
2 Act in an amount equal to the amount awarded under the Invest  
3 in Kids Act.

4 (b) For partners, shareholders of subchapter S  
5 corporations, and owners of limited liability companies, if  
6 the liability company is treated as a partnership for purposes  
7 of federal and State income taxation, the credit under this  
8 Section shall be determined in accordance with the  
9 determination of income and distributive share of income under  
10 Sections 702 and 704 and subchapter S of the Internal Revenue  
11 Code.

12 (c) The credit may not be carried back and may not reduce  
13 the taxpayer's liability to less than zero. If the amount of  
14 the credit exceeds the tax liability for the year, the excess  
15 may be carried forward and applied to the tax liability of the  
16 5 taxable years following the excess credit year. The tax  
17 credit shall be applied to the earliest year for which there is  
18 a tax liability. If there are credits for more than one year  
19 that are available to offset the liability, the earlier credit  
20 shall be applied first.

21 (d) A tax credit awarded by the Department under the  
22 Invest in Kids Act may not be claimed for any qualified  
23 contribution for which the taxpayer claims a federal income  
24 tax deduction.

25 (Source: P.A. 100-465, eff. 8-31-17.)

1 (35 ILCS 5/901)

2 Sec. 901. Collection authority.

3 (a) In general. The Department shall collect the taxes  
4 imposed by this Act. The Department shall collect certified  
5 past due child support amounts under Section 2505-650 of the  
6 Department of Revenue Law of the Civil Administrative Code of  
7 Illinois. Except as provided in subsections (b), (c), (e),  
8 (f), (g), and (h) of this Section, money collected pursuant to  
9 subsections (a) and (b) of Section 201 of this Act shall be  
10 paid into the General Revenue Fund in the State treasury;  
11 money collected pursuant to subsections (c) and (d) of Section  
12 201 of this Act shall be paid into the Personal Property Tax  
13 Replacement Fund, a special fund in the State Treasury; and  
14 money collected under Section 2505-650 of the Department of  
15 Revenue Law of the Civil Administrative Code of Illinois shall  
16 be paid into the Child Support Enforcement Trust Fund, a  
17 special fund outside the State Treasury, or to the State  
18 Disbursement Unit established under Section 10-26 of the  
19 Illinois Public Aid Code, as directed by the Department of  
20 Healthcare and Family Services.

21 (b) Local Government Distributive Fund. Beginning August  
22 1, 2017 and continuing through July 31, 2022, the Treasurer  
23 shall transfer each month from the General Revenue Fund to the  
24 Local Government Distributive Fund an amount equal to the sum  
25 of: (i) 6.06% (10% of the ratio of the 3% individual income tax  
26 rate prior to 2011 to the 4.95% individual income tax rate



1 after July 1, 2017) of the net revenue realized from the tax  
2 imposed by subsections (a) and (b) of Section 201 of this Act  
3 upon individuals, trusts, and estates during the preceding  
4 month; (ii) 6.85% (10% of the ratio of the 4.8% corporate  
5 income tax rate prior to 2011 to the 7% corporate income tax  
6 rate after July 1, 2017) of the net revenue realized from the  
7 tax imposed by subsections (a) and (b) of Section 201 of this  
8 Act upon corporations during the preceding month; and (iii)  
9 beginning February 1, 2022, 6.06% of the net revenue realized  
10 from the tax imposed by subsection (p) of Section 201 of this  
11 Act upon electing pass-through entities. Beginning August 1,  
12 2022, the Treasurer shall transfer each month from the General  
13 Revenue Fund to the Local Government Distributive Fund an  
14 amount equal to the sum of: (i) 6.16% of the net revenue  
15 realized from the tax imposed by subsections (a) and (b) of  
16 Section 201 of this Act upon individuals, trusts, and estates  
17 during the preceding month; (ii) 6.85% of the net revenue  
18 realized from the tax imposed by subsections (a) and (b) of  
19 Section 201 of this Act upon corporations during the preceding  
20 month; and (iii) 6.16% of the net revenue realized from the tax  
21 imposed by subsection (p) of Section 201 of this Act upon  
22 electing pass-through entities. Net revenue realized for a  
23 month shall be defined as the revenue from the tax imposed by  
24 subsections (a) and (b) of Section 201 of this Act which is  
25 deposited in the General Revenue Fund, the Education  
26 Assistance Fund, the Income Tax Surcharge Local Government

1 Distributive Fund, the Fund for the Advancement of Education,  
2 and the Commitment to Human Services Fund during the month  
3 minus the amount paid out of the General Revenue Fund in State  
4 warrants during that same month as refunds to taxpayers for  
5 overpayment of liability under the tax imposed by subsections  
6 (a) and (b) of Section 201 of this Act.

7 Notwithstanding any provision of law to the contrary,  
8 beginning on July 6, 2017 (the effective date of Public Act  
9 100-23), those amounts required under this subsection (b) to  
10 be transferred by the Treasurer into the Local Government  
11 Distributive Fund from the General Revenue Fund shall be  
12 directly deposited into the Local Government Distributive Fund  
13 as the revenue is realized from the tax imposed by subsections  
14 (a) and (b) of Section 201 of this Act.

15 (c) Deposits Into Income Tax Refund Fund.

16 (1) Beginning on January 1, 1989 and thereafter, the  
17 Department shall deposit a percentage of the amounts  
18 collected pursuant to subsections (a) and (b)(1), (2), and  
19 (3) of Section 201 of this Act into a fund in the State  
20 treasury known as the Income Tax Refund Fund. Beginning  
21 with State fiscal year 1990 and for each fiscal year  
22 thereafter, the percentage deposited into the Income Tax  
23 Refund Fund during a fiscal year shall be the Annual  
24 Percentage. For fiscal year 2011, the Annual Percentage  
25 shall be 8.75%. For fiscal year 2012, the Annual  
26 Percentage shall be 8.75%. For fiscal year 2013, the

1 Annual Percentage shall be 9.75%. For fiscal year 2014,  
2 the Annual Percentage shall be 9.5%. For fiscal year 2015,  
3 the Annual Percentage shall be 10%. For fiscal year 2018,  
4 the Annual Percentage shall be 9.8%. For fiscal year 2019,  
5 the Annual Percentage shall be 9.7%. For fiscal year 2020,  
6 the Annual Percentage shall be 9.5%. For fiscal year 2021,  
7 the Annual Percentage shall be 9%. For fiscal year 2022,  
8 the Annual Percentage shall be 9.25%. For fiscal year  
9 2023, the Annual Percentage shall be 9.25%. For all other  
10 fiscal years, the Annual Percentage shall be calculated as  
11 a fraction, the numerator of which shall be the amount of  
12 refunds approved for payment by the Department during the  
13 preceding fiscal year as a result of overpayment of tax  
14 liability under subsections (a) and (b) (1), (2), and (3)  
15 of Section 201 of this Act plus the amount of such refunds  
16 remaining approved but unpaid at the end of the preceding  
17 fiscal year, minus the amounts transferred into the Income  
18 Tax Refund Fund from the Tobacco Settlement Recovery Fund,  
19 and the denominator of which shall be the amounts which  
20 will be collected pursuant to subsections (a) and (b) (1),  
21 (2), and (3) of Section 201 of this Act during the  
22 preceding fiscal year; except that in State fiscal year  
23 2002, the Annual Percentage shall in no event exceed 7.6%.  
24 The Director of Revenue shall certify the Annual  
25 Percentage to the Comptroller on the last business day of  
26 the fiscal year immediately preceding the fiscal year for

1 which it is to be effective.

2 (2) Beginning on January 1, 1989 and thereafter, the  
3 Department shall deposit a percentage of the amounts  
4 collected pursuant to subsections (a) and (b) (6), (7), and  
5 (8), (c) and (d) of Section 201 of this Act into a fund in  
6 the State treasury known as the Income Tax Refund Fund.  
7 Beginning with State fiscal year 1990 and for each fiscal  
8 year thereafter, the percentage deposited into the Income  
9 Tax Refund Fund during a fiscal year shall be the Annual  
10 Percentage. For fiscal year 2011, the Annual Percentage  
11 shall be 17.5%. For fiscal year 2012, the Annual  
12 Percentage shall be 17.5%. For fiscal year 2013, the  
13 Annual Percentage shall be 14%. For fiscal year 2014, the  
14 Annual Percentage shall be 13.4%. For fiscal year 2015,  
15 the Annual Percentage shall be 14%. For fiscal year 2018,  
16 the Annual Percentage shall be 17.5%. For fiscal year  
17 2019, the Annual Percentage shall be 15.5%. For fiscal  
18 year 2020, the Annual Percentage shall be 14.25%. For  
19 fiscal year 2021, the Annual Percentage shall be 14%. For  
20 fiscal year 2022, the Annual Percentage shall be 15%. For  
21 fiscal year 2023, the Annual Percentage shall be 14.5%.  
22 For all other fiscal years, the Annual Percentage shall be  
23 calculated as a fraction, the numerator of which shall be  
24 the amount of refunds approved for payment by the  
25 Department during the preceding fiscal year as a result of  
26 overpayment of tax liability under subsections (a) and

1 (b) (6), (7), and (8), (c) and (d) of Section 201 of this  
2 Act plus the amount of such refunds remaining approved but  
3 unpaid at the end of the preceding fiscal year, and the  
4 denominator of which shall be the amounts which will be  
5 collected pursuant to subsections (a) and (b) (6), (7), and  
6 (8), (c) and (d) of Section 201 of this Act during the  
7 preceding fiscal year; except that in State fiscal year  
8 2002, the Annual Percentage shall in no event exceed 23%.  
9 The Director of Revenue shall certify the Annual  
10 Percentage to the Comptroller on the last business day of  
11 the fiscal year immediately preceding the fiscal year for  
12 which it is to be effective.

13 (3) The Comptroller shall order transferred and the  
14 Treasurer shall transfer from the Tobacco Settlement  
15 Recovery Fund to the Income Tax Refund Fund (i)  
16 \$35,000,000 in January, 2001, (ii) \$35,000,000 in January,  
17 2002, and (iii) \$35,000,000 in January, 2003.

18 (d) Expenditures from Income Tax Refund Fund.

19 (1) Beginning January 1, 1989, money in the Income Tax  
20 Refund Fund shall be expended exclusively for the purpose  
21 of paying refunds resulting from overpayment of tax  
22 liability under Section 201 of this Act and for making  
23 transfers pursuant to this subsection (d).

24 (2) The Director shall order payment of refunds  
25 resulting from overpayment of tax liability under Section  
26 201 of this Act from the Income Tax Refund Fund only to the

1 extent that amounts collected pursuant to Section 201 of  
2 this Act and transfers pursuant to this subsection (d) and  
3 item (3) of subsection (c) have been deposited and  
4 retained in the Fund.

5 (3) As soon as possible after the end of each fiscal  
6 year, the Director shall order transferred and the State  
7 Treasurer and State Comptroller shall transfer from the  
8 Income Tax Refund Fund to the Personal Property Tax  
9 Replacement Fund an amount, certified by the Director to  
10 the Comptroller, equal to the excess of the amount  
11 collected pursuant to subsections (c) and (d) of Section  
12 201 of this Act deposited into the Income Tax Refund Fund  
13 during the fiscal year over the amount of refunds  
14 resulting from overpayment of tax liability under  
15 subsections (c) and (d) of Section 201 of this Act paid  
16 from the Income Tax Refund Fund during the fiscal year.

17 (4) As soon as possible after the end of each fiscal  
18 year, the Director shall order transferred and the State  
19 Treasurer and State Comptroller shall transfer from the  
20 Personal Property Tax Replacement Fund to the Income Tax  
21 Refund Fund an amount, certified by the Director to the  
22 Comptroller, equal to the excess of the amount of refunds  
23 resulting from overpayment of tax liability under  
24 subsections (c) and (d) of Section 201 of this Act paid  
25 from the Income Tax Refund Fund during the fiscal year  
26 over the amount collected pursuant to subsections (c) and

1 (d) of Section 201 of this Act deposited into the Income  
2 Tax Refund Fund during the fiscal year.

3 (4.5) As soon as possible after the end of fiscal year  
4 1999 and of each fiscal year thereafter, the Director  
5 shall order transferred and the State Treasurer and State  
6 Comptroller shall transfer from the Income Tax Refund Fund  
7 to the General Revenue Fund any surplus remaining in the  
8 Income Tax Refund Fund as of the end of such fiscal year;  
9 excluding for fiscal years 2000, 2001, and 2002 amounts  
10 attributable to transfers under item (3) of subsection (c)  
11 less refunds resulting from the earned income tax credit.

12 (5) This Act shall constitute an irrevocable and  
13 continuing appropriation from the Income Tax Refund Fund  
14 for the purpose of paying refunds upon the order of the  
15 Director in accordance with the provisions of this  
16 Section.

17 (e) Deposits into the Education Assistance Fund and the  
18 Income Tax Surcharge Local Government Distributive Fund. On  
19 July 1, 1991, and thereafter, of the amounts collected  
20 pursuant to subsections (a) and (b) of Section 201 of this Act,  
21 minus deposits into the Income Tax Refund Fund, the Department  
22 shall deposit 7.3% into the Education Assistance Fund in the  
23 State Treasury. Beginning July 1, 1991, and continuing through  
24 January 31, 1993, of the amounts collected pursuant to  
25 subsections (a) and (b) of Section 201 of the Illinois Income  
26 Tax Act, minus deposits into the Income Tax Refund Fund, the

1 Department shall deposit 3.0% into the Income Tax Surcharge  
2 Local Government Distributive Fund in the State Treasury.  
3 Beginning February 1, 1993 and continuing through June 30,  
4 1993, of the amounts collected pursuant to subsections (a) and  
5 (b) of Section 201 of the Illinois Income Tax Act, minus  
6 deposits into the Income Tax Refund Fund, the Department shall  
7 deposit 4.4% into the Income Tax Surcharge Local Government  
8 Distributive Fund in the State Treasury. Beginning July 1,  
9 1993, and continuing through June 30, 1994, of the amounts  
10 collected under subsections (a) and (b) of Section 201 of this  
11 Act, minus deposits into the Income Tax Refund Fund, the  
12 Department shall deposit 1.475% into the Income Tax Surcharge  
13 Local Government Distributive Fund in the State Treasury.

14 (f) Deposits into the Fund for the Advancement of  
15 Education. Beginning February 1, 2015, the Department shall  
16 deposit the following portions of the revenue realized from  
17 the tax imposed upon individuals, trusts, and estates by  
18 subsections (a) and (b) of Section 201 of this Act, minus  
19 deposits into the Income Tax Refund Fund, into the Fund for the  
20 Advancement of Education:

21 (1) beginning February 1, 2015, and prior to February  
22 1, 2025, 1/30; and

23 (2) beginning February 1, 2025, 1/26.

24 If the rate of tax imposed by subsection (a) and (b) of  
25 Section 201 is reduced pursuant to Section 201.5 of this Act,  
26 the Department shall not make the deposits required by this



1 subsection (f) on or after the effective date of the  
2 reduction.

3 (g) Deposits into the Commitment to Human Services Fund.  
4 Beginning February 1, 2015, the Department shall deposit the  
5 following portions of the revenue realized from the tax  
6 imposed upon individuals, trusts, and estates by subsections  
7 (a) and (b) of Section 201 of this Act, minus deposits into the  
8 Income Tax Refund Fund, into the Commitment to Human Services  
9 Fund:

10 (1) beginning February 1, 2015, and prior to February  
11 1, 2025, 1/30; and

12 (2) beginning February 1, 2025, 1/26.

13 If the rate of tax imposed by subsection (a) and (b) of  
14 Section 201 is reduced pursuant to Section 201.5 of this Act,  
15 the Department shall not make the deposits required by this  
16 subsection (g) on or after the effective date of the  
17 reduction.

18 (h) Deposits into the Tax Compliance and Administration  
19 Fund. Beginning on the first day of the first calendar month to  
20 occur on or after August 26, 2014 (the effective date of Public  
21 Act 98-1098), each month the Department shall pay into the Tax  
22 Compliance and Administration Fund, to be used, subject to  
23 appropriation, to fund additional auditors and compliance  
24 personnel at the Department, an amount equal to 1/12 of 5% of  
25 the cash receipts collected during the preceding fiscal year  
26 by the Audit Bureau of the Department from the tax imposed by

1 subsections (a), (b), (c), and (d) of Section 201 of this Act,  
2 net of deposits into the Income Tax Refund Fund made from those  
3 cash receipts.

4 (Source: P.A. 101-8, see Section 99 for effective date;  
5 101-10, eff. 6-5-19; 101-81, eff. 7-12-19; 101-636, eff.  
6 6-10-20; 102-16, eff. 6-17-21; 102-558, eff. 8-20-21; 102-658,  
7 eff. 8-27-21; revised 10-19-21.)

8 Section 5-62. The Invest in Kids Act is amended by  
9 changing Section 40 as follows:

10 (35 ILCS 40/40)

11 (Section scheduled to be repealed on January 1, 2025)

12 Sec. 40. Scholarship granting organization  
13 responsibilities.

14 (a) Before granting a scholarship for an academic year,  
15 all scholarship granting organizations shall assess and  
16 document each student's eligibility for the academic year.

17 (b) A scholarship granting organization shall grant  
18 scholarships only to eligible students.

19 (c) A scholarship granting organization shall allow an  
20 eligible student to attend any qualified school of the  
21 student's choosing, subject to the availability of funds.

22 (d) In granting scholarships, a scholarship granting  
23 organization shall give priority to the following priority  
24 groups:

1           (1) eligible students who received a scholarship from  
2 a scholarship granting organization during the previous  
3 school year;

4           (2) eligible students who are members of a household  
5 whose previous year's total annual income does not exceed  
6 185% of the federal poverty level;

7           (3) eligible students who reside within a focus  
8 district; and

9           (4) eligible students who are siblings of students  
10 currently receiving a scholarship.

11           (d-5) A scholarship granting organization shall begin  
12 granting scholarships no later than February 1 preceding the  
13 school year for which the scholarship is sought. The priority  
14 groups identified in subsection (d) of this Section shall be  
15 eligible to receive scholarships on a first-come, first-served  
16 basis until the April 1 immediately preceding the school year  
17 for which the scholarship is sought. Applications for  
18 scholarships for eligible students meeting the qualifications  
19 of one or more priority groups that are received before April 1  
20 must be either approved or denied within 10 business days  
21 after receipt. Beginning April 1, all eligible students shall  
22 be eligible to receive scholarships without regard to the  
23 priority groups identified in subsection (d) of this Section.

24           (e) Except as provided in subsection (e-5) of this  
25 Section, scholarships shall not exceed the lesser of (i) the  
26 statewide average operational expense per student among public

1 schools or (ii) the necessary costs and fees for attendance at  
2 the qualified school. Scholarships shall be prorated as  
3 follows:

4 (1) for eligible students whose household income is  
5 less than 185% of the federal poverty level, the  
6 scholarship shall be 100% of the amount determined  
7 pursuant to this subsection (e) and subsection (e-5) of  
8 this Section;

9 (2) for eligible students whose household income is  
10 185% or more of the federal poverty level but less than  
11 250% of the federal poverty level, the average of  
12 scholarships shall be 75% of the amount determined  
13 pursuant to this subsection (e) and subsection (e-5) of  
14 this Section; and

15 (3) for eligible students whose household income is  
16 250% or more of the federal poverty level, the average of  
17 scholarships shall be 50% of the amount determined  
18 pursuant to this subsection (e) and subsection (e-5) of  
19 this Section.

20 (e-5) The statewide average operational expense per  
21 student among public schools shall be multiplied by the  
22 following factors:

23 (1) for students determined eligible to receive  
24 services under the federal Individuals with Disabilities  
25 Education Act, 2;

26 (2) for students who are English learners, as defined

1 in subsection (d) of Section 14C-2 of the School Code,  
2 1.2; and

3 (3) for students who are gifted and talented children,  
4 as defined in Section 14A-20 of the School Code, 1.1.

5 (f) A scholarship granting organization shall distribute  
6 scholarship payments to the participating school where the  
7 student is enrolled.

8 (g) For the 2018-2019 school year through the 2022-2023  
9 ~~2021-2022~~ school year, each scholarship granting organization  
10 shall expend no less than 75% of the qualified contributions  
11 received during the calendar year in which the qualified  
12 contributions were received. No more than 25% of the qualified  
13 contributions may be carried forward to the following calendar  
14 year.

15 (h) For the 2023-2024 ~~2022-2023~~ school year, each  
16 scholarship granting organization shall expend all qualified  
17 contributions received during the calendar year in which the  
18 qualified contributions were received. No qualified  
19 contributions may be carried forward to the following calendar  
20 year.

21 (i) A scholarship granting organization shall allow an  
22 eligible student to transfer a scholarship during a school  
23 year to any other participating school of the custodian's  
24 choice. Such scholarships shall be prorated.

25 (j) With the prior approval of the Department, a  
26 scholarship granting organization may transfer funds to

1 another scholarship granting organization if additional funds  
2 are required to meet scholarship demands at the receiving  
3 scholarship granting organization. All transferred funds must  
4 be deposited by the receiving scholarship granting  
5 organization into its scholarship accounts. All transferred  
6 amounts received by any scholarship granting organization must  
7 be separately disclosed to the Department.

8 (k) If the approval of a scholarship granting organization  
9 is revoked as provided in Section 20 of this Act or the  
10 scholarship granting organization is dissolved, all remaining  
11 qualified contributions of the scholarship granting  
12 organization shall be transferred to another scholarship  
13 granting organization. All transferred funds must be deposited  
14 by the receiving scholarship granting organization into its  
15 scholarship accounts.

16 (l) Scholarship granting organizations shall make  
17 reasonable efforts to advertise the availability of  
18 scholarships to eligible students.

19 (Source: P.A. 100-465, eff. 8-31-17.)

20 Section 5-65. The Motor Fuel Tax Law is amended by  
21 changing Section 8 as follows:

22 (35 ILCS 505/8) (from Ch. 120, par. 424)

23 Sec. 8. Except as provided in subsection (a-1) of this  
24 Section, Section 8a, subdivision (h)(1) of Section 12a,

1 Section 13a.6, and items 13, 14, 15, and 16 of Section 15, all  
2 money received by the Department under this Act, including  
3 payments made to the Department by member jurisdictions  
4 participating in the International Fuel Tax Agreement, shall  
5 be deposited in a special fund in the State treasury, to be  
6 known as the "Motor Fuel Tax Fund", and shall be used as  
7 follows:

8 (a) 2 1/2 cents per gallon of the tax collected on special  
9 fuel under paragraph (b) of Section 2 and Section 13a of this  
10 Act shall be transferred to the State Construction Account  
11 Fund in the State Treasury; the remainder of the tax collected  
12 on special fuel under paragraph (b) of Section 2 and Section  
13 13a of this Act shall be deposited into the Road Fund;

14 (a-1) Beginning on July 1, 2019, an amount equal to the  
15 amount of tax collected under subsection (a) of Section 2 as a  
16 result of the increase in the tax rate under Public Act 101-32  
17 shall be transferred each month into the Transportation  
18 Renewal Fund;

19 (b) \$420,000 shall be transferred each month to the State  
20 Boating Act Fund to be used by the Department of Natural  
21 Resources for the purposes specified in Article X of the Boat  
22 Registration and Safety Act;

23 (c) \$3,500,000 shall be transferred each month to the  
24 Grade Crossing Protection Fund to be used as follows: not less  
25 than \$12,000,000 each fiscal year shall be used for the  
26 construction or reconstruction of rail highway grade

1 separation structures; \$5,500,000 in fiscal year 2022  
2 ~~\$2,250,000 in fiscal years 2004 through 2009 and \$3,000,000 in~~  
3 ~~fiscal year 2010~~ and each fiscal year thereafter shall be  
4 transferred to the Transportation Regulatory Fund ~~and shall be~~  
5 ~~accounted for as part of the rail carrier portion of such funds~~  
6 and shall be used to pay the cost of administration of the  
7 Illinois Commerce Commission's railroad safety program in  
8 connection with its duties under subsection (3) of Section  
9 18c-7401 of the Illinois Vehicle Code, with the remainder to  
10 be used by the Department of Transportation upon order of the  
11 Illinois Commerce Commission, to pay that part of the cost  
12 apportioned by such Commission to the State to cover the  
13 interest of the public in the use of highways, roads, streets,  
14 or pedestrian walkways in the county highway system, township  
15 and district road system, or municipal street system as  
16 defined in the Illinois Highway Code, as the same may from time  
17 to time be amended, for separation of grades, for  
18 installation, construction or reconstruction of crossing  
19 protection or reconstruction, alteration, relocation including  
20 construction or improvement of any existing highway necessary  
21 for access to property or improvement of any grade crossing  
22 and grade crossing surface including the necessary highway  
23 approaches thereto of any railroad across the highway or  
24 public road, or for the installation, construction,  
25 reconstruction, or maintenance of safety treatments to deter  
26 trespassing or a pedestrian walkway over or under a railroad



1 right-of-way, as provided for in and in accordance with  
2 Section 18c-7401 of the Illinois Vehicle Code. The Commission  
3 may order up to \$2,000,000 per year in Grade Crossing  
4 Protection Fund moneys for the improvement of grade crossing  
5 surfaces and up to \$300,000 per year for the maintenance and  
6 renewal of 4-quadrant gate vehicle detection systems located  
7 at non-high speed rail grade crossings. In entering orders for  
8 projects for which payments from the Grade Crossing Protection  
9 Fund will be made, the Commission shall account for  
10 expenditures authorized by the orders on a cash rather than an  
11 accrual basis. For purposes of this requirement an "accrual  
12 basis" assumes that the total cost of the project is expended  
13 in the fiscal year in which the order is entered, while a "cash  
14 basis" allocates the cost of the project among fiscal years as  
15 expenditures are actually made. To meet the requirements of  
16 this subsection, the Illinois Commerce Commission shall  
17 develop annual and 5-year project plans of rail crossing  
18 capital improvements that will be paid for with moneys from  
19 the Grade Crossing Protection Fund. The annual project plan  
20 shall identify projects for the succeeding fiscal year and the  
21 5-year project plan shall identify projects for the 5 directly  
22 succeeding fiscal years. The Commission shall submit the  
23 annual and 5-year project plans for this Fund to the Governor,  
24 the President of the Senate, the Senate Minority Leader, the  
25 Speaker of the House of Representatives, and the Minority  
26 Leader of the House of Representatives on the first Wednesday

1 in April of each year;

2 (d) of the amount remaining after allocations provided for  
3 in subsections (a), (a-1), (b), and (c), a sufficient amount  
4 shall be reserved to pay all of the following:

5 (1) the costs of the Department of Revenue in  
6 administering this Act;

7 (2) the costs of the Department of Transportation in  
8 performing its duties imposed by the Illinois Highway Code  
9 for supervising the use of motor fuel tax funds  
10 apportioned to municipalities, counties and road  
11 districts;

12 (3) refunds provided for in Section 13, refunds for  
13 overpayment of decal fees paid under Section 13a.4 of this  
14 Act, and refunds provided for under the terms of the  
15 International Fuel Tax Agreement referenced in Section  
16 14a;

17 (4) from October 1, 1985 until June 30, 1994, the  
18 administration of the Vehicle Emissions Inspection Law,  
19 which amount shall be certified monthly by the  
20 Environmental Protection Agency to the State Comptroller  
21 and shall promptly be transferred by the State Comptroller  
22 and Treasurer from the Motor Fuel Tax Fund to the Vehicle  
23 Inspection Fund, and for the period July 1, 1994 through  
24 June 30, 2000, one-twelfth of \$25,000,000 each month, for  
25 the period July 1, 2000 through June 30, 2003, one-twelfth  
26 of \$30,000,000 each month, and \$15,000,000 on July 1,

1 2003, and \$15,000,000 on January 1, 2004, and \$15,000,000  
2 on each July 1 and October 1, or as soon thereafter as may  
3 be practical, during the period July 1, 2004 through June  
4 30, 2012, and \$30,000,000 on June 1, 2013, or as soon  
5 thereafter as may be practical, and \$15,000,000 on July 1  
6 and October 1, or as soon thereafter as may be practical,  
7 during the period of July 1, 2013 through June 30, 2015,  
8 for the administration of the Vehicle Emissions Inspection  
9 Law of 2005, to be transferred by the State Comptroller  
10 and Treasurer from the Motor Fuel Tax Fund into the  
11 Vehicle Inspection Fund;

12 (4.5) beginning on July 1, 2019, the costs of the  
13 Environmental Protection Agency for the administration of  
14 the Vehicle Emissions Inspection Law of 2005 shall be  
15 paid, subject to appropriation, from the Motor Fuel Tax  
16 Fund into the Vehicle Inspection Fund; beginning in 2019,  
17 no later than December 31 of each year, or as soon  
18 thereafter as practical, the State Comptroller shall  
19 direct and the State Treasurer shall transfer from the  
20 Vehicle Inspection Fund to the Motor Fuel Tax Fund any  
21 balance remaining in the Vehicle Inspection Fund in excess  
22 of \$2,000,000;

23 (5) amounts ordered paid by the Court of Claims; and

24 (6) payment of motor fuel use taxes due to member  
25 jurisdictions under the terms of the International Fuel  
26 Tax Agreement. The Department shall certify these amounts

1 to the Comptroller by the 15th day of each month; the  
2 Comptroller shall cause orders to be drawn for such  
3 amounts, and the Treasurer shall administer those amounts  
4 on or before the last day of each month;

5 (e) after allocations for the purposes set forth in  
6 subsections (a), (a-1), (b), (c), and (d), the remaining  
7 amount shall be apportioned as follows:

8 (1) Until January 1, 2000, 58.4%, and beginning  
9 January 1, 2000, 45.6% shall be deposited as follows:

10 (A) 37% into the State Construction Account Fund,  
11 and

12 (B) 63% into the Road Fund, \$1,250,000 of which  
13 shall be reserved each month for the Department of  
14 Transportation to be used in accordance with the  
15 provisions of Sections 6-901 through 6-906 of the  
16 Illinois Highway Code;

17 (2) Until January 1, 2000, 41.6%, and beginning  
18 January 1, 2000, 54.4% shall be transferred to the  
19 Department of Transportation to be distributed as follows:

20 (A) 49.10% to the municipalities of the State,

21 (B) 16.74% to the counties of the State having  
22 1,000,000 or more inhabitants,

23 (C) 18.27% to the counties of the State having  
24 less than 1,000,000 inhabitants,

25 (D) 15.89% to the road districts of the State.

26 If a township is dissolved under Article 24 of the

1 Township Code, McHenry County shall receive any moneys  
2 that would have been distributed to the township under  
3 this subparagraph, except that a municipality that assumes  
4 the powers and responsibilities of a road district under  
5 paragraph (6) of Section 24-35 of the Township Code shall  
6 receive any moneys that would have been distributed to the  
7 township in a percent equal to the area of the dissolved  
8 road district or portion of the dissolved road district  
9 over which the municipality assumed the powers and  
10 responsibilities compared to the total area of the  
11 dissolved township. The moneys received under this  
12 subparagraph shall be used in the geographic area of the  
13 dissolved township. If a township is reconstituted as  
14 provided under Section 24-45 of the Township Code, McHenry  
15 County or a municipality shall no longer be distributed  
16 moneys under this subparagraph.

17 As soon as may be after the first day of each month, the  
18 Department of Transportation shall allot to each municipality  
19 its share of the amount apportioned to the several  
20 municipalities which shall be in proportion to the population  
21 of such municipalities as determined by the last preceding  
22 municipal census if conducted by the Federal Government or  
23 Federal census. If territory is annexed to any municipality  
24 subsequent to the time of the last preceding census the  
25 corporate authorities of such municipality may cause a census  
26 to be taken of such annexed territory and the population so

1 ascertained for such territory shall be added to the  
2 population of the municipality as determined by the last  
3 preceding census for the purpose of determining the allotment  
4 for that municipality. If the population of any municipality  
5 was not determined by the last Federal census preceding any  
6 apportionment, the apportionment to such municipality shall be  
7 in accordance with any census taken by such municipality. Any  
8 municipal census used in accordance with this Section shall be  
9 certified to the Department of Transportation by the clerk of  
10 such municipality, and the accuracy thereof shall be subject  
11 to approval of the Department which may make such corrections  
12 as it ascertains to be necessary.

13 As soon as may be after the first day of each month, the  
14 Department of Transportation shall allot to each county its  
15 share of the amount apportioned to the several counties of the  
16 State as herein provided. Each allotment to the several  
17 counties having less than 1,000,000 inhabitants shall be in  
18 proportion to the amount of motor vehicle license fees  
19 received from the residents of such counties, respectively,  
20 during the preceding calendar year. The Secretary of State  
21 shall, on or before April 15 of each year, transmit to the  
22 Department of Transportation a full and complete report  
23 showing the amount of motor vehicle license fees received from  
24 the residents of each county, respectively, during the  
25 preceding calendar year. The Department of Transportation  
26 shall, each month, use for allotment purposes the last such

1 report received from the Secretary of State.

2 As soon as may be after the first day of each month, the  
3 Department of Transportation shall allot to the several  
4 counties their share of the amount apportioned for the use of  
5 road districts. The allotment shall be apportioned among the  
6 several counties in the State in the proportion which the  
7 total mileage of township or district roads in the respective  
8 counties bears to the total mileage of all township and  
9 district roads in the State. Funds allotted to the respective  
10 counties for the use of road districts therein shall be  
11 allocated to the several road districts in the county in the  
12 proportion which the total mileage of such township or  
13 district roads in the respective road districts bears to the  
14 total mileage of all such township or district roads in the  
15 county. After July 1 of any year prior to 2011, no allocation  
16 shall be made for any road district unless it levied a tax for  
17 road and bridge purposes in an amount which will require the  
18 extension of such tax against the taxable property in any such  
19 road district at a rate of not less than either .08% of the  
20 value thereof, based upon the assessment for the year  
21 immediately prior to the year in which such tax was levied and  
22 as equalized by the Department of Revenue or, in DuPage  
23 County, an amount equal to or greater than \$12,000 per mile of  
24 road under the jurisdiction of the road district, whichever is  
25 less. Beginning July 1, 2011 and each July 1 thereafter, an  
26 allocation shall be made for any road district if it levied a

1 tax for road and bridge purposes. In counties other than  
2 DuPage County, if the amount of the tax levy requires the  
3 extension of the tax against the taxable property in the road  
4 district at a rate that is less than 0.08% of the value  
5 thereof, based upon the assessment for the year immediately  
6 prior to the year in which the tax was levied and as equalized  
7 by the Department of Revenue, then the amount of the  
8 allocation for that road district shall be a percentage of the  
9 maximum allocation equal to the percentage obtained by  
10 dividing the rate extended by the district by 0.08%. In DuPage  
11 County, if the amount of the tax levy requires the extension of  
12 the tax against the taxable property in the road district at a  
13 rate that is less than the lesser of (i) 0.08% of the value of  
14 the taxable property in the road district, based upon the  
15 assessment for the year immediately prior to the year in which  
16 such tax was levied and as equalized by the Department of  
17 Revenue, or (ii) a rate that will yield an amount equal to  
18 \$12,000 per mile of road under the jurisdiction of the road  
19 district, then the amount of the allocation for the road  
20 district shall be a percentage of the maximum allocation equal  
21 to the percentage obtained by dividing the rate extended by  
22 the district by the lesser of (i) 0.08% or (ii) the rate that  
23 will yield an amount equal to \$12,000 per mile of road under  
24 the jurisdiction of the road district.

25 Prior to 2011, if any road district has levied a special  
26 tax for road purposes pursuant to Sections 6-601, 6-602, and



1 6-603 of the Illinois Highway Code, and such tax was levied in  
2 an amount which would require extension at a rate of not less  
3 than .08% of the value of the taxable property thereof, as  
4 equalized or assessed by the Department of Revenue, or, in  
5 DuPage County, an amount equal to or greater than \$12,000 per  
6 mile of road under the jurisdiction of the road district,  
7 whichever is less, such levy shall, however, be deemed a  
8 proper compliance with this Section and shall qualify such  
9 road district for an allotment under this Section. Beginning  
10 in 2011 and thereafter, if any road district has levied a  
11 special tax for road purposes under Sections 6-601, 6-602, and  
12 6-603 of the Illinois Highway Code, and the tax was levied in  
13 an amount that would require extension at a rate of not less  
14 than 0.08% of the value of the taxable property of that road  
15 district, as equalized or assessed by the Department of  
16 Revenue or, in DuPage County, an amount equal to or greater  
17 than \$12,000 per mile of road under the jurisdiction of the  
18 road district, whichever is less, that levy shall be deemed a  
19 proper compliance with this Section and shall qualify such  
20 road district for a full, rather than proportionate, allotment  
21 under this Section. If the levy for the special tax is less  
22 than 0.08% of the value of the taxable property, or, in DuPage  
23 County if the levy for the special tax is less than the lesser  
24 of (i) 0.08% or (ii) \$12,000 per mile of road under the  
25 jurisdiction of the road district, and if the levy for the  
26 special tax is more than any other levy for road and bridge

1 purposes, then the levy for the special tax qualifies the road  
2 district for a proportionate, rather than full, allotment  
3 under this Section. If the levy for the special tax is equal to  
4 or less than any other levy for road and bridge purposes, then  
5 any allotment under this Section shall be determined by the  
6 other levy for road and bridge purposes.

7 Prior to 2011, if a township has transferred to the road  
8 and bridge fund money which, when added to the amount of any  
9 tax levy of the road district would be the equivalent of a tax  
10 levy requiring extension at a rate of at least .08%, or, in  
11 DuPage County, an amount equal to or greater than \$12,000 per  
12 mile of road under the jurisdiction of the road district,  
13 whichever is less, such transfer, together with any such tax  
14 levy, shall be deemed a proper compliance with this Section  
15 and shall qualify the road district for an allotment under  
16 this Section.

17 In counties in which a property tax extension limitation  
18 is imposed under the Property Tax Extension Limitation Law,  
19 road districts may retain their entitlement to a motor fuel  
20 tax allotment or, beginning in 2011, their entitlement to a  
21 full allotment if, at the time the property tax extension  
22 limitation was imposed, the road district was levying a road  
23 and bridge tax at a rate sufficient to entitle it to a motor  
24 fuel tax allotment and continues to levy the maximum allowable  
25 amount after the imposition of the property tax extension  
26 limitation. Any road district may in all circumstances retain

1 its entitlement to a motor fuel tax allotment or, beginning in  
2 2011, its entitlement to a full allotment if it levied a road  
3 and bridge tax in an amount that will require the extension of  
4 the tax against the taxable property in the road district at a  
5 rate of not less than 0.08% of the assessed value of the  
6 property, based upon the assessment for the year immediately  
7 preceding the year in which the tax was levied and as equalized  
8 by the Department of Revenue or, in DuPage County, an amount  
9 equal to or greater than \$12,000 per mile of road under the  
10 jurisdiction of the road district, whichever is less.

11 As used in this Section, the term "road district" means  
12 any road district, including a county unit road district,  
13 provided for by the Illinois Highway Code; and the term  
14 "township or district road" means any road in the township and  
15 district road system as defined in the Illinois Highway Code.  
16 For the purposes of this Section, "township or district road"  
17 also includes such roads as are maintained by park districts,  
18 forest preserve districts and conservation districts. The  
19 Department of Transportation shall determine the mileage of  
20 all township and district roads for the purposes of making  
21 allotments and allocations of motor fuel tax funds for use in  
22 road districts.

23 Payment of motor fuel tax moneys to municipalities and  
24 counties shall be made as soon as possible after the allotment  
25 is made. The treasurer of the municipality or county may  
26 invest these funds until their use is required and the

1 interest earned by these investments shall be limited to the  
2 same uses as the principal funds.

3 (Source: P.A. 101-32, eff. 6-28-19; 101-230, eff. 8-9-19;  
4 101-493, eff. 8-23-19; 102-16, eff. 6-17-21; 102-558, eff.  
5 8-20-21.)

6 Section 5-66. The Illinois Pension Code is amended by  
7 changing Section 1-110.16 as follows:

8 (40 ILCS 5/1-110.16)

9 Sec. 1-110.16. Transactions prohibited by retirement  
10 systems; companies that boycott Israel, for-profit companies  
11 that contract to shelter migrant children, Iran-restricted  
12 companies, Sudan-restricted companies, and expatriated  
13 entities.

14 (a) As used in this Section:

15 "Boycott Israel" means engaging in actions that are  
16 politically motivated and are intended to penalize,  
17 inflict economic harm on, or otherwise limit commercial  
18 relations with the State of Israel or companies based in  
19 the State of Israel or in territories controlled by the  
20 State of Israel.

21 "Company" means any sole proprietorship, organization,  
22 association, corporation, partnership, joint venture,  
23 limited partnership, limited liability partnership,  
24 limited liability company, or other entity or business

1 association, including all wholly owned subsidiaries,  
2 majority-owned subsidiaries, parent companies, or  
3 affiliates of those entities or business associations,  
4 that exist for the purpose of making profit.

5 "Contract to shelter migrant children" means entering  
6 into a contract with the federal government to shelter  
7 migrant children under the federal Unaccompanied Alien  
8 Children Program or a substantially similar federal  
9 program.

10 "Illinois Investment Policy Board" means the board  
11 established under subsection (b) of this Section.

12 "Direct holdings" in a company means all publicly  
13 traded securities of that company that are held directly  
14 by the retirement system in an actively managed account or  
15 fund in which the retirement system owns all shares or  
16 interests.

17 "Expatriated entity" has the meaning ascribed to it in  
18 Section 1-15.120 of the Illinois Procurement Code.

19 "Indirect holdings" in a company means all securities  
20 of that company that are held in an account or fund, such  
21 as a mutual fund, managed by one or more persons not  
22 employed by the retirement system, in which the retirement  
23 system owns shares or interests together with other  
24 investors not subject to the provisions of this Section or  
25 that are held in an index fund.

26 "Iran-restricted company" means a company that meets

1 the qualifications under Section 1-110.15 of this Code.

2 "Private market fund" means any private equity fund,  
3 private equity funds of funds, venture capital fund, hedge  
4 fund, hedge fund of funds, real estate fund, or other  
5 investment vehicle that is not publicly traded.

6 "Restricted companies" means companies that boycott  
7 Israel, for-profit companies that contract to shelter  
8 migrant children, Iran-restricted companies,  
9 Sudan-restricted companies, and expatriated entities.

10 "Retirement system" means a retirement system  
11 established under Article 2, 14, 15, 16, or 18 of this Code  
12 or the Illinois State Board of Investment.

13 "Sudan-restricted company" means a company that meets  
14 the qualifications under Section 1-110.6 of this Code.

15 (b) There shall be established an Illinois Investment  
16 Policy Board. The Illinois Investment Policy Board shall  
17 consist of 7 members. Each board of a pension fund or  
18 investment board created under Article 15, 16, or 22A of this  
19 Code shall appoint one member, and the Governor shall appoint  
20 4 members. The Governor shall designate one member of the  
21 Board as the Chairperson.

22 (b-5) The term of office of each member appointed by the  
23 Governor, who is serving on the Board on June 30, 2022, is  
24 abolished on that date. The terms of office of members  
25 appointed by the Governor after June 30, 2022 shall be as  
26 follows: 2 initial members shall be appointed for terms of 2

1 years, and 2 initial members shall be appointed for terms of 4  
2 years. Thereafter, the members appointed by the Governor shall  
3 hold office for 4 years, except that any member chosen to fill  
4 a vacancy occurring otherwise than by expiration of a term  
5 shall be appointed only for the unexpired term of the member  
6 whom he or she shall succeed. Board members may be  
7 reappointed. The Governor may remove a Governor's appointee to  
8 the Board for incompetence, neglect of duty, malfeasance, or  
9 inability to serve.

10 (c) Notwithstanding any provision of law to the contrary,  
11 beginning January 1, 2016, Sections 110.15 and 1-110.6 of this  
12 Code shall be administered in accordance with this Section.

13 (d) By April 1, 2016, the Illinois Investment Policy Board  
14 shall make its best efforts to identify all Iran-restricted  
15 companies, Sudan-restricted companies, and companies that  
16 boycott Israel and assemble those identified companies into a  
17 list of restricted companies, to be distributed to each  
18 retirement system.

19 These efforts shall include the following, as appropriate  
20 in the Illinois Investment Policy Board's judgment:

21 (1) reviewing and relying on publicly available  
22 information regarding Iran-restricted companies,  
23 Sudan-restricted companies, and companies that boycott  
24 Israel, including information provided by nonprofit  
25 organizations, research firms, and government entities;

26 (2) contacting asset managers contracted by the

1 retirement systems that invest in Iran-restricted  
2 companies, Sudan-restricted companies, and companies that  
3 boycott Israel;

4 (3) contacting other institutional investors that have  
5 divested from or engaged with Iran-restricted companies,  
6 Sudan-restricted companies, and companies that boycott  
7 Israel; and

8 (4) retaining an independent research firm to identify  
9 Iran-restricted companies, Sudan-restricted companies,  
10 and companies that boycott Israel.

11 The Illinois Investment Policy Board shall review the list  
12 of restricted companies on a quarterly basis based on evolving  
13 information from, among other sources, those listed in this  
14 subsection (d) and distribute any updates to the list of  
15 restricted companies to the retirement systems and the State  
16 Treasurer.

17 By April 1, 2018, the Illinois Investment Policy Board  
18 shall make its best efforts to identify all expatriated  
19 entities and include those companies in the list of restricted  
20 companies distributed to each retirement system and the State  
21 Treasurer. These efforts shall include the following, as  
22 appropriate in the Illinois Investment Policy Board's  
23 judgment:

24 (1) reviewing and relying on publicly available  
25 information regarding expatriated entities, including  
26 information provided by nonprofit organizations, research



1 firms, and government entities;

2 (2) contacting asset managers contracted by the  
3 retirement systems that invest in expatriated entities;

4 (3) contacting other institutional investors that have  
5 divested from or engaged with expatriated entities; and

6 (4) retaining an independent research firm to identify  
7 expatriated entities.

8 By July 1, 2022, the Illinois Investment Policy Board  
9 shall make its best efforts to identify all for-profit  
10 companies that contract to shelter migrant children and  
11 include those companies in the list of restricted companies  
12 distributed to each retirement system. These efforts shall  
13 include the following, as appropriate in the Illinois  
14 Investment Policy Board's judgment:

15 (1) reviewing and relying on publicly available  
16 information regarding for-profit companies that contract  
17 to shelter migrant children, including information  
18 provided by nonprofit organizations, research firms, and  
19 government entities;

20 (2) contacting asset managers contracted by the  
21 retirement systems that invest in for-profit companies  
22 that contract to shelter migrant children;

23 (3) contacting other institutional investors that have  
24 divested from or engaged with for-profit companies that  
25 contract to shelter migrant children; and

26 (4) retaining an independent research firm to identify

1 for-profit companies that contract to shelter migrant  
2 children.

3 (e) The Illinois Investment Policy Board shall adhere to  
4 the following procedures for companies on the list of  
5 restricted companies:

6 (1) For each company newly identified in subsection  
7 (d), the Illinois Investment Policy Board shall send a  
8 written notice informing the company of its status and  
9 that it may become subject to divestment or shareholder  
10 activism by the retirement systems.

11 (2) If, following the Illinois Investment Policy  
12 Board's engagement pursuant to this subsection (e) with a  
13 restricted company, that company ceases activity that  
14 designates the company to be an Iran-restricted company, a  
15 Sudan-restricted company, a company that boycotts Israel,  
16 an expatriated entity, or a for-profit company that  
17 contracts to shelter migrant children, the company shall  
18 be removed from the list of restricted companies and the  
19 provisions of this Section shall cease to apply to it  
20 unless it resumes such activities.

21 (f) Except as provided in subsection (f-1) of this Section  
22 the retirement system shall adhere to the following procedures  
23 for companies on the list of restricted companies:

24 (1) The retirement system shall identify those  
25 companies on the list of restricted companies in which the  
26 retirement system owns direct holdings and indirect

1 holdings.

2 (2) The retirement system shall instruct its  
3 investment advisors to sell, redeem, divest, or withdraw  
4 all direct holdings of restricted companies from the  
5 retirement system's assets under management in an orderly  
6 and fiduciarily responsible manner within 12 months after  
7 the company's most recent appearance on the list of  
8 restricted companies.

9 (3) The retirement system may not acquire securities  
10 of restricted companies.

11 (4) The provisions of this subsection (f) do not apply  
12 to the retirement system's indirect holdings or private  
13 market funds. The Illinois Investment Policy Board shall  
14 submit letters to the managers of those investment funds  
15 containing restricted companies requesting that they  
16 consider removing the companies from the fund or create a  
17 similar actively managed fund having indirect holdings  
18 devoid of the companies. If the manager creates a similar  
19 fund, the retirement system shall replace all applicable  
20 investments with investments in the similar fund in an  
21 expedited timeframe consistent with prudent investing  
22 standards.

23 (f-1) The retirement system shall adhere to the following  
24 procedures for restricted companies that are expatriated  
25 entities or for-profit companies that contract to shelter  
26 migrant children:

1           (1) To the extent that the retirement system believes  
2           that shareholder activism would be more impactful than  
3           divestment, the retirement system shall have the authority  
4           to engage with a restricted company prior to divesting.

5           (2) Subject to any applicable State or Federal laws,  
6           methods of shareholder activism utilized by the retirement  
7           system may include, but are not limited to, bringing  
8           shareholder resolutions and proxy voting on shareholder  
9           resolutions.

10          (3) The retirement system shall report on its  
11          shareholder activism and the outcome of such efforts to  
12          the Illinois Investment Policy Board by April 1 of each  
13          year.

14          (4) If the engagement efforts of the retirement system  
15          are unsuccessful, then it shall adhere to the procedures  
16          under subsection (f) of this Section.

17          (g) Upon request, and by April 1 of each year, each  
18          retirement system shall provide the Illinois Investment Policy  
19          Board with information regarding investments sold, redeemed,  
20          divested, or withdrawn in compliance with this Section.

21          (h) Notwithstanding any provision of this Section to the  
22          contrary, a retirement system may cease divesting from  
23          companies pursuant to subsection (f) if clear and convincing  
24          evidence shows that the value of investments in such companies  
25          becomes equal to or less than 0.5% of the market value of all  
26          assets under management by the retirement system. For any

1 cessation of divestment authorized by this subsection (h), the  
2 retirement system shall provide a written notice to the  
3 Illinois Investment Policy Board in advance of the cessation  
4 of divestment, setting forth the reasons and justification,  
5 supported by clear and convincing evidence, for its decision  
6 to cease divestment under subsection (f).

7 (i) The cost associated with the activities of the  
8 Illinois Investment Policy Board shall be borne by the boards  
9 of each pension fund or investment board created under Article  
10 15, 16, or 22A of this Code.

11 (j) With respect to actions taken in compliance with this  
12 Section, including all good-faith determinations regarding  
13 companies as required by this Section, the retirement system  
14 and Illinois Investment Policy Board are exempt from any  
15 conflicting statutory or common law obligations, including any  
16 fiduciary duties under this Article and any obligations with  
17 respect to choice of asset managers, investment funds, or  
18 investments for the retirement system's securities portfolios.

19 (k) It is not the intent of the General Assembly in  
20 enacting this amendatory Act of the 99th General Assembly to  
21 cause divestiture from any company based in the United States  
22 of America. The Illinois Investment Policy Board shall  
23 consider this intent when developing or reviewing the list of  
24 restricted companies.

25 (l) If any provision of this amendatory Act of the 99th  
26 General Assembly or its application to any person or

1 circumstance is held invalid, the invalidity of that provision  
2 or application does not affect other provisions or  
3 applications of this amendatory Act of the 99th General  
4 Assembly that can be given effect without the invalid  
5 provision or application.

6 If any provision of Public Act 100-551 or its application  
7 to any person or circumstance is held invalid, the invalidity  
8 of that provision or application does not affect other  
9 provisions or applications of Public Act 100-551 that can be  
10 given effect without the invalid provision or application.

11 If any provision of this amendatory Act of the 102nd  
12 General Assembly or its application to any person or  
13 circumstance is held invalid, the invalidity of that provision  
14 or application does not affect other provisions or  
15 applications of this amendatory Act of the 102nd General  
16 Assembly that can be given effect without the invalid  
17 provision or application.

18 (Source: P.A. 102-118, eff. 7-23-21.)

19 Section 5-67. The Law Enforcement Camera Grant Act is  
20 amended by changing Section 5 as follows:

21 (50 ILCS 707/5)

22 Sec. 5. Definitions. As used in this Act:

23 "Board" means the Illinois Law Enforcement Training  
24 Standards Board created by the Illinois Police Training Act.

1 "In-car video camera" means a video camera located in a  
2 law enforcement patrol vehicle.

3 "In-car video camera recording equipment" means a video  
4 camera recording system located in a law enforcement patrol  
5 vehicle consisting of a camera assembly, recording mechanism,  
6 and an in-car video recording medium.

7 "In uniform" means a law enforcement officer who is  
8 wearing any officially authorized uniform designated by a law  
9 enforcement agency, or a law enforcement officer who is  
10 visibly wearing articles of clothing, badge, tactical gear,  
11 gun belt, a patch, or other insignia indicating that he or she  
12 is a law enforcement officer acting in the course of his or her  
13 duties.

14 "Law enforcement officer" or "officer" means any person  
15 employed by a unit of local government ~~county, municipality,~~  
16 ~~township,~~ or an Illinois public university as a policeman,  
17 peace officer or in some like position involving the  
18 enforcement of the law and protection of the public interest  
19 at the risk of that person's life.

20 "Officer-worn body camera" means an electronic camera  
21 system for creating, generating, sending, receiving, storing,  
22 displaying, and processing audiovisual recordings that may be  
23 worn about the person of a law enforcement officer.

24 "Recording" means the process of capturing data or  
25 information stored on a recording medium as required under  
26 this Act.

1 "Recording medium" means any recording medium authorized  
2 by the Board for the retention and playback of recorded audio  
3 and video including, but not limited to, VHS, DVD, hard drive,  
4 cloud storage, solid state, digital, flash memory technology,  
5 or any other electronic medium.

6 "Unit of local government" has the meaning ascribed to it  
7 in Section 1 of Article VII of the Illinois Constitution.

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

9 Section 5-69. The Illinois Municipal Code is amended by  
10 changing Sections 8-3-14b and 8-3-14c as follows:

11 (65 ILCS 5/8-3-14b)

12 (Section scheduled to be repealed on January 1, 2023)

13 Sec. 8-3-14b. Municipal hotel operators' tax in DuPage  
14 County. For any municipality located within DuPage County that  
15 belongs to a not-for-profit organization headquartered in  
16 DuPage County that is recognized by the Department of Commerce  
17 and Economic Opportunity as a certified local tourism and  
18 convention bureau entitled to receive State tourism grant  
19 funds, not less than 75% of the amounts collected pursuant to  
20 Section 8-3-14 shall be expended by the municipality to  
21 promote tourism and conventions within that municipality or  
22 otherwise to attract nonresident overnight visitors to the  
23 municipality, and the remainder of the amounts collected by a  
24 municipality within DuPage County pursuant to Section 8-3-14



1 may be expended by the municipality for economic development  
2 or capital infrastructure.

3 This Section is repealed on January 1, 2025 ~~January 1,~~  
4 ~~2023~~.

5 (Source: P.A. 101-204, eff. 8-2-19.)

6 (65 ILCS 5/8-3-14c)

7 (Section scheduled to be repealed on January 1, 2023)

8 Sec. 8-3-14c. Municipal hotel use tax in DuPage County.

9 For any municipality located within DuPage County that belongs  
10 to a not-for-profit organization headquartered in DuPage  
11 County that is recognized by the Department of Commerce and  
12 Economic Opportunity as a certified local tourism and  
13 convention bureau entitled to receive State tourism grant  
14 funds, not less than 75% of the amounts collected pursuant to  
15 Section 8-3-14a shall be expended by the municipality to  
16 promote tourism and conventions within that municipality or  
17 otherwise to attract nonresident overnight visitors to the  
18 municipality, and the remainder of the amounts collected by a  
19 municipality within DuPage County pursuant to Section 8-3-14a  
20 may be expended by the municipality for economic development  
21 or capital infrastructure.

22 This Section is repealed on January 1, 2025 ~~January 1,~~  
23 ~~2023~~.

24 (Source: P.A. 101-204, eff. 8-2-19.)

1           Section 5-70. The Metropolitan Pier and Exposition  
2 Authority Act is amended by changing Sections 5 and 14 as  
3 follows:

4           (70 ILCS 210/5) (from Ch. 85, par. 1225)

5           Sec. 5. The Metropolitan Pier and Exposition Authority  
6 shall also have the following rights and powers:

7           (a) To accept from Chicago Park Fair, a corporation,  
8 an assignment of whatever sums of money it may have  
9 received from the Fair and Exposition Fund, allocated by  
10 the Department of Agriculture of the State of Illinois,  
11 and Chicago Park Fair is hereby authorized to assign, set  
12 over and transfer any of those funds to the Metropolitan  
13 Pier and Exposition Authority. The Authority has the right  
14 and power hereafter to receive sums as may be distributed  
15 to it by the Department of Agriculture of the State of  
16 Illinois from the Fair and Exposition Fund pursuant to the  
17 provisions of Sections 5, 6i, and 28 of the State Finance  
18 Act. All sums received by the Authority shall be held in  
19 the sole custody of the secretary-treasurer of the  
20 Metropolitan Pier and Exposition Board.

21           (b) To accept the assignment of, assume and execute  
22 any contracts heretofore entered into by Chicago Park  
23 Fair.

24           (c) To acquire, own, construct, equip, lease, operate  
25 and maintain grounds, buildings and facilities to carry

1 out its corporate purposes and duties, and to carry out or  
2 otherwise provide for the recreational, cultural,  
3 commercial or residential development of Navy Pier, and to  
4 fix and collect just, reasonable and nondiscriminatory  
5 charges for the use thereof. The charges so collected  
6 shall be made available to defray the reasonable expenses  
7 of the Authority and to pay the principal of and the  
8 interest upon any revenue bonds issued by the Authority.  
9 The Authority shall be subject to and comply with the Lake  
10 Michigan and Chicago Lakefront Protection Ordinance, the  
11 Chicago Building Code, the Chicago Zoning Ordinance, and  
12 all ordinances and regulations of the City of Chicago  
13 contained in the following Titles of the Municipal Code of  
14 Chicago: Businesses, Occupations and Consumer Protection;  
15 Health and Safety; Fire Prevention; Public Peace, Morals  
16 and Welfare; Utilities and Environmental Protection;  
17 Streets, Public Ways, Parks, Airports and Harbors;  
18 Electrical Equipment and Installation; Housing and  
19 Economic Development (only Chapter 5-4 thereof); and  
20 Revenue and Finance (only so far as such Title pertains to  
21 the Authority's duty to collect taxes on behalf of the  
22 City of Chicago).

23 (d) To enter into contracts treating in any manner  
24 with the objects and purposes of this Act.

25 (e) To lease any buildings to the Adjutant General of  
26 the State of Illinois for the use of the Illinois National

1 Guard or the Illinois Naval Militia.

2 (f) To exercise the right of eminent domain by  
3 condemnation proceedings in the manner provided by the  
4 Eminent Domain Act, including, with respect to Site B  
5 only, the authority to exercise quick take condemnation by  
6 immediate vesting of title under Article 20 of the Eminent  
7 Domain Act, to acquire any privately owned real or  
8 personal property and, with respect to Site B only, public  
9 property used for rail transportation purposes (but no  
10 such taking of such public property shall, in the  
11 reasonable judgment of the owner, interfere with such rail  
12 transportation) for the lawful purposes of the Authority  
13 in Site A, at Navy Pier, and at Site B. Just compensation  
14 for property taken or acquired under this paragraph shall  
15 be paid in money or, notwithstanding any other provision  
16 of this Act and with the agreement of the owner of the  
17 property to be taken or acquired, the Authority may convey  
18 substitute property or interests in property or enter into  
19 agreements with the property owner, including leases,  
20 licenses, or concessions, with respect to any property  
21 owned by the Authority, or may provide for other lawful  
22 forms of just compensation to the owner. Any property  
23 acquired in condemnation proceedings shall be used only as  
24 provided in this Act. Except as otherwise provided by law,  
25 the City of Chicago shall have a right of first refusal  
26 prior to any sale of any such property by the Authority to

1 a third party other than substitute property. The  
2 Authority shall develop and implement a relocation plan  
3 for businesses displaced as a result of the Authority's  
4 acquisition of property. The relocation plan shall be  
5 substantially similar to provisions of the Uniform  
6 Relocation Assistance and Real Property Acquisition Act  
7 and regulations promulgated under that Act relating to  
8 assistance to displaced businesses. To implement the  
9 relocation plan the Authority may acquire property by  
10 purchase or gift or may exercise the powers authorized in  
11 this subsection (f), except the immediate vesting of title  
12 under Article 20 of the Eminent Domain Act, to acquire  
13 substitute private property within one mile of Site B for  
14 the benefit of displaced businesses located on property  
15 being acquired by the Authority. However, no such  
16 substitute property may be acquired by the Authority  
17 unless the mayor of the municipality in which the property  
18 is located certifies in writing that the acquisition is  
19 consistent with the municipality's land use and economic  
20 development policies and goals. The acquisition of  
21 substitute property is declared to be for public use. In  
22 exercising the powers authorized in this subsection (f),  
23 the Authority shall use its best efforts to relocate  
24 businesses within the area of McCormick Place or, failing  
25 that, within the City of Chicago.

26 (g) To enter into contracts relating to construction

1 projects which provide for the delivery by the contractor  
2 of a completed project, structure, improvement, or  
3 specific portion thereof, for a fixed maximum price, which  
4 contract may provide that the delivery of the project,  
5 structure, improvement, or specific portion thereof, for  
6 the fixed maximum price is insured or guaranteed by a  
7 third party capable of completing the construction.

8 (h) To enter into agreements with any person with  
9 respect to the use and occupancy of the grounds,  
10 buildings, and facilities of the Authority, including  
11 concession, license, and lease agreements on terms and  
12 conditions as the Authority determines. Notwithstanding  
13 Section 24, agreements with respect to the use and  
14 occupancy of the grounds, buildings, and facilities of the  
15 Authority for a term of more than one year shall be entered  
16 into in accordance with the procurement process provided  
17 for in Section 25.1.

18 (i) To enter into agreements with any person with  
19 respect to the operation and management of the grounds,  
20 buildings, and facilities of the Authority or the  
21 provision of goods and services on terms and conditions as  
22 the Authority determines.

23 (j) After conducting the procurement process provided  
24 for in Section 25.1, to enter into one or more contracts to  
25 provide for the design and construction of all or part of  
26 the Authority's Expansion Project grounds, buildings, and

1 facilities. Any contract for design and construction of  
2 the Expansion Project shall be in the form authorized by  
3 subsection (g), shall be for a fixed maximum price not in  
4 excess of the funds that are authorized to be made  
5 available for those purposes during the term of the  
6 contract, and shall be entered into before commencement of  
7 construction.

8 (k) To enter into agreements, including project  
9 agreements with labor unions, that the Authority deems  
10 necessary to complete the Expansion Project or any other  
11 construction or improvement project in the most timely and  
12 efficient manner and without strikes, picketing, or other  
13 actions that might cause disruption or delay and thereby  
14 add to the cost of the project.

15 (l) To provide incentives to organizations and  
16 entities that agree to make use of the grounds, buildings,  
17 and facilities of the Authority for conventions, meetings,  
18 or trade shows. The incentives may take the form of  
19 discounts from regular fees charged by the Authority,  
20 subsidies for or assumption of the costs incurred with  
21 respect to the convention, meeting, or trade show, or  
22 other inducements. The Authority shall award incentives to  
23 attract or retain conventions, meetings, and trade shows  
24 under the terms set forth in this subsection (l) from  
25 amounts appropriated to the Authority from the  
26 Metropolitan Pier and Exposition Authority Incentive Fund

1 for this purpose.

2 No later than May 15 of each year, the Chief Executive  
3 Officer of the Metropolitan Pier and Exposition Authority  
4 shall certify to the State Comptroller and the State  
5 Treasurer the amounts of incentive grant funds used during  
6 the current fiscal year to provide incentives for  
7 conventions, meetings, or trade shows that:

8 (i) have been approved by the Authority, in  
9 consultation with an organization meeting the  
10 qualifications set out in Section 5.6 of this Act,  
11 provided the Authority has entered into a marketing  
12 agreement with such an organization,

13 (ii) (A) for fiscal years prior to 2022 and after  
14 2024, demonstrate registered attendance in excess of  
15 5,000 individuals or in excess of 10,000 individuals,  
16 as appropriate;

17 (B) for fiscal years 2022 through 2024,  
18 demonstrate registered attendance in excess of 3,000  
19 individuals or in excess of 5,000 individuals, as  
20 appropriate; or

21 (C) for fiscal years 2022 and 2023, regardless of  
22 registered attendance, demonstrate incurrence of costs  
23 associated with mitigation of COVID-19, including, but  
24 not limited to, costs for testing and screening,  
25 contact tracing and notification, personal protective  
26 equipment, and other physical and organizational



1 costs, and

2 (iii) in the case of subparagraphs (A) and (B) of  
3 paragraph (ii), but for the incentive, would not have  
4 used the facilities of the Authority for the  
5 convention, meeting, or trade show. The State  
6 Comptroller may request that the Auditor General  
7 conduct an audit of the accuracy of the certification.  
8 If the State Comptroller determines by this process of  
9 certification that incentive funds, in whole or in  
10 part, were disbursed by the Authority by means other  
11 than in accordance with the standards of this  
12 subsection (1), then any amount transferred to the  
13 Metropolitan Pier and Exposition Authority Incentive  
14 Fund shall be reduced during the next subsequent  
15 transfer in direct proportion to that amount  
16 determined to be in violation of the terms set forth in  
17 this subsection (1).

18 On July 15, 2012, the Comptroller shall order  
19 transferred, and the Treasurer shall transfer, into the  
20 Metropolitan Pier and Exposition Authority Incentive Fund  
21 from the General Revenue Fund the sum of \$7,500,000 plus  
22 an amount equal to the incentive grant funds certified by  
23 the Chief Executive Officer as having been lawfully paid  
24 under the provisions of this Section in the previous 2  
25 fiscal years that have not otherwise been transferred into  
26 the Metropolitan Pier and Exposition Authority Incentive

1 Fund, provided that transfers in excess of \$15,000,000  
2 shall not be made in any fiscal year.

3 On July 15, 2013, the Comptroller shall order  
4 transferred, and the Treasurer shall transfer, into the  
5 Metropolitan Pier and Exposition Authority Incentive Fund  
6 from the General Revenue Fund the sum of \$7,500,000 plus  
7 an amount equal to the incentive grant funds certified by  
8 the Chief Executive Officer as having been lawfully paid  
9 under the provisions of this Section in the previous  
10 fiscal year that have not otherwise been transferred into  
11 the Metropolitan Pier and Exposition Authority Incentive  
12 Fund, provided that transfers in excess of \$15,000,000  
13 shall not be made in any fiscal year.

14 On July 15, 2014, and every year thereafter, the  
15 Comptroller shall order transferred, and the Treasurer  
16 shall transfer, into the Metropolitan Pier and Exposition  
17 Authority Incentive Fund from the General Revenue Fund an  
18 amount equal to the incentive grant funds certified by the  
19 Chief Executive Officer as having been lawfully paid under  
20 the provisions of this Section in the previous fiscal year  
21 that have not otherwise been transferred into the  
22 Metropolitan Pier and Exposition Authority Incentive Fund,  
23 provided that (1) no transfers with respect to any  
24 previous fiscal year shall be made after the transfer has  
25 been made with respect to the 2017 fiscal year until the  
26 transfer that is made for the 2022 fiscal year and

1           thereafter, and no transfers with respect to any previous  
2           fiscal year shall be made after the transfer has been made  
3           with respect to the 2026 fiscal year, and (2) transfers in  
4           excess of \$15,000,000 shall not be made in any fiscal  
5           year.

6           After a transfer has been made under this subsection  
7           (1), the Chief Executive Officer shall file a request for  
8           payment with the Comptroller evidencing that the incentive  
9           grants have been made and the Comptroller shall thereafter  
10          order paid, and the Treasurer shall pay, the requested  
11          amounts to the Metropolitan Pier and Exposition Authority.

12          Excluding any amounts related to the payment of costs  
13          associated with the mitigation of COVID-19 in accordance  
14          with this subsection (1), in no case shall more than  
15          \$5,000,000 be used in any one year by the Authority for  
16          incentives granted conventions, meetings, or trade shows  
17          with a registered attendance of (1) more than 5,000 and  
18          less than 10,000 prior to the 2022 fiscal year and after  
19          the 2024 fiscal year and (2) more than 3,000 and less than  
20          5,000 for fiscal years 2022 through 2024. Amounts in the  
21          Metropolitan Pier and Exposition Authority Incentive Fund  
22          shall only be used by the Authority for incentives paid to  
23          attract or retain conventions, meetings, and trade shows  
24          as provided in this subsection (1).

25          (1-5) The Village of Rosemont shall provide incentives  
26          from amounts transferred into the Convention Center

1 Support Fund to retain and attract conventions, meetings,  
2 or trade shows to the Donald E. Stephens Convention Center  
3 under the terms set forth in this subsection (1-5).

4 No later than May 15 of each year, the Mayor of the  
5 Village of Rosemont or his or her designee shall certify  
6 to the State Comptroller and the State Treasurer the  
7 amounts of incentive grant funds used during the previous  
8 fiscal year to provide incentives for conventions,  
9 meetings, or trade shows that (1) have been approved by  
10 the Village, (2) demonstrate registered attendance in  
11 excess of 5,000 individuals, and (3) but for the  
12 incentive, would not have used the Donald E. Stephens  
13 Convention Center facilities for the convention, meeting,  
14 or trade show. The State Comptroller may request that the  
15 Auditor General conduct an audit of the accuracy of the  
16 certification.

17 If the State Comptroller determines by this process of  
18 certification that incentive funds, in whole or in part,  
19 were disbursed by the Village by means other than in  
20 accordance with the standards of this subsection (1-5),  
21 then the amount transferred to the Convention Center  
22 Support Fund shall be reduced during the next subsequent  
23 transfer in direct proportion to that amount determined to  
24 be in violation of the terms set forth in this subsection  
25 (1-5).

26 On July 15, 2012, and each year thereafter, the

1 Comptroller shall order transferred, and the Treasurer  
2 shall transfer, into the Convention Center Support Fund  
3 from the General Revenue Fund the amount of \$5,000,000 for  
4 (i) incentives to attract large conventions, meetings, and  
5 trade shows to the Donald E. Stephens Convention Center,  
6 and (ii) to be used by the Village of Rosemont for the  
7 repair, maintenance, and improvement of the Donald E.  
8 Stephens Convention Center and for debt service on debt  
9 instruments issued for those purposes by the village. No  
10 later than 30 days after the transfer, the Comptroller  
11 shall order paid, and the Treasurer shall pay, to the  
12 Village of Rosemont the amounts transferred.

13 (m) To enter into contracts with any person conveying  
14 the naming rights or other intellectual property rights  
15 with respect to the grounds, buildings, and facilities of  
16 the Authority.

17 (n) To enter into grant agreements with the Chicago  
18 Convention and Tourism Bureau providing for the marketing  
19 of the convention facilities to large and small  
20 conventions, meetings, and trade shows and the promotion  
21 of the travel industry in the City of Chicago, provided  
22 such agreements meet the requirements of Section 5.6 of  
23 this Act. Receipts of the Authority from the increase in  
24 the airport departure tax authorized in subsection (f) of  
25 Section 13 of this Act by Public Act 96-898 ~~by Section~~  
26 ~~13(f) of this amendatory Act of the 96th General Assembly~~

1 and, subject to appropriation to the Authority, funds  
2 deposited in the Chicago Travel Industry Promotion Fund  
3 pursuant to Section 6 of the Hotel Operators' Occupation  
4 Tax Act shall be granted to the Bureau for such purposes.

5 For Fiscal Year 2023 only, the Department of Commerce  
6 and Economic Opportunity shall enter into the grant  
7 agreements described in this subsection in place of the  
8 Authority. The grant agreements entered into by the  
9 Department and the Bureau under this subsection are not  
10 subject to the matching funds requirements or the other  
11 terms and conditions of Section 605-705 of the Department  
12 of Commerce and Economic Opportunity Law of the Civil  
13 Administrative Code of Illinois. Subject to appropriation,  
14 funds transferred into the Chicago Travel Industry  
15 Promotion Fund pursuant to subsection (f) of Section  
16 6z-121 of the State Finance Act shall be granted to the  
17 Bureau for the purposes described in this subsection. The  
18 Department shall have authority to make expenditures from  
19 the Chicago Travel Industry Promotion Fund solely for the  
20 purpose of providing grants to the Bureau.

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

22 (70 ILCS 210/14) (from Ch. 85, par. 1234)

23 Sec. 14. Board; compensation. The governing and  
24 administrative body of the Authority shall be a board known as  
25 the Metropolitan Pier and Exposition Board. On the effective

1 date of this amendatory Act of the 96th General Assembly, the  
2 Trustee shall assume the duties and powers of the Board for a  
3 period of 18 months or until the Board is fully constituted,  
4 whichever is later. Any action requiring Board approval shall  
5 be deemed approved by the Board if the Trustee approves the  
6 action in accordance with Section 14.5. Beginning the first  
7 Monday of the month occurring 18 months after the effective  
8 date of this amendatory Act of the 96th General Assembly, the  
9 Board shall consist of 9 members. The Governor shall appoint 4  
10 members to the Board, subject to the advice and consent of the  
11 Senate. The Mayor shall appoint 4 members to the Board. At  
12 least one member of the Board shall represent the interests of  
13 labor and at least one member of the Board shall represent the  
14 interests of the convention industry. A majority of the  
15 members appointed by the Governor and Mayor shall appoint a  
16 ninth member to serve as the chairperson. The Board shall be  
17 fully constituted when a quorum has been appointed. The  
18 members of the board shall be individuals of generally  
19 recognized ability and integrity. No member of the Board may  
20 be (i) an officer or employee of, or a member of a board,  
21 commission or authority of, the State, any unit of local  
22 government or any school district or (ii) a person who served  
23 on the Board prior to the effective date of this amendatory Act  
24 of the 96th General Assembly.

25 Of the initial members appointed by the Governor, one  
26 shall serve for a term expiring June 1, 2013, one shall serve

1 for a term expiring June 1, 2014, one shall serve for a term  
2 expiring June 1, 2015, and one shall serve for a term expiring  
3 June 1, 2016, as determined by the Governor. Of the initial  
4 members appointed by the Mayor, one shall serve for a term  
5 expiring June 1, 2013, one shall serve for a term expiring June  
6 1, 2014, one shall serve for a term expiring June 1, 2015, and  
7 one shall serve for a term expiring June 1, 2016, as determined  
8 by the Mayor. The initial chairperson appointed by the Board  
9 shall serve a term for a term expiring June 1, 2015. Successors  
10 shall be appointed to 4-year terms. ~~No person may be appointed~~  
11 ~~to more than 3 terms.~~

12 Members of the Board shall serve without compensation, but  
13 shall be reimbursed for actual expenses incurred by them in  
14 the performance of their duties. All members of the Board and  
15 employees of the Authority are subject to the Illinois  
16 Governmental Ethics Act, in accordance with its terms.

17 (Source: P.A. 100-1116, eff. 11-28-18.)

18 Section 5-73. The Joliet Arsenal Development Authority Act  
19 is amended by changing Section 55 as follows:

20 (70 ILCS 508/55)

21 Sec. 55. Abolition of Authority. The Authority shall be  
22 abolished upon the last to occur of the following: (1)  
23 expiration of the 30-year ~~25-year~~ period that begins on the  
24 effective date of this Act; or (2) one year after all revenue



1 bonds, notes, and other evidences of indebtedness of the  
2 Authority have been fully paid and discharged or otherwise  
3 provided for. Upon the abolition of the Authority, all of its  
4 rights and property shall pass to and be vested in the State.

5 (Source: P.A. 96-1122, eff. 7-20-10.)

6 Section 5-75. The School Code is amended by changing  
7 Sections 2-3.33, 2-3.192, and 18-8.15 as follows:

8 (105 ILCS 5/2-3.33) (from Ch. 122, par. 2-3.33)

9 Sec. 2-3.33. Recomputation of claims. To recompute within  
10 3 years from the final date for filing of a claim any claim for  
11 general State aid reimbursement to any school district ~~and one~~  
12 ~~year from the final date for filing of a claim for~~  
13 ~~evidence based funding if the claim has been found to be~~  
14 ~~incorrect and to adjust subsequent claims accordingly,~~ and to  
15 recompute and adjust any such claims within 6 years from the  
16 final date for filing when there has been an adverse court or  
17 administrative agency decision on the merits affecting the tax  
18 revenues of the school district. However, no such adjustment  
19 shall be made regarding equalized assessed valuation unless  
20 the district's equalized assessed valuation is changed by  
21 greater than \$250,000 or 2%. Any adjustments for claims  
22 recomputed for the 2016-2017 school year and prior school  
23 years shall be applied to the apportionment of evidence-based  
24 funding in Section 18-8.15 of this Code beginning in the

1 2017-2018 school year and thereafter. However, the  
2 recomputation of a claim for evidence-based funding for a  
3 school district shall not require the recomputation of claims  
4 for all districts, and the State Board of Education shall only  
5 make recomputations of evidence-based funding for those  
6 districts where an adjustment is required. The State Board is  
7 authorized to and shall apply corrections to data used in  
8 evidence-based funding calculations that may result in current  
9 year adjustments and shall recover funds previously scheduled  
10 to be distributed or previously distributed to an  
11 Organizational Unit or specially funded unit during a fiscal  
12 year in accordance with Section 18-8.15 of this Code.

13 Except in the case of an adverse court or administrative  
14 agency decision, no recomputation of a State aid claim shall  
15 be made pursuant to this Section as a result of a reduction in  
16 the assessed valuation of a school district from the assessed  
17 valuation of the district reported to the State Board of  
18 Education by the Department of Revenue under Section 18-8.05  
19 or 18-8.15 of this Code unless the requirements of Section  
20 16-15 of the Property Tax Code and Section 2-3.84 of this Code  
21 are complied with in all respects.

22 This paragraph applies to all requests for recomputation  
23 of a general State aid or evidence-based funding claim  
24 received after June 30, 2003. In recomputing a general State  
25 aid or evidence-based funding claim that was originally  
26 calculated using an extension limitation equalized assessed

1 valuation under paragraph (3) of subsection (G) of Section  
2 18-8.05 of this Code or Section 18-8.15 of this Code, a  
3 qualifying reduction in equalized assessed valuation shall be  
4 deducted from the extension limitation equalized assessed  
5 valuation that was used in calculating the original claim.

6 From the total amount of general State aid or  
7 evidence-based funding to be provided to districts,  
8 adjustments as a result of recomputation under this Section  
9 together with adjustments under Section 2-3.84 must not exceed  
10 \$25 million, in the aggregate for all districts under both  
11 Sections combined, of the general State aid or evidence-based  
12 funding appropriation in any fiscal year; if necessary,  
13 amounts shall be prorated among districts. If it is necessary  
14 to prorate claims under this paragraph, then that portion of  
15 each prorated claim that is approved but not paid in the  
16 current fiscal year may be resubmitted as a valid claim in the  
17 following fiscal year.

18 (Source: P.A. 100-465, eff. 8-31-17.)

19 (105 ILCS 5/2-3.192 new)

20 Sec. 2-3.192. Significant loss grant program. Subject to  
21 specific State appropriation, the State Board shall make  
22 Significant Loss Grants available to school districts that  
23 meet all of the following requirements:

24 (1) The district has been affected by a recent  
25 substantial loss of contributions from a single taxpayer

1 that resulted in either a significant loss of the overall  
2 district Equalized Assessed Value or a significant loss in  
3 property tax revenue from January 1, 2018 through the  
4 effective date of this amendatory Act of the 102nd General  
5 Assembly.

6 (2) The district's total equalized assessed value is  
7 significantly derived from a single taxpayer.

8 (3) The district's administrative office is located in  
9 a county with less than 30,000 inhabitants.

10 (4) The district has a total student enrollment of  
11 less than 500 students as published on the most recent  
12 Illinois School Report Card.

13 (5) The district has a low income concentration of at  
14 least 45% as published on the most recent Illinois School  
15 Report Card.

16 The Professional Review Panel shall make recommendations  
17 to the State Board regarding grant eligibility and  
18 allocations. The State Board shall determine grant eligibility  
19 and allocations. This Section is repealed on July 1, 2023.

20 (105 ILCS 5/18-8.15)

21 Sec. 18-8.15. Evidence-Based Funding for student success  
22 for the 2017-2018 and subsequent school years.

23 (a) General provisions.

24 (1) The purpose of this Section is to ensure that, by  
25 June 30, 2027 and beyond, this State has a kindergarten

1 through grade 12 public education system with the capacity  
2 to ensure the educational development of all persons to  
3 the limits of their capacities in accordance with Section  
4 1 of Article X of the Constitution of the State of  
5 Illinois. To accomplish that objective, this Section  
6 creates a method of funding public education that is  
7 evidence-based; is sufficient to ensure every student  
8 receives a meaningful opportunity to learn irrespective of  
9 race, ethnicity, sexual orientation, gender, or  
10 community-income level; and is sustainable and  
11 predictable. When fully funded under this Section, every  
12 school shall have the resources, based on what the  
13 evidence indicates is needed, to:

14 (A) provide all students with a high quality  
15 education that offers the academic, enrichment, social  
16 and emotional support, technical, and career-focused  
17 programs that will allow them to become competitive  
18 workers, responsible parents, productive citizens of  
19 this State, and active members of our national  
20 democracy;

21 (B) ensure all students receive the education they  
22 need to graduate from high school with the skills  
23 required to pursue post-secondary education and  
24 training for a rewarding career;

25 (C) reduce, with a goal of eliminating, the  
26 achievement gap between at-risk and non-at-risk

1 students by raising the performance of at-risk  
2 students and not by reducing standards; and

3 (D) ensure this State satisfies its obligation to  
4 assume the primary responsibility to fund public  
5 education and simultaneously relieve the  
6 disproportionate burden placed on local property taxes  
7 to fund schools.

8 (2) The Evidence-Based Funding formula under this  
9 Section shall be applied to all Organizational Units in  
10 this State. The Evidence-Based Funding formula outlined in  
11 this Act is based on the formula outlined in Senate Bill 1  
12 of the 100th General Assembly, as passed by both  
13 legislative chambers. As further defined and described in  
14 this Section, there are 4 major components of the  
15 Evidence-Based Funding model:

16 (A) First, the model calculates a unique Adequacy  
17 Target for each Organizational Unit in this State that  
18 considers the costs to implement research-based  
19 activities, the unit's student demographics, and  
20 regional wage differences.

21 (B) Second, the model calculates each  
22 Organizational Unit's Local Capacity, or the amount  
23 each Organizational Unit is assumed to contribute  
24 toward its Adequacy Target from local resources.

25 (C) Third, the model calculates how much funding  
26 the State currently contributes to the Organizational

1 Unit and adds that to the unit's Local Capacity to  
2 determine the unit's overall current adequacy of  
3 funding.

4 (D) Finally, the model's distribution method  
5 allocates new State funding to those Organizational  
6 Units that are least well-funded, considering both  
7 Local Capacity and State funding, in relation to their  
8 Adequacy Target.

9 (3) An Organizational Unit receiving any funding under  
10 this Section may apply those funds to any fund so received  
11 for which that Organizational Unit is authorized to make  
12 expenditures by law.

13 (4) As used in this Section, the following terms shall  
14 have the meanings ascribed in this paragraph (4):

15 "Adequacy Target" is defined in paragraph (1) of  
16 subsection (b) of this Section.

17 "Adjusted EAV" is defined in paragraph (4) of  
18 subsection (d) of this Section.

19 "Adjusted Local Capacity Target" is defined in  
20 paragraph (3) of subsection (c) of this Section.

21 "Adjusted Operating Tax Rate" means a tax rate for all  
22 Organizational Units, for which the State Superintendent  
23 shall calculate and subtract for the Operating Tax Rate a  
24 transportation rate based on total expenses for  
25 transportation services under this Code, as reported on  
26 the most recent Annual Financial Report in Pupil

1           Transportation Services, function 2550 in both the  
2           Education and Transportation funds and functions 4110 and  
3           4120 in the Transportation fund, less any corresponding  
4           fiscal year State of Illinois scheduled payments excluding  
5           net adjustments for prior years for regular, vocational,  
6           or special education transportation reimbursement pursuant  
7           to Section 29-5 or subsection (b) of Section 14-13.01 of  
8           this Code divided by the Adjusted EAV. If an  
9           Organizational Unit's corresponding fiscal year State of  
10          Illinois scheduled payments excluding net adjustments for  
11          prior years for regular, vocational, or special education  
12          transportation reimbursement pursuant to Section 29-5 or  
13          subsection (b) of Section 14-13.01 of this Code exceed the  
14          total transportation expenses, as defined in this  
15          paragraph, no transportation rate shall be subtracted from  
16          the Operating Tax Rate.

17                 "Allocation Rate" is defined in paragraph (3) of  
18                 subsection (g) of this Section.

19                 "Alternative School" means a public school that is  
20                 created and operated by a regional superintendent of  
21                 schools and approved by the State Board.

22                 "Applicable Tax Rate" is defined in paragraph (1) of  
23                 subsection (d) of this Section.

24                 "Assessment" means any of those benchmark, progress  
25                 monitoring, formative, diagnostic, and other assessments,  
26                 in addition to the State accountability assessment, that



1 assist teachers' needs in understanding the skills and  
2 meeting the needs of the students they serve.

3 "Assistant principal" means a school administrator  
4 duly endorsed to be employed as an assistant principal in  
5 this State.

6 "At-risk student" means a student who is at risk of  
7 not meeting the Illinois Learning Standards or not  
8 graduating from elementary or high school and who  
9 demonstrates a need for vocational support or social  
10 services beyond that provided by the regular school  
11 program. All students included in an Organizational Unit's  
12 Low-Income Count, as well as all English learner and  
13 disabled students attending the Organizational Unit, shall  
14 be considered at-risk students under this Section.

15 "Average Student Enrollment" or "ASE" for fiscal year  
16 2018 means, for an Organizational Unit, the greater of the  
17 average number of students (grades K through 12) reported  
18 to the State Board as enrolled in the Organizational Unit  
19 on October 1 in the immediately preceding school year,  
20 plus the pre-kindergarten students who receive special  
21 education services of 2 or more hours a day as reported to  
22 the State Board on December 1 in the immediately preceding  
23 school year, or the average number of students (grades K  
24 through 12) reported to the State Board as enrolled in the  
25 Organizational Unit on October 1, plus the  
26 pre-kindergarten students who receive special education

1 services of 2 or more hours a day as reported to the State  
2 Board on December 1, for each of the immediately preceding  
3 3 school years. For fiscal year 2019 and each subsequent  
4 fiscal year, "Average Student Enrollment" or "ASE" means,  
5 for an Organizational Unit, the greater of the average  
6 number of students (grades K through 12) reported to the  
7 State Board as enrolled in the Organizational Unit on  
8 October 1 and March 1 in the immediately preceding school  
9 year, plus the pre-kindergarten students who receive  
10 special education services as reported to the State Board  
11 on October 1 and March 1 in the immediately preceding  
12 school year, or the average number of students (grades K  
13 through 12) reported to the State Board as enrolled in the  
14 Organizational Unit on October 1 and March 1, plus the  
15 pre-kindergarten students who receive special education  
16 services as reported to the State Board on October 1 and  
17 March 1, for each of the immediately preceding 3 school  
18 years. For the purposes of this definition, "enrolled in  
19 the Organizational Unit" means the number of students  
20 reported to the State Board who are enrolled in schools  
21 within the Organizational Unit that the student attends or  
22 would attend if not placed or transferred to another  
23 school or program to receive needed services. For the  
24 purposes of calculating "ASE", all students, grades K  
25 through 12, excluding those attending kindergarten for a  
26 half day and students attending an alternative education

1 program operated by a regional office of education or  
2 intermediate service center, shall be counted as 1.0. All  
3 students attending kindergarten for a half day shall be  
4 counted as 0.5, unless in 2017 by June 15 or by March 1 in  
5 subsequent years, the school district reports to the State  
6 Board of Education the intent to implement full-day  
7 kindergarten district-wide for all students, then all  
8 students attending kindergarten shall be counted as 1.0.  
9 Special education pre-kindergarten students shall be  
10 counted as 0.5 each. If the State Board does not collect or  
11 has not collected both an October 1 and March 1 enrollment  
12 count by grade or a December 1 collection of special  
13 education pre-kindergarten students as of August 31, 2017  
14 (the effective date of Public Act 100-465), it shall  
15 establish such collection for all future years. For any  
16 year in which a count by grade level was collected only  
17 once, that count shall be used as the single count  
18 available for computing a 3-year average ASE. Funding for  
19 programs operated by a regional office of education or an  
20 intermediate service center must be calculated using the  
21 Evidence-Based Funding formula under this Section for the  
22 2019-2020 school year and each subsequent school year  
23 until separate adequacy formulas are developed and adopted  
24 for each type of program. ASE for a program operated by a  
25 regional office of education or an intermediate service  
26 center must be determined by the March 1 enrollment for

1 the program. For the 2019-2020 school year, the ASE used  
2 in the calculation must be the first-year ASE and, in that  
3 year only, the assignment of students served by a regional  
4 office of education or intermediate service center shall  
5 not result in a reduction of the March enrollment for any  
6 school district. For the 2020-2021 school year, the ASE  
7 must be the greater of the current-year ASE or the 2-year  
8 average ASE. Beginning with the 2021-2022 school year, the  
9 ASE must be the greater of the current-year ASE or the  
10 3-year average ASE. School districts shall submit the data  
11 for the ASE calculation to the State Board within 45 days  
12 of the dates required in this Section for submission of  
13 enrollment data in order for it to be included in the ASE  
14 calculation. For fiscal year 2018 only, the ASE  
15 calculation shall include only enrollment taken on October  
16 1. In recognition of the impact of COVID-19, the  
17 definition of "Average Student Enrollment" or "ASE" shall  
18 be adjusted for calculations under this Section for fiscal  
19 years 2022 through 2024. For fiscal years 2022 through  
20 2024, the enrollment used in the calculation of ASE  
21 representing the 2020-2021 school year shall be the  
22 greater of the enrollment for the 2020-2021 school year or  
23 the 2019-2020 school year.

24 "Base Funding Guarantee" is defined in paragraph (10)  
25 of subsection (g) of this Section.

26 "Base Funding Minimum" is defined in subsection (e) of

1 this Section.

2 "Base Tax Year" means the property tax levy year used  
3 to calculate the Budget Year allocation of primary State  
4 aid.

5 "Base Tax Year's Extension" means the product of the  
6 equalized assessed valuation utilized by the county clerk  
7 in the Base Tax Year multiplied by the limiting rate as  
8 calculated by the county clerk and defined in PTELL.

9 "Bilingual Education Allocation" means the amount of  
10 an Organizational Unit's final Adequacy Target  
11 attributable to bilingual education divided by the  
12 Organizational Unit's final Adequacy Target, the product  
13 of which shall be multiplied by the amount of new funding  
14 received pursuant to this Section. An Organizational  
15 Unit's final Adequacy Target attributable to bilingual  
16 education shall include all additional investments in  
17 English learner students' adequacy elements.

18 "Budget Year" means the school year for which primary  
19 State aid is calculated and awarded under this Section.

20 "Central office" means individual administrators and  
21 support service personnel charged with managing the  
22 instructional programs, business and operations, and  
23 security of the Organizational Unit.

24 "Comparable Wage Index" or "CWI" means a regional cost  
25 differentiation metric that measures systemic, regional  
26 variations in the salaries of college graduates who are

1 not educators. The CWI utilized for this Section shall,  
2 for the first 3 years of Evidence-Based Funding  
3 implementation, be the CWI initially developed by the  
4 National Center for Education Statistics, as most recently  
5 updated by Texas A & M University. In the fourth and  
6 subsequent years of Evidence-Based Funding implementation,  
7 the State Superintendent shall re-determine the CWI using  
8 a similar methodology to that identified in the Texas A & M  
9 University study, with adjustments made no less frequently  
10 than once every 5 years.

11 "Computer technology and equipment" means computers  
12 servers, notebooks, network equipment, copiers, printers,  
13 instructional software, security software, curriculum  
14 management courseware, and other similar materials and  
15 equipment.

16 "Computer technology and equipment investment  
17 allocation" means the final Adequacy Target amount of an  
18 Organizational Unit assigned to Tier 1 or Tier 2 in the  
19 prior school year attributable to the additional \$285.50  
20 per student computer technology and equipment investment  
21 grant divided by the Organizational Unit's final Adequacy  
22 Target, the result of which shall be multiplied by the  
23 amount of new funding received pursuant to this Section.  
24 An Organizational Unit assigned to a Tier 1 or Tier 2 final  
25 Adequacy Target attributable to the received computer  
26 technology and equipment investment grant shall include

1 all additional investments in computer technology and  
2 equipment adequacy elements.

3 "Core subject" means mathematics; science; reading,  
4 English, writing, and language arts; history and social  
5 studies; world languages; and subjects taught as Advanced  
6 Placement in high schools.

7 "Core teacher" means a regular classroom teacher in  
8 elementary schools and teachers of a core subject in  
9 middle and high schools.

10 "Core Intervention teacher (tutor)" means a licensed  
11 teacher providing one-on-one or small group tutoring to  
12 students struggling to meet proficiency in core subjects.

13 "CPPRT" means corporate personal property replacement  
14 tax funds paid to an Organizational Unit during the  
15 calendar year one year before the calendar year in which a  
16 school year begins, pursuant to "An Act in relation to the  
17 abolition of ad valorem personal property tax and the  
18 replacement of revenues lost thereby, and amending and  
19 repealing certain Acts and parts of Acts in connection  
20 therewith", certified August 14, 1979, as amended (Public  
21 Act 81-1st S.S.-1).

22 "EAV" means equalized assessed valuation as defined in  
23 paragraph (2) of subsection (d) of this Section and  
24 calculated in accordance with paragraph (3) of subsection  
25 (d) of this Section.

26 "ECI" means the Bureau of Labor Statistics' national

1 employment cost index for civilian workers in educational  
2 services in elementary and secondary schools on a  
3 cumulative basis for the 12-month calendar year preceding  
4 the fiscal year of the Evidence-Based Funding calculation.

5 "EIS Data" means the employment information system  
6 data maintained by the State Board on educators within  
7 Organizational Units.

8 "Employee benefits" means health, dental, and vision  
9 insurance offered to employees of an Organizational Unit,  
10 the costs associated with the statutorily required payment  
11 of the normal cost of the Organizational Unit's teacher  
12 pensions, Social Security employer contributions, and  
13 Illinois Municipal Retirement Fund employer contributions.

14 "English learner" or "EL" means a child included in  
15 the definition of "English learners" under Section 14C-2  
16 of this Code participating in a program of transitional  
17 bilingual education or a transitional program of  
18 instruction meeting the requirements and program  
19 application procedures of Article 14C of this Code. For  
20 the purposes of collecting the number of EL students  
21 enrolled, the same collection and calculation methodology  
22 as defined above for "ASE" shall apply to English  
23 learners, with the exception that EL student enrollment  
24 shall include students in grades pre-kindergarten through  
25 12.

26 "Essential Elements" means those elements, resources,



1 and educational programs that have been identified through  
2 academic research as necessary to improve student success,  
3 improve academic performance, close achievement gaps, and  
4 provide for other per student costs related to the  
5 delivery and leadership of the Organizational Unit, as  
6 well as the maintenance and operations of the unit, and  
7 which are specified in paragraph (2) of subsection (b) of  
8 this Section.

9 "Evidence-Based Funding" means State funding provided  
10 to an Organizational Unit pursuant to this Section.

11 "Extended day" means academic and enrichment programs  
12 provided to students outside the regular school day before  
13 and after school or during non-instructional times during  
14 the school day.

15 "Extension Limitation Ratio" means a numerical ratio  
16 in which the numerator is the Base Tax Year's Extension  
17 and the denominator is the Preceding Tax Year's Extension.

18 "Final Percent of Adequacy" is defined in paragraph  
19 (4) of subsection (f) of this Section.

20 "Final Resources" is defined in paragraph (3) of  
21 subsection (f) of this Section.

22 "Full-time equivalent" or "FTE" means the full-time  
23 equivalency compensation for staffing the relevant  
24 position at an Organizational Unit.

25 "Funding Gap" is defined in paragraph (1) of  
26 subsection (g).

1           "Hybrid District" means a partial elementary unit  
2 district created pursuant to Article 11E of this Code.

3           "Instructional assistant" means a core or special  
4 education, non-licensed employee who assists a teacher in  
5 the classroom and provides academic support to students.

6           "Instructional facilitator" means a qualified teacher  
7 or licensed teacher leader who facilitates and coaches  
8 continuous improvement in classroom instruction; provides  
9 instructional support to teachers in the elements of  
10 research-based instruction or demonstrates the alignment  
11 of instruction with curriculum standards and assessment  
12 tools; develops or coordinates instructional programs or  
13 strategies; develops and implements training; chooses  
14 standards-based instructional materials; provides  
15 teachers with an understanding of current research; serves  
16 as a mentor, site coach, curriculum specialist, or lead  
17 teacher; or otherwise works with fellow teachers, in  
18 collaboration, to use data to improve instructional  
19 practice or develop model lessons.

20           "Instructional materials" means relevant  
21 instructional materials for student instruction,  
22 including, but not limited to, textbooks, consumable  
23 workbooks, laboratory equipment, library books, and other  
24 similar materials.

25           "Laboratory School" means a public school that is  
26 created and operated by a public university and approved

1 by the State Board.

2 "Librarian" means a teacher with an endorsement as a  
3 library information specialist or another individual whose  
4 primary responsibility is overseeing library resources  
5 within an Organizational Unit.

6 "Limiting rate for Hybrid Districts" means the  
7 combined elementary school and high school limiting rates.

8 "Local Capacity" is defined in paragraph (1) of  
9 subsection (c) of this Section.

10 "Local Capacity Percentage" is defined in subparagraph  
11 (A) of paragraph (2) of subsection (c) of this Section.

12 "Local Capacity Ratio" is defined in subparagraph (B)  
13 of paragraph (2) of subsection (c) of this Section.

14 "Local Capacity Target" is defined in paragraph (2) of  
15 subsection (c) of this Section.

16 "Low-Income Count" means, for an Organizational Unit  
17 in a fiscal year, the higher of the average number of  
18 students for the prior school year or the immediately  
19 preceding 3 school years who, as of July 1 of the  
20 immediately preceding fiscal year (as determined by the  
21 Department of Human Services), are eligible for at least  
22 one of the following low-income programs: Medicaid, the  
23 Children's Health Insurance Program, Temporary Assistance  
24 for Needy Families (TANF), or the Supplemental Nutrition  
25 Assistance Program, excluding pupils who are eligible for  
26 services provided by the Department of Children and Family

1 Services. Until such time that grade level low-income  
2 populations become available, grade level low-income  
3 populations shall be determined by applying the low-income  
4 percentage to total student enrollments by grade level.  
5 The low-income percentage is determined by dividing the  
6 Low-Income Count by the Average Student Enrollment. The  
7 low-income percentage for programs operated by a regional  
8 office of education or an intermediate service center must  
9 be set to the weighted average of the low-income  
10 percentages of all of the school districts in the service  
11 region. The weighted low-income percentage is the result  
12 of multiplying the low-income percentage of each school  
13 district served by the regional office of education or  
14 intermediate service center by each school district's  
15 Average Student Enrollment, summarizing those products and  
16 dividing the total by the total Average Student Enrollment  
17 for the service region.

18 "Maintenance and operations" means custodial services,  
19 facility and ground maintenance, facility operations,  
20 facility security, routine facility repairs, and other  
21 similar services and functions.

22 "Minimum Funding Level" is defined in paragraph (9) of  
23 subsection (g) of this Section.

24 "New Property Tax Relief Pool Funds" means, for any  
25 given fiscal year, all State funds appropriated under  
26 Section 2-3.170 of this Code.

1 "New State Funds" means, for a given school year, all  
2 State funds appropriated for Evidence-Based Funding in  
3 excess of the amount needed to fund the Base Funding  
4 Minimum for all Organizational Units in that school year.

5 "Net State Contribution Target" means, for a given  
6 school year, the amount of State funds that would be  
7 necessary to fully meet the Adequacy Target of an  
8 Operational Unit minus the Preliminary Resources available  
9 to each unit.

10 "Nurse" means an individual licensed as a certified  
11 school nurse, in accordance with the rules established for  
12 nursing services by the State Board, who is an employee of  
13 and is available to provide health care-related services  
14 for students of an Organizational Unit.

15 "Operating Tax Rate" means the rate utilized in the  
16 previous year to extend property taxes for all purposes,  
17 except Bond and Interest, Summer School, Rent, Capital  
18 Improvement, and Vocational Education Building purposes.  
19 For Hybrid Districts, the Operating Tax Rate shall be the  
20 combined elementary and high school rates utilized in the  
21 previous year to extend property taxes for all purposes,  
22 except Bond and Interest, Summer School, Rent, Capital  
23 Improvement, and Vocational Education Building purposes.

24 "Organizational Unit" means a Laboratory School or any  
25 public school district that is recognized as such by the  
26 State Board and that contains elementary schools typically

1 serving kindergarten through 5th grades, middle schools  
2 typically serving 6th through 8th grades, high schools  
3 typically serving 9th through 12th grades, a program  
4 established under Section 2-3.66 or 2-3.41, or a program  
5 operated by a regional office of education or an  
6 intermediate service center under Article 13A or 13B. The  
7 General Assembly acknowledges that the actual grade levels  
8 served by a particular Organizational Unit may vary  
9 slightly from what is typical.

10 "Organizational Unit CWI" is determined by calculating  
11 the CWI in the region and original county in which an  
12 Organizational Unit's primary administrative office is  
13 located as set forth in this paragraph, provided that if  
14 the Organizational Unit CWI as calculated in accordance  
15 with this paragraph is less than 0.9, the Organizational  
16 Unit CWI shall be increased to 0.9. Each county's current  
17 CWI value shall be adjusted based on the CWI value of that  
18 county's neighboring Illinois counties, to create a  
19 "weighted adjusted index value". This shall be calculated  
20 by summing the CWI values of all of a county's adjacent  
21 Illinois counties and dividing by the number of adjacent  
22 Illinois counties, then taking the weighted value of the  
23 original county's CWI value and the adjacent Illinois  
24 county average. To calculate this weighted value, if the  
25 number of adjacent Illinois counties is greater than 2,  
26 the original county's CWI value will be weighted at 0.25

1 and the adjacent Illinois county average will be weighted  
2 at 0.75. If the number of adjacent Illinois counties is 2,  
3 the original county's CWI value will be weighted at 0.33  
4 and the adjacent Illinois county average will be weighted  
5 at 0.66. The greater of the county's current CWI value and  
6 its weighted adjusted index value shall be used as the  
7 Organizational Unit CWI.

8 "Preceding Tax Year" means the property tax levy year  
9 immediately preceding the Base Tax Year.

10 "Preceding Tax Year's Extension" means the product of  
11 the equalized assessed valuation utilized by the county  
12 clerk in the Preceding Tax Year multiplied by the  
13 Operating Tax Rate.

14 "Preliminary Percent of Adequacy" is defined in  
15 paragraph (2) of subsection (f) of this Section.

16 "Preliminary Resources" is defined in paragraph (2) of  
17 subsection (f) of this Section.

18 "Principal" means a school administrator duly endorsed  
19 to be employed as a principal in this State.

20 "Professional development" means training programs for  
21 licensed staff in schools, including, but not limited to,  
22 programs that assist in implementing new curriculum  
23 programs, provide data focused or academic assessment data  
24 training to help staff identify a student's weaknesses and  
25 strengths, target interventions, improve instruction,  
26 encompass instructional strategies for English learner,

1       gifted, or at-risk students, address inclusivity, cultural  
2       sensitivity, or implicit bias, or otherwise provide  
3       professional support for licensed staff.

4       "Prototypical" means 450 special education  
5       pre-kindergarten and kindergarten through grade 5 students  
6       for an elementary school, 450 grade 6 through 8 students  
7       for a middle school, and 600 grade 9 through 12 students  
8       for a high school.

9       "PTELL" means the Property Tax Extension Limitation  
10      Law.

11      "PTELL EAV" is defined in paragraph (4) of subsection  
12      (d) of this Section.

13      "Pupil support staff" means a nurse, psychologist,  
14      social worker, family liaison personnel, or other staff  
15      member who provides support to at-risk or struggling  
16      students.

17      "Real Receipts" is defined in paragraph (1) of  
18      subsection (d) of this Section.

19      "Regionalization Factor" means, for a particular  
20      Organizational Unit, the figure derived by dividing the  
21      Organizational Unit CWI by the Statewide Weighted CWI.

22      "School counselor" means a licensed school counselor  
23      who provides guidance and counseling support for students  
24      within an Organizational Unit.

25      "School site staff" means the primary school secretary  
26      and any additional clerical personnel assigned to a



1 school.

2 "Special education" means special educational  
3 facilities and services, as defined in Section 14-1.08 of  
4 this Code.

5 "Special Education Allocation" means the amount of an  
6 Organizational Unit's final Adequacy Target attributable  
7 to special education divided by the Organizational Unit's  
8 final Adequacy Target, the product of which shall be  
9 multiplied by the amount of new funding received pursuant  
10 to this Section. An Organizational Unit's final Adequacy  
11 Target attributable to special education shall include all  
12 special education investment adequacy elements.

13 "Specialist teacher" means a teacher who provides  
14 instruction in subject areas not included in core  
15 subjects, including, but not limited to, art, music,  
16 physical education, health, driver education,  
17 career-technical education, and such other subject areas  
18 as may be mandated by State law or provided by an  
19 Organizational Unit.

20 "Specially Funded Unit" means an Alternative School,  
21 safe school, Department of Juvenile Justice school,  
22 special education cooperative or entity recognized by the  
23 State Board as a special education cooperative,  
24 State-approved charter school, or alternative learning  
25 opportunities program that received direct funding from  
26 the State Board during the 2016-2017 school year through

1 any of the funding sources included within the calculation  
2 of the Base Funding Minimum or Glenwood Academy.

3 "Supplemental Grant Funding" means supplemental  
4 general State aid funding received by an Organizational  
5 Unit during the 2016-2017 school year pursuant to  
6 subsection (H) of Section 18-8.05 of this Code (now  
7 repealed).

8 "State Adequacy Level" is the sum of the Adequacy  
9 Targets of all Organizational Units.

10 "State Board" means the State Board of Education.

11 "State Superintendent" means the State Superintendent  
12 of Education.

13 "Statewide Weighted CWI" means a figure determined by  
14 multiplying each Organizational Unit CWI times the ASE for  
15 that Organizational Unit creating a weighted value,  
16 summing all Organizational Units' weighted values, and  
17 dividing by the total ASE of all Organizational Units,  
18 thereby creating an average weighted index.

19 "Student activities" means non-credit producing  
20 after-school programs, including, but not limited to,  
21 clubs, bands, sports, and other activities authorized by  
22 the school board of the Organizational Unit.

23 "Substitute teacher" means an individual teacher or  
24 teaching assistant who is employed by an Organizational  
25 Unit and is temporarily serving the Organizational Unit on  
26 a per diem or per period-assignment basis to replace

1 another staff member.

2 "Summer school" means academic and enrichment programs  
3 provided to students during the summer months outside of  
4 the regular school year.

5 "Supervisory aide" means a non-licensed staff member  
6 who helps in supervising students of an Organizational  
7 Unit, but does so outside of the classroom, in situations  
8 such as, but not limited to, monitoring hallways and  
9 playgrounds, supervising lunchrooms, or supervising  
10 students when being transported in buses serving the  
11 Organizational Unit.

12 "Target Ratio" is defined in paragraph (4) of  
13 subsection (g).

14 "Tier 1", "Tier 2", "Tier 3", and "Tier 4" are defined  
15 in paragraph (3) of subsection (g).

16 "Tier 1 Aggregate Funding", "Tier 2 Aggregate  
17 Funding", "Tier 3 Aggregate Funding", and "Tier 4  
18 Aggregate Funding" are defined in paragraph (1) of  
19 subsection (g).

20 (b) Adequacy Target calculation.

21 (1) Each Organizational Unit's Adequacy Target is the  
22 sum of the Organizational Unit's cost of providing  
23 Essential Elements, as calculated in accordance with this  
24 subsection (b), with the salary amounts in the Essential  
25 Elements multiplied by a Regionalization Factor calculated  
26 pursuant to paragraph (3) of this subsection (b).

1           (2) The Essential Elements are attributable on a pro  
2           rata basis related to defined subgroups of the ASE of each  
3           Organizational Unit as specified in this paragraph (2),  
4           with investments and FTE positions pro rata funded based  
5           on ASE counts in excess of or less than the thresholds set  
6           forth in this paragraph (2). The method for calculating  
7           attributable pro rata costs and the defined subgroups  
8           thereto are as follows:

9           (A) Core class size investments. Each  
10          Organizational Unit shall receive the funding required  
11          to support that number of FTE core teacher positions  
12          as is needed to keep the respective class sizes of the  
13          Organizational Unit to the following maximum numbers:

14                 (i) For grades kindergarten through 3, the  
15                 Organizational Unit shall receive funding required  
16                 to support one FTE core teacher position for every  
17                 15 Low-Income Count students in those grades and  
18                 one FTE core teacher position for every 20  
19                 non-Low-Income Count students in those grades.

20                 (ii) For grades 4 through 12, the  
21                 Organizational Unit shall receive funding required  
22                 to support one FTE core teacher position for every  
23                 20 Low-Income Count students in those grades and  
24                 one FTE core teacher position for every 25  
25                 non-Low-Income Count students in those grades.

26                 The number of non-Low-Income Count students in a

1 grade shall be determined by subtracting the  
2 Low-Income students in that grade from the ASE of the  
3 Organizational Unit for that grade.

4 (B) Specialist teacher investments. Each  
5 Organizational Unit shall receive the funding needed  
6 to cover that number of FTE specialist teacher  
7 positions that correspond to the following  
8 percentages:

9 (i) if the Organizational Unit operates an  
10 elementary or middle school, then 20.00% of the  
11 number of the Organizational Unit's core teachers,  
12 as determined under subparagraph (A) of this  
13 paragraph (2); and

14 (ii) if such Organizational Unit operates a  
15 high school, then 33.33% of the number of the  
16 Organizational Unit's core teachers.

17 (C) Instructional facilitator investments. Each  
18 Organizational Unit shall receive the funding needed  
19 to cover one FTE instructional facilitator position  
20 for every 200 combined ASE of pre-kindergarten  
21 children with disabilities and all kindergarten  
22 through grade 12 students of the Organizational Unit.

23 (D) Core intervention teacher (tutor) investments.  
24 Each Organizational Unit shall receive the funding  
25 needed to cover one FTE teacher position for each  
26 prototypical elementary, middle, and high school.

1           (E) Substitute teacher investments. Each  
2 Organizational Unit shall receive the funding needed  
3 to cover substitute teacher costs that is equal to  
4 5.70% of the minimum pupil attendance days required  
5 under Section 10-19 of this Code for all full-time  
6 equivalent core, specialist, and intervention  
7 teachers, school nurses, special education teachers  
8 and instructional assistants, instructional  
9 facilitators, and summer school and extended day  
10 teacher positions, as determined under this paragraph  
11 (2), at a salary rate of 33.33% of the average salary  
12 for grade K through 12 teachers and 33.33% of the  
13 average salary of each instructional assistant  
14 position.

15           (F) Core school counselor investments. Each  
16 Organizational Unit shall receive the funding needed  
17 to cover one FTE school counselor for each 450  
18 combined ASE of pre-kindergarten children with  
19 disabilities and all kindergarten through grade 5  
20 students, plus one FTE school counselor for each 250  
21 grades 6 through 8 ASE middle school students, plus  
22 one FTE school counselor for each 250 grades 9 through  
23 12 ASE high school students.

24           (G) Nurse investments. Each Organizational Unit  
25 shall receive the funding needed to cover one FTE  
26 nurse for each 750 combined ASE of pre-kindergarten

1 children with disabilities and all kindergarten  
2 through grade 12 students across all grade levels it  
3 serves.

4 (H) Supervisory aide investments. Each  
5 Organizational Unit shall receive the funding needed  
6 to cover one FTE for each 225 combined ASE of  
7 pre-kindergarten children with disabilities and all  
8 kindergarten through grade 5 students, plus one FTE  
9 for each 225 ASE middle school students, plus one FTE  
10 for each 200 ASE high school students.

11 (I) Librarian investments. Each Organizational  
12 Unit shall receive the funding needed to cover one FTE  
13 librarian for each prototypical elementary school,  
14 middle school, and high school and one FTE aide or  
15 media technician for every 300 combined ASE of  
16 pre-kindergarten children with disabilities and all  
17 kindergarten through grade 12 students.

18 (J) Principal investments. Each Organizational  
19 Unit shall receive the funding needed to cover one FTE  
20 principal position for each prototypical elementary  
21 school, plus one FTE principal position for each  
22 prototypical middle school, plus one FTE principal  
23 position for each prototypical high school.

24 (K) Assistant principal investments. Each  
25 Organizational Unit shall receive the funding needed  
26 to cover one FTE assistant principal position for each

1           prototypical elementary school, plus one FTE assistant  
2           principal position for each prototypical middle  
3           school, plus one FTE assistant principal position for  
4           each prototypical high school.

5           (L) School site staff investments. Each  
6           Organizational Unit shall receive the funding needed  
7           for one FTE position for each 225 ASE of  
8           pre-kindergarten children with disabilities and all  
9           kindergarten through grade 5 students, plus one FTE  
10          position for each 225 ASE middle school students, plus  
11          one FTE position for each 200 ASE high school  
12          students.

13          (M) Gifted investments. Each Organizational Unit  
14          shall receive \$40 per kindergarten through grade 12  
15          ASE.

16          (N) Professional development investments. Each  
17          Organizational Unit shall receive \$125 per student of  
18          the combined ASE of pre-kindergarten children with  
19          disabilities and all kindergarten through grade 12  
20          students for trainers and other professional  
21          development-related expenses for supplies and  
22          materials.

23          (O) Instructional material investments. Each  
24          Organizational Unit shall receive \$190 per student of  
25          the combined ASE of pre-kindergarten children with  
26          disabilities and all kindergarten through grade 12



1 students to cover instructional material costs.

2 (P) Assessment investments. Each Organizational  
3 Unit shall receive \$25 per student of the combined ASE  
4 of pre-kindergarten children with disabilities and all  
5 kindergarten through grade 12 students to cover  
6 assessment costs.

7 (Q) Computer technology and equipment investments.  
8 Each Organizational Unit shall receive \$285.50 per  
9 student of the combined ASE of pre-kindergarten  
10 children with disabilities and all kindergarten  
11 through grade 12 students to cover computer technology  
12 and equipment costs. For the 2018-2019 school year and  
13 subsequent school years, Organizational Units assigned  
14 to Tier 1 and Tier 2 in the prior school year shall  
15 receive an additional \$285.50 per student of the  
16 combined ASE of pre-kindergarten children with  
17 disabilities and all kindergarten through grade 12  
18 students to cover computer technology and equipment  
19 costs in the Organizational Unit's Adequacy Target.  
20 The State Board may establish additional requirements  
21 for Organizational Unit expenditures of funds received  
22 pursuant to this subparagraph (Q), including a  
23 requirement that funds received pursuant to this  
24 subparagraph (Q) may be used only for serving the  
25 technology needs of the district. It is the intent of  
26 Public Act 100-465 that all Tier 1 and Tier 2 districts

1 receive the addition to their Adequacy Target in the  
2 following year, subject to compliance with the  
3 requirements of the State Board.

4 (R) Student activities investments. Each  
5 Organizational Unit shall receive the following  
6 funding amounts to cover student activities: \$100 per  
7 kindergarten through grade 5 ASE student in elementary  
8 school, plus \$200 per ASE student in middle school,  
9 plus \$675 per ASE student in high school.

10 (S) Maintenance and operations investments. Each  
11 Organizational Unit shall receive \$1,038 per student  
12 of the combined ASE of pre-kindergarten children with  
13 disabilities and all kindergarten through grade 12  
14 students for day-to-day maintenance and operations  
15 expenditures, including salary, supplies, and  
16 materials, as well as purchased services, but  
17 excluding employee benefits. The proportion of salary  
18 for the application of a Regionalization Factor and  
19 the calculation of benefits is equal to \$352.92.

20 (T) Central office investments. Each  
21 Organizational Unit shall receive \$742 per student of  
22 the combined ASE of pre-kindergarten children with  
23 disabilities and all kindergarten through grade 12  
24 students to cover central office operations, including  
25 administrators and classified personnel charged with  
26 managing the instructional programs, business and

1 operations of the school district, and security  
2 personnel. The proportion of salary for the  
3 application of a Regionalization Factor and the  
4 calculation of benefits is equal to \$368.48.

5 (U) Employee benefit investments. Each  
6 Organizational Unit shall receive 30% of the total of  
7 all salary-calculated elements of the Adequacy Target,  
8 excluding substitute teachers and student activities  
9 investments, to cover benefit costs. For central  
10 office and maintenance and operations investments, the  
11 benefit calculation shall be based upon the salary  
12 proportion of each investment. If at any time the  
13 responsibility for funding the employer normal cost of  
14 teacher pensions is assigned to school districts, then  
15 that amount certified by the Teachers' Retirement  
16 System of the State of Illinois to be paid by the  
17 Organizational Unit for the preceding school year  
18 shall be added to the benefit investment. For any  
19 fiscal year in which a school district organized under  
20 Article 34 of this Code is responsible for paying the  
21 employer normal cost of teacher pensions, then that  
22 amount of its employer normal cost plus the amount for  
23 retiree health insurance as certified by the Public  
24 School Teachers' Pension and Retirement Fund of  
25 Chicago to be paid by the school district for the  
26 preceding school year that is statutorily required to

1 cover employer normal costs and the amount for retiree  
2 health insurance shall be added to the 30% specified  
3 in this subparagraph (U). The Teachers' Retirement  
4 System of the State of Illinois and the Public School  
5 Teachers' Pension and Retirement Fund of Chicago shall  
6 submit such information as the State Superintendent  
7 may require for the calculations set forth in this  
8 subparagraph (U).

9 (V) Additional investments in low-income students.  
10 In addition to and not in lieu of all other funding  
11 under this paragraph (2), each Organizational Unit  
12 shall receive funding based on the average teacher  
13 salary for grades K through 12 to cover the costs of:

14 (i) one FTE intervention teacher (tutor)  
15 position for every 125 Low-Income Count students;

16 (ii) one FTE pupil support staff position for  
17 every 125 Low-Income Count students;

18 (iii) one FTE extended day teacher position  
19 for every 120 Low-Income Count students; and

20 (iv) one FTE summer school teacher position  
21 for every 120 Low-Income Count students.

22 (W) Additional investments in English learner  
23 students. In addition to and not in lieu of all other  
24 funding under this paragraph (2), each Organizational  
25 Unit shall receive funding based on the average  
26 teacher salary for grades K through 12 to cover the

1 costs of:

2 (i) one FTE intervention teacher (tutor)  
3 position for every 125 English learner students;

4 (ii) one FTE pupil support staff position for  
5 every 125 English learner students;

6 (iii) one FTE extended day teacher position  
7 for every 120 English learner students;

8 (iv) one FTE summer school teacher position  
9 for every 120 English learner students; and

10 (v) one FTE core teacher position for every  
11 100 English learner students.

12 (X) Special education investments. Each  
13 Organizational Unit shall receive funding based on the  
14 average teacher salary for grades K through 12 to  
15 cover special education as follows:

16 (i) one FTE teacher position for every 141  
17 combined ASE of pre-kindergarten children with  
18 disabilities and all kindergarten through grade 12  
19 students;

20 (ii) one FTE instructional assistant for every  
21 141 combined ASE of pre-kindergarten children with  
22 disabilities and all kindergarten through grade 12  
23 students; and

24 (iii) one FTE psychologist position for every  
25 1,000 combined ASE of pre-kindergarten children  
26 with disabilities and all kindergarten through

1 grade 12 students.

2 (3) For calculating the salaries included within the  
3 Essential Elements, the State Superintendent shall  
4 annually calculate average salaries to the nearest dollar  
5 using the employment information system data maintained by  
6 the State Board, limited to public schools only and  
7 excluding special education and vocational cooperatives,  
8 schools operated by the Department of Juvenile Justice,  
9 and charter schools, for the following positions:

10 (A) Teacher for grades K through 8.

11 (B) Teacher for grades 9 through 12.

12 (C) Teacher for grades K through 12.

13 (D) School counselor for grades K through 8.

14 (E) School counselor for grades 9 through 12.

15 (F) School counselor for grades K through 12.

16 (G) Social worker.

17 (H) Psychologist.

18 (I) Librarian.

19 (J) Nurse.

20 (K) Principal.

21 (L) Assistant principal.

22 For the purposes of this paragraph (3), "teacher"  
23 includes core teachers, specialist and elective teachers,  
24 instructional facilitators, tutors, special education  
25 teachers, pupil support staff teachers, English learner  
26 teachers, extended day teachers, and summer school

1 teachers. Where specific grade data is not required for  
2 the Essential Elements, the average salary for  
3 corresponding positions shall apply. For substitute  
4 teachers, the average teacher salary for grades K through  
5 12 shall apply.

6 For calculating the salaries included within the  
7 Essential Elements for positions not included within EIS  
8 Data, the following salaries shall be used in the first  
9 year of implementation of Evidence-Based Funding:

10 (i) school site staff, \$30,000; and

11 (ii) non-instructional assistant, instructional  
12 assistant, library aide, library media tech, or  
13 supervisory aide: \$25,000.

14 In the second and subsequent years of implementation  
15 of Evidence-Based Funding, the amounts in items (i) and  
16 (ii) of this paragraph (3) shall annually increase by the  
17 ECI.

18 The salary amounts for the Essential Elements  
19 determined pursuant to subparagraphs (A) through (L), (S)  
20 and (T), and (V) through (X) of paragraph (2) of  
21 subsection (b) of this Section shall be multiplied by a  
22 Regionalization Factor.

23 (c) Local Capacity calculation.

24 (1) Each Organizational Unit's Local Capacity  
25 represents an amount of funding it is assumed to  
26 contribute toward its Adequacy Target for purposes of the

1 Evidence-Based Funding formula calculation. "Local  
2 Capacity" means either (i) the Organizational Unit's Local  
3 Capacity Target as calculated in accordance with paragraph  
4 (2) of this subsection (c) if its Real Receipts are equal  
5 to or less than its Local Capacity Target or (ii) the  
6 Organizational Unit's Adjusted Local Capacity, as  
7 calculated in accordance with paragraph (3) of this  
8 subsection (c) if Real Receipts are more than its Local  
9 Capacity Target.

10 (2) "Local Capacity Target" means, for an  
11 Organizational Unit, that dollar amount that is obtained  
12 by multiplying its Adequacy Target by its Local Capacity  
13 Ratio.

14 (A) An Organizational Unit's Local Capacity  
15 Percentage is the conversion of the Organizational  
16 Unit's Local Capacity Ratio, as such ratio is  
17 determined in accordance with subparagraph (B) of this  
18 paragraph (2), into a cumulative distribution  
19 resulting in a percentile ranking to determine each  
20 Organizational Unit's relative position to all other  
21 Organizational Units in this State. The calculation of  
22 Local Capacity Percentage is described in subparagraph  
23 (C) of this paragraph (2).

24 (B) An Organizational Unit's Local Capacity Ratio  
25 in a given year is the percentage obtained by dividing  
26 its Adjusted EAV or PTELL EAV, whichever is less, by



1 its Adequacy Target, with the resulting ratio further  
2 adjusted as follows:

3 (i) for Organizational Units serving grades  
4 kindergarten through 12 and Hybrid Districts, no  
5 further adjustments shall be made;

6 (ii) for Organizational Units serving grades  
7 kindergarten through 8, the ratio shall be  
8 multiplied by  $9/13$ ;

9 (iii) for Organizational Units serving grades  
10 9 through 12, the Local Capacity Ratio shall be  
11 multiplied by  $4/13$ ; and

12 (iv) for an Organizational Unit with a  
13 different grade configuration than those specified  
14 in items (i) through (iii) of this subparagraph  
15 (B), the State Superintendent shall determine a  
16 comparable adjustment based on the grades served.

17 (C) The Local Capacity Percentage is equal to the  
18 percentile ranking of the district. Local Capacity  
19 Percentage converts each Organizational Unit's Local  
20 Capacity Ratio to a cumulative distribution resulting  
21 in a percentile ranking to determine each  
22 Organizational Unit's relative position to all other  
23 Organizational Units in this State. The Local Capacity  
24 Percentage cumulative distribution resulting in a  
25 percentile ranking for each Organizational Unit shall  
26 be calculated using the standard normal distribution

1 of the score in relation to the weighted mean and  
2 weighted standard deviation and Local Capacity Ratios  
3 of all Organizational Units. If the value assigned to  
4 any Organizational Unit is in excess of 90%, the value  
5 shall be adjusted to 90%. For Laboratory Schools, the  
6 Local Capacity Percentage shall be set at 10% in  
7 recognition of the absence of EAV and resources from  
8 the public university that are allocated to the  
9 Laboratory School. For programs operated by a regional  
10 office of education or an intermediate service center,  
11 the Local Capacity Percentage must be set at 10% in  
12 recognition of the absence of EAV and resources from  
13 school districts that are allocated to the regional  
14 office of education or intermediate service center.  
15 The weighted mean for the Local Capacity Percentage  
16 shall be determined by multiplying each Organizational  
17 Unit's Local Capacity Ratio times the ASE for the unit  
18 creating a weighted value, summing the weighted values  
19 of all Organizational Units, and dividing by the total  
20 ASE of all Organizational Units. The weighted standard  
21 deviation shall be determined by taking the square  
22 root of the weighted variance of all Organizational  
23 Units' Local Capacity Ratio, where the variance is  
24 calculated by squaring the difference between each  
25 unit's Local Capacity Ratio and the weighted mean,  
26 then multiplying the variance for each unit times the

1 ASE for the unit to create a weighted variance for each  
2 unit, then summing all units' weighted variance and  
3 dividing by the total ASE of all units.

4 (D) For any Organizational Unit, the  
5 Organizational Unit's Adjusted Local Capacity Target  
6 shall be reduced by either (i) the school board's  
7 remaining contribution pursuant to paragraph (ii) of  
8 subsection (b-4) of Section 16-158 of the Illinois  
9 Pension Code in a given year or (ii) the board of  
10 education's remaining contribution pursuant to  
11 paragraph (iv) of subsection (b) of Section 17-129 of  
12 the Illinois Pension Code absent the employer normal  
13 cost portion of the required contribution and amount  
14 allowed pursuant to subdivision (3) of Section  
15 17-142.1 of the Illinois Pension Code in a given year.  
16 In the preceding sentence, item (i) shall be certified  
17 to the State Board of Education by the Teachers'  
18 Retirement System of the State of Illinois and item  
19 (ii) shall be certified to the State Board of  
20 Education by the Public School Teachers' Pension and  
21 Retirement Fund of the City of Chicago.

22 (3) If an Organizational Unit's Real Receipts are more  
23 than its Local Capacity Target, then its Local Capacity  
24 shall equal an Adjusted Local Capacity Target as  
25 calculated in accordance with this paragraph (3). The  
26 Adjusted Local Capacity Target is calculated as the sum of

1 the Organizational Unit's Local Capacity Target and its  
2 Real Receipts Adjustment. The Real Receipts Adjustment  
3 equals the Organizational Unit's Real Receipts less its  
4 Local Capacity Target, with the resulting figure  
5 multiplied by the Local Capacity Percentage.

6 As used in this paragraph (3), "Real Percent of  
7 Adequacy" means the sum of an Organizational Unit's Real  
8 Receipts, CPPRT, and Base Funding Minimum, with the  
9 resulting figure divided by the Organizational Unit's  
10 Adequacy Target.

11 (d) Calculation of Real Receipts, EAV, and Adjusted EAV  
12 for purposes of the Local Capacity calculation.

13 (1) An Organizational Unit's Real Receipts are the  
14 product of its Applicable Tax Rate and its Adjusted EAV.  
15 An Organizational Unit's Applicable Tax Rate is its  
16 Adjusted Operating Tax Rate for property within the  
17 Organizational Unit.

18 (2) The State Superintendent shall calculate the  
19 equalized assessed valuation, or EAV, of all taxable  
20 property of each Organizational Unit as of September 30 of  
21 the previous year in accordance with paragraph (3) of this  
22 subsection (d). The State Superintendent shall then  
23 determine the Adjusted EAV of each Organizational Unit in  
24 accordance with paragraph (4) of this subsection (d),  
25 which Adjusted EAV figure shall be used for the purposes  
26 of calculating Local Capacity.

1           (3) To calculate Real Receipts and EAV, the Department  
2 of Revenue shall supply to the State Superintendent the  
3 value as equalized or assessed by the Department of  
4 Revenue of all taxable property of every Organizational  
5 Unit, together with (i) the applicable tax rate used in  
6 extending taxes for the funds of the Organizational Unit  
7 as of September 30 of the previous year and (ii) the  
8 limiting rate for all Organizational Units subject to  
9 property tax extension limitations as imposed under PTELL.

10           (A) The Department of Revenue shall add to the  
11 equalized assessed value of all taxable property of  
12 each Organizational Unit situated entirely or  
13 partially within a county that is or was subject to the  
14 provisions of Section 15-176 or 15-177 of the Property  
15 Tax Code (i) an amount equal to the total amount by  
16 which the homestead exemption allowed under Section  
17 15-176 or 15-177 of the Property Tax Code for real  
18 property situated in that Organizational Unit exceeds  
19 the total amount that would have been allowed in that  
20 Organizational Unit if the maximum reduction under  
21 Section 15-176 was (I) \$4,500 in Cook County or \$3,500  
22 in all other counties in tax year 2003 or (II) \$5,000  
23 in all counties in tax year 2004 and thereafter and  
24 (ii) an amount equal to the aggregate amount for the  
25 taxable year of all additional exemptions under  
26 Section 15-175 of the Property Tax Code for owners

1 with a household income of \$30,000 or less. The county  
2 clerk of any county that is or was subject to the  
3 provisions of Section 15-176 or 15-177 of the Property  
4 Tax Code shall annually calculate and certify to the  
5 Department of Revenue for each Organizational Unit all  
6 homestead exemption amounts under Section 15-176 or  
7 15-177 of the Property Tax Code and all amounts of  
8 additional exemptions under Section 15-175 of the  
9 Property Tax Code for owners with a household income  
10 of \$30,000 or less. It is the intent of this  
11 subparagraph (A) that if the general homestead  
12 exemption for a parcel of property is determined under  
13 Section 15-176 or 15-177 of the Property Tax Code  
14 rather than Section 15-175, then the calculation of  
15 EAV shall not be affected by the difference, if any,  
16 between the amount of the general homestead exemption  
17 allowed for that parcel of property under Section  
18 15-176 or 15-177 of the Property Tax Code and the  
19 amount that would have been allowed had the general  
20 homestead exemption for that parcel of property been  
21 determined under Section 15-175 of the Property Tax  
22 Code. It is further the intent of this subparagraph  
23 (A) that if additional exemptions are allowed under  
24 Section 15-175 of the Property Tax Code for owners  
25 with a household income of less than \$30,000, then the  
26 calculation of EAV shall not be affected by the

1 difference, if any, because of those additional  
2 exemptions.

3 (B) With respect to any part of an Organizational  
4 Unit within a redevelopment project area in respect to  
5 which a municipality has adopted tax increment  
6 allocation financing pursuant to the Tax Increment  
7 Allocation Redevelopment Act, Division 74.4 of Article  
8 11 of the Illinois Municipal Code, or the Industrial  
9 Jobs Recovery Law, Division 74.6 of Article 11 of the  
10 Illinois Municipal Code, no part of the current EAV of  
11 real property located in any such project area that is  
12 attributable to an increase above the total initial  
13 EAV of such property shall be used as part of the EAV  
14 of the Organizational Unit, until such time as all  
15 redevelopment project costs have been paid, as  
16 provided in Section 11-74.4-8 of the Tax Increment  
17 Allocation Redevelopment Act or in Section 11-74.6-35  
18 of the Industrial Jobs Recovery Law. For the purpose  
19 of the EAV of the Organizational Unit, the total  
20 initial EAV or the current EAV, whichever is lower,  
21 shall be used until such time as all redevelopment  
22 project costs have been paid.

23 (B-5) The real property equalized assessed  
24 valuation for a school district shall be adjusted by  
25 subtracting from the real property value, as equalized  
26 or assessed by the Department of Revenue, for the

1 district an amount computed by dividing the amount of  
2 any abatement of taxes under Section 18-170 of the  
3 Property Tax Code by 3.00% for a district maintaining  
4 grades kindergarten through 12, by 2.30% for a  
5 district maintaining grades kindergarten through 8, or  
6 by 1.05% for a district maintaining grades 9 through  
7 12 and adjusted by an amount computed by dividing the  
8 amount of any abatement of taxes under subsection (a)  
9 of Section 18-165 of the Property Tax Code by the same  
10 percentage rates for district type as specified in  
11 this subparagraph (B-5).

12 (C) For Organizational Units that are Hybrid  
13 Districts, the State Superintendent shall use the  
14 lesser of the adjusted equalized assessed valuation  
15 for property within the partial elementary unit  
16 district for elementary purposes, as defined in  
17 Article 11E of this Code, or the adjusted equalized  
18 assessed valuation for property within the partial  
19 elementary unit district for high school purposes, as  
20 defined in Article 11E of this Code.

21 (4) An Organizational Unit's Adjusted EAV shall be the  
22 average of its EAV over the immediately preceding 3 years  
23 or its EAV in the immediately preceding year if the EAV in  
24 the immediately preceding year has declined by 10% or more  
25 compared to the 3-year average. In the event of  
26 Organizational Unit reorganization, consolidation, or



1 annexation, the Organizational Unit's Adjusted EAV for the  
2 first 3 years after such change shall be as follows: the  
3 most current EAV shall be used in the first year, the  
4 average of a 2-year EAV or its EAV in the immediately  
5 preceding year if the EAV declines by 10% or more compared  
6 to the 2-year average for the second year, and a 3-year  
7 average EAV or its EAV in the immediately preceding year  
8 if the Adjusted EAV declines by 10% or more compared to the  
9 3-year average for the third year. For any school district  
10 whose EAV in the immediately preceding year is used in  
11 calculations, in the following year, the Adjusted EAV  
12 shall be the average of its EAV over the immediately  
13 preceding 2 years or the immediately preceding year if  
14 that year represents a decline of 10% or more compared to  
15 the 2-year average.

16 "PTELL EAV" means a figure calculated by the State  
17 Board for Organizational Units subject to PTELL as  
18 described in this paragraph (4) for the purposes of  
19 calculating an Organizational Unit's Local Capacity Ratio.  
20 Except as otherwise provided in this paragraph (4), the  
21 PTELL EAV of an Organizational Unit shall be equal to the  
22 product of the equalized assessed valuation last used in  
23 the calculation of general State aid under Section 18-8.05  
24 of this Code (now repealed) or Evidence-Based Funding  
25 under this Section and the Organizational Unit's Extension  
26 Limitation Ratio. If an Organizational Unit has approved

1 or does approve an increase in its limiting rate, pursuant  
2 to Section 18-190 of the Property Tax Code, affecting the  
3 Base Tax Year, the PTELL EAV shall be equal to the product  
4 of the equalized assessed valuation last used in the  
5 calculation of general State aid under Section 18-8.05 of  
6 this Code (now repealed) or Evidence-Based Funding under  
7 this Section multiplied by an amount equal to one plus the  
8 percentage increase, if any, in the Consumer Price Index  
9 for All Urban Consumers for all items published by the  
10 United States Department of Labor for the 12-month  
11 calendar year preceding the Base Tax Year, plus the  
12 equalized assessed valuation of new property, annexed  
13 property, and recovered tax increment value and minus the  
14 equalized assessed valuation of disconnected property.

15 As used in this paragraph (4), "new property" and  
16 "recovered tax increment value" shall have the meanings  
17 set forth in the Property Tax Extension Limitation Law.

18 (e) Base Funding Minimum calculation.

19 (1) For the 2017-2018 school year, the Base Funding  
20 Minimum of an Organizational Unit or a Specially Funded  
21 Unit shall be the amount of State funds distributed to the  
22 Organizational Unit or Specially Funded Unit during the  
23 2016-2017 school year prior to any adjustments and  
24 specified appropriation amounts described in this  
25 paragraph (1) from the following Sections, as calculated  
26 by the State Superintendent: Section 18-8.05 of this Code

1 (now repealed); Section 5 of Article 224 of Public Act  
2 99-524 (equity grants); Section 14-7.02b of this Code  
3 (funding for children requiring special education  
4 services); Section 14-13.01 of this Code (special  
5 education facilities and staffing), except for  
6 reimbursement of the cost of transportation pursuant to  
7 Section 14-13.01; Section 14C-12 of this Code (English  
8 learners); and Section 18-4.3 of this Code (summer  
9 school), based on an appropriation level of \$13,121,600.  
10 For a school district organized under Article 34 of this  
11 Code, the Base Funding Minimum also includes (i) the funds  
12 allocated to the school district pursuant to Section 1D-1  
13 of this Code attributable to funding programs authorized  
14 by the Sections of this Code listed in the preceding  
15 sentence and (ii) the difference between (I) the funds  
16 allocated to the school district pursuant to Section 1D-1  
17 of this Code attributable to the funding programs  
18 authorized by Section 14-7.02 (non-public special  
19 education reimbursement), subsection (b) of Section  
20 14-13.01 (special education transportation), Section 29-5  
21 (transportation), Section 2-3.80 (agricultural  
22 education), Section 2-3.66 (truants' alternative  
23 education), Section 2-3.62 (educational service centers),  
24 and Section 14-7.03 (special education - orphanage) of  
25 this Code and Section 15 of the Childhood Hunger Relief  
26 Act (free breakfast program) and (II) the school

1 district's actual expenditures for its non-public special  
2 education, special education transportation,  
3 transportation programs, agricultural education, truants'  
4 alternative education, services that would otherwise be  
5 performed by a regional office of education, special  
6 education orphanage expenditures, and free breakfast, as  
7 most recently calculated and reported pursuant to  
8 subsection (f) of Section 1D-1 of this Code. The Base  
9 Funding Minimum for Glenwood Academy shall be \$625,500.  
10 For programs operated by a regional office of education or  
11 an intermediate service center, the Base Funding Minimum  
12 must be the total amount of State funds allocated to those  
13 programs in the 2018-2019 school year and amounts provided  
14 pursuant to Article 34 of Public Act 100-586 and Section  
15 3-16 of this Code. All programs established after June 5,  
16 2019 (the effective date of Public Act 101-10) and  
17 administered by a regional office of education or an  
18 intermediate service center must have an initial Base  
19 Funding Minimum set to an amount equal to the first-year  
20 ASE multiplied by the amount of per pupil funding received  
21 in the previous school year by the lowest funded similar  
22 existing program type. If the enrollment for a program  
23 operated by a regional office of education or an  
24 intermediate service center is zero, then it may not  
25 receive Base Funding Minimum funds for that program in the  
26 next fiscal year, and those funds must be distributed to

1 Organizational Units under subsection (g).

2 (2) For the 2018-2019 and subsequent school years, the  
3 Base Funding Minimum of Organizational Units and Specially  
4 Funded Units shall be the sum of (i) the amount of  
5 Evidence-Based Funding for the prior school year, (ii) the  
6 Base Funding Minimum for the prior school year, and (iii)  
7 any amount received by a school district pursuant to  
8 Section 7 of Article 97 of Public Act 100-21.

9 For the 2022-2023 school year, the Base Funding  
10 Minimum of Organizational Units shall be the amounts  
11 recalculated by the State Board of Education for Fiscal  
12 Year 2019 through Fiscal Year 2022 that were necessary due  
13 to average student enrollment errors for districts  
14 organized under Article 34 of this Code, plus the Fiscal  
15 Year 2022 property tax relief grants provided under  
16 Section 2-3.170 of this Code, ensuring each Organizational  
17 Unit has the correct amount of resources for Fiscal Year  
18 2023 Evidence-Based Funding calculations and that Fiscal  
19 Year 2023 Evidence-Based Funding Distributions are made in  
20 accordance with this Section.

21 (3) Subject to approval by the General Assembly as  
22 provided in this paragraph (3), an Organizational Unit  
23 that meets all of the following criteria, as determined by  
24 the State Board, shall have District Intervention Money  
25 added to its Base Funding Minimum at the time the Base  
26 Funding Minimum is calculated by the State Board:

1 (A) The Organizational Unit is operating under an  
2 Independent Authority under Section 2-3.25f-5 of this  
3 Code for a minimum of 4 school years or is subject to  
4 the control of the State Board pursuant to a court  
5 order for a minimum of 4 school years.

6 (B) The Organizational Unit was designated as a  
7 Tier 1 or Tier 2 Organizational Unit in the previous  
8 school year under paragraph (3) of subsection (g) of  
9 this Section.

10 (C) The Organizational Unit demonstrates  
11 sustainability through a 5-year financial and  
12 strategic plan.

13 (D) The Organizational Unit has made sufficient  
14 progress and achieved sufficient stability in the  
15 areas of governance, academic growth, and finances.

16 As part of its determination under this paragraph (3),  
17 the State Board may consider the Organizational Unit's  
18 summative designation, any accreditations of the  
19 Organizational Unit, or the Organizational Unit's  
20 financial profile, as calculated by the State Board.

21 If the State Board determines that an Organizational  
22 Unit has met the criteria set forth in this paragraph (3),  
23 it must submit a report to the General Assembly, no later  
24 than January 2 of the fiscal year in which the State Board  
25 makes its determination, on the amount of District  
26 Intervention Money to add to the Organizational Unit's

1 Base Funding Minimum. The General Assembly must review the  
2 State Board's report and may approve or disapprove, by  
3 joint resolution, the addition of District Intervention  
4 Money. If the General Assembly fails to act on the report  
5 within 40 calendar days from the receipt of the report,  
6 the addition of District Intervention Money is deemed  
7 approved. If the General Assembly approves the amount of  
8 District Intervention Money to be added to the  
9 Organizational Unit's Base Funding Minimum, the District  
10 Intervention Money must be added to the Base Funding  
11 Minimum annually thereafter.

12 For the first 4 years following the initial year that  
13 the State Board determines that an Organizational Unit has  
14 met the criteria set forth in this paragraph (3) and has  
15 received funding under this Section, the Organizational  
16 Unit must annually submit to the State Board, on or before  
17 November 30, a progress report regarding its financial and  
18 strategic plan under subparagraph (C) of this paragraph  
19 (3). The plan shall include the financial data from the  
20 past 4 annual financial reports or financial audits that  
21 must be presented to the State Board by November 15 of each  
22 year and the approved budget financial data for the  
23 current year. The plan shall be developed according to the  
24 guidelines presented to the Organizational Unit by the  
25 State Board. The plan shall further include financial  
26 projections for the next 3 fiscal years and include a

1 discussion and financial summary of the Organizational  
2 Unit's facility needs. If the Organizational Unit does not  
3 demonstrate sufficient progress toward its 5-year plan or  
4 if it has failed to file an annual financial report, an  
5 annual budget, a financial plan, a deficit reduction plan,  
6 or other financial information as required by law, the  
7 State Board may establish a Financial Oversight Panel  
8 under Article 1H of this Code. However, if the  
9 Organizational Unit already has a Financial Oversight  
10 Panel, the State Board may extend the duration of the  
11 Panel.

12 (f) Percent of Adequacy and Final Resources calculation.

13 (1) The Evidence-Based Funding formula establishes a  
14 Percent of Adequacy for each Organizational Unit in order  
15 to place such units into tiers for the purposes of the  
16 funding distribution system described in subsection (g) of  
17 this Section. Initially, an Organizational Unit's  
18 Preliminary Resources and Preliminary Percent of Adequacy  
19 are calculated pursuant to paragraph (2) of this  
20 subsection (f). Then, an Organizational Unit's Final  
21 Resources and Final Percent of Adequacy are calculated to  
22 account for the Organizational Unit's poverty  
23 concentration levels pursuant to paragraphs (3) and (4) of  
24 this subsection (f).

25 (2) An Organizational Unit's Preliminary Resources are  
26 equal to the sum of its Local Capacity Target, CPPRT, and



1 Base Funding Minimum. An Organizational Unit's Preliminary  
2 Percent of Adequacy is the lesser of (i) its Preliminary  
3 Resources divided by its Adequacy Target or (ii) 100%.

4 (3) Except for Specially Funded Units, an  
5 Organizational Unit's Final Resources are equal to the sum  
6 of its Local Capacity, CPPRT, and Adjusted Base Funding  
7 Minimum. The Base Funding Minimum of each Specially Funded  
8 Unit shall serve as its Final Resources, except that the  
9 Base Funding Minimum for State-approved charter schools  
10 shall not include any portion of general State aid  
11 allocated in the prior year based on the per capita  
12 tuition charge times the charter school enrollment.

13 (4) An Organizational Unit's Final Percent of Adequacy  
14 is its Final Resources divided by its Adequacy Target. An  
15 Organizational Unit's Adjusted Base Funding Minimum is  
16 equal to its Base Funding Minimum less its Supplemental  
17 Grant Funding, with the resulting figure added to the  
18 product of its Supplemental Grant Funding and Preliminary  
19 Percent of Adequacy.

20 (g) Evidence-Based Funding formula distribution system.

21 (1) In each school year under the Evidence-Based  
22 Funding formula, each Organizational Unit receives funding  
23 equal to the sum of its Base Funding Minimum and the unit's  
24 allocation of New State Funds determined pursuant to this  
25 subsection (g). To allocate New State Funds, the  
26 Evidence-Based Funding formula distribution system first

1 places all Organizational Units into one of 4 tiers in  
2 accordance with paragraph (3) of this subsection (g),  
3 based on the Organizational Unit's Final Percent of  
4 Adequacy. New State Funds are allocated to each of the 4  
5 tiers as follows: Tier 1 Aggregate Funding equals 50% of  
6 all New State Funds, Tier 2 Aggregate Funding equals 49%  
7 of all New State Funds, Tier 3 Aggregate Funding equals  
8 0.9% of all New State Funds, and Tier 4 Aggregate Funding  
9 equals 0.1% of all New State Funds. Each Organizational  
10 Unit within Tier 1 or Tier 2 receives an allocation of New  
11 State Funds equal to its tier Funding Gap, as defined in  
12 the following sentence, multiplied by the tier's  
13 Allocation Rate determined pursuant to paragraph (4) of  
14 this subsection (g). For Tier 1, an Organizational Unit's  
15 Funding Gap equals the tier's Target Ratio, as specified  
16 in paragraph (5) of this subsection (g), multiplied by the  
17 Organizational Unit's Adequacy Target, with the resulting  
18 amount reduced by the Organizational Unit's Final  
19 Resources. For Tier 2, an Organizational Unit's Funding  
20 Gap equals the tier's Target Ratio, as described in  
21 paragraph (5) of this subsection (g), multiplied by the  
22 Organizational Unit's Adequacy Target, with the resulting  
23 amount reduced by the Organizational Unit's Final  
24 Resources and its Tier 1 funding allocation. To determine  
25 the Organizational Unit's Funding Gap, the resulting  
26 amount is then multiplied by a factor equal to one minus

1 the Organizational Unit's Local Capacity Target  
2 percentage. Each Organizational Unit within Tier 3 or Tier  
3 4 receives an allocation of New State Funds equal to the  
4 product of its Adequacy Target and the tier's Allocation  
5 Rate, as specified in paragraph (4) of this subsection  
6 (g).

7 (2) To ensure equitable distribution of dollars for  
8 all Tier 2 Organizational Units, no Tier 2 Organizational  
9 Unit shall receive fewer dollars per ASE than any Tier 3  
10 Organizational Unit. Each Tier 2 and Tier 3 Organizational  
11 Unit shall have its funding allocation divided by its ASE.  
12 Any Tier 2 Organizational Unit with a funding allocation  
13 per ASE below the greatest Tier 3 allocation per ASE shall  
14 get a funding allocation equal to the greatest Tier 3  
15 funding allocation per ASE multiplied by the  
16 Organizational Unit's ASE. Each Tier 2 Organizational  
17 Unit's Tier 2 funding allocation shall be multiplied by  
18 the percentage calculated by dividing the original Tier 2  
19 Aggregate Funding by the sum of all Tier 2 Organizational  
20 Units' Tier 2 funding allocation after adjusting  
21 districts' funding below Tier 3 levels.

22 (3) Organizational Units are placed into one of 4  
23 tiers as follows:

24 (A) Tier 1 consists of all Organizational Units,  
25 except for Specially Funded Units, with a Percent of  
26 Adequacy less than the Tier 1 Target Ratio. The Tier 1

1 Target Ratio is the ratio level that allows for Tier 1  
2 Aggregate Funding to be distributed, with the Tier 1  
3 Allocation Rate determined pursuant to paragraph (4)  
4 of this subsection (g).

5 (B) Tier 2 consists of all Tier 1 Units and all  
6 other Organizational Units, except for Specially  
7 Funded Units, with a Percent of Adequacy of less than  
8 0.90.

9 (C) Tier 3 consists of all Organizational Units,  
10 except for Specially Funded Units, with a Percent of  
11 Adequacy of at least 0.90 and less than 1.0.

12 (D) Tier 4 consists of all Organizational Units  
13 with a Percent of Adequacy of at least 1.0.

14 (4) The Allocation Rates for Tiers 1 through 4 are  
15 determined as follows:

16 (A) The Tier 1 Allocation Rate is 30%.

17 (B) The Tier 2 Allocation Rate is the result of the  
18 following equation: Tier 2 Aggregate Funding, divided  
19 by the sum of the Funding Gaps for all Tier 2  
20 Organizational Units, unless the result of such  
21 equation is higher than 1.0. If the result of such  
22 equation is higher than 1.0, then the Tier 2  
23 Allocation Rate is 1.0.

24 (C) The Tier 3 Allocation Rate is the result of the  
25 following equation: Tier 3 Aggregate Funding, divided  
26 by the sum of the Adequacy Targets of all Tier 3

1 Organizational Units.

2 (D) The Tier 4 Allocation Rate is the result of the  
3 following equation: Tier 4 Aggregate Funding, divided  
4 by the sum of the Adequacy Targets of all Tier 4  
5 Organizational Units.

6 (5) A tier's Target Ratio is determined as follows:

7 (A) The Tier 1 Target Ratio is the ratio level that  
8 allows for Tier 1 Aggregate Funding to be distributed  
9 with the Tier 1 Allocation Rate.

10 (B) The Tier 2 Target Ratio is 0.90.

11 (C) The Tier 3 Target Ratio is 1.0.

12 (6) If, at any point, the Tier 1 Target Ratio is  
13 greater than 90%, then all Tier 1 funding shall be  
14 allocated to Tier 2 and no Tier 1 Organizational Unit's  
15 funding may be identified.

16 (7) In the event that all Tier 2 Organizational Units  
17 receive funding at the Tier 2 Target Ratio level, any  
18 remaining New State Funds shall be allocated to Tier 3 and  
19 Tier 4 Organizational Units.

20 (8) If any Specially Funded Units, excluding Glenwood  
21 Academy, recognized by the State Board do not qualify for  
22 direct funding following the implementation of Public Act  
23 100-465 from any of the funding sources included within  
24 the definition of Base Funding Minimum, the unqualified  
25 portion of the Base Funding Minimum shall be transferred  
26 to one or more appropriate Organizational Units as

1 determined by the State Superintendent based on the prior  
2 year ASE of the Organizational Units.

3 (8.5) If a school district withdraws from a special  
4 education cooperative, the portion of the Base Funding  
5 Minimum that is attributable to the school district may be  
6 redistributed to the school district upon withdrawal. The  
7 school district and the cooperative must include the  
8 amount of the Base Funding Minimum that is to be  
9 reapportioned in their withdrawal agreement and notify the  
10 State Board of the change with a copy of the agreement upon  
11 withdrawal.

12 (9) The Minimum Funding Level is intended to establish  
13 a target for State funding that will keep pace with  
14 inflation and continue to advance equity through the  
15 Evidence-Based Funding formula. The target for State  
16 funding of New Property Tax Relief Pool Funds is  
17 \$50,000,000 for State fiscal year 2019 and subsequent  
18 State fiscal years. The Minimum Funding Level is equal to  
19 \$350,000,000. In addition to any New State Funds, no more  
20 than \$50,000,000 New Property Tax Relief Pool Funds may be  
21 counted toward the Minimum Funding Level. If the sum of  
22 New State Funds and applicable New Property Tax Relief  
23 Pool Funds are less than the Minimum Funding Level, than  
24 funding for tiers shall be reduced in the following  
25 manner:

26 (A) First, Tier 4 funding shall be reduced by an

1 amount equal to the difference between the Minimum  
2 Funding Level and New State Funds until such time as  
3 Tier 4 funding is exhausted.

4 (B) Next, Tier 3 funding shall be reduced by an  
5 amount equal to the difference between the Minimum  
6 Funding Level and New State Funds and the reduction in  
7 Tier 4 funding until such time as Tier 3 funding is  
8 exhausted.

9 (C) Next, Tier 2 funding shall be reduced by an  
10 amount equal to the difference between the Minimum  
11 Funding Level and New State Funds and the reduction in  
12 Tier 4 and Tier 3.

13 (D) Finally, Tier 1 funding shall be reduced by an  
14 amount equal to the difference between the Minimum  
15 Funding level and New State Funds and the reduction in  
16 Tier 2, 3, and 4 funding. In addition, the Allocation  
17 Rate for Tier 1 shall be reduced to a percentage equal  
18 to the Tier 1 Allocation Rate set by paragraph (4) of  
19 this subsection (g), multiplied by the result of New  
20 State Funds divided by the Minimum Funding Level.

21 (9.5) For State fiscal year 2019 and subsequent State  
22 fiscal years, if New State Funds exceed \$300,000,000, then  
23 any amount in excess of \$300,000,000 shall be dedicated  
24 for purposes of Section 2-3.170 of this Code up to a  
25 maximum of \$50,000,000.

26 (10) In the event of a decrease in the amount of the

1 appropriation for this Section in any fiscal year after  
2 implementation of this Section, the Organizational Units  
3 receiving Tier 1 and Tier 2 funding, as determined under  
4 paragraph (3) of this subsection (g), shall be held  
5 harmless by establishing a Base Funding Guarantee equal to  
6 the per pupil kindergarten through grade 12 funding  
7 received in accordance with this Section in the prior  
8 fiscal year. Reductions shall be made to the Base Funding  
9 Minimum of Organizational Units in Tier 3 and Tier 4 on a  
10 per pupil basis equivalent to the total number of the ASE  
11 in Tier 3-funded and Tier 4-funded Organizational Units  
12 divided by the total reduction in State funding. The Base  
13 Funding Minimum as reduced shall continue to be applied to  
14 Tier 3 and Tier 4 Organizational Units and adjusted by the  
15 relative formula when increases in appropriations for this  
16 Section resume. In no event may State funding reductions  
17 to Organizational Units in Tier 3 or Tier 4 exceed an  
18 amount that would be less than the Base Funding Minimum  
19 established in the first year of implementation of this  
20 Section. If additional reductions are required, all school  
21 districts shall receive a reduction by a per pupil amount  
22 equal to the aggregate additional appropriation reduction  
23 divided by the total ASE of all Organizational Units.

24 (11) The State Superintendent shall make minor  
25 adjustments to the distribution formula set forth in this  
26 subsection (g) to account for the rounding of percentages



1 to the nearest tenth of a percentage and dollar amounts to  
2 the nearest whole dollar.

3 (h) State Superintendent administration of funding and  
4 district submission requirements.

5 (1) The State Superintendent shall, in accordance with  
6 appropriations made by the General Assembly, meet the  
7 funding obligations created under this Section.

8 (2) The State Superintendent shall calculate the  
9 Adequacy Target for each Organizational Unit and Net State  
10 Contribution Target for each Organizational Unit under  
11 this Section. No Evidence-Based Funding shall be  
12 distributed within an Organizational Unit without the  
13 approval of the unit's school board.

14 (3) Annually, the State Superintendent shall calculate  
15 and report to each Organizational Unit the unit's  
16 aggregate financial adequacy amount, which shall be the  
17 sum of the Adequacy Target for each Organizational Unit.  
18 The State Superintendent shall calculate and report  
19 separately for each Organizational Unit the unit's total  
20 State funds allocated for its students with disabilities.  
21 The State Superintendent shall calculate and report  
22 separately for each Organizational Unit the amount of  
23 funding and applicable FTE calculated for each Essential  
24 Element of the unit's Adequacy Target.

25 (4) Annually, the State Superintendent shall calculate  
26 and report to each Organizational Unit the amount the unit

1 must expend on special education and bilingual education  
2 and computer technology and equipment for Organizational  
3 Units assigned to Tier 1 or Tier 2 that received an  
4 additional \$285.50 per student computer technology and  
5 equipment investment grant to their Adequacy Target  
6 pursuant to the unit's Base Funding Minimum, Special  
7 Education Allocation, Bilingual Education Allocation, and  
8 computer technology and equipment investment allocation.

9 (5) Moneys distributed under this Section shall be  
10 calculated on a school year basis, but paid on a fiscal  
11 year basis, with payments beginning in August and  
12 extending through June. Unless otherwise provided, the  
13 moneys appropriated for each fiscal year shall be  
14 distributed in 22 equal payments at least 2 times monthly  
15 to each Organizational Unit. If moneys appropriated for  
16 any fiscal year are distributed other than monthly, the  
17 distribution shall be on the same basis for each  
18 Organizational Unit.

19 (6) Any school district that fails, for any given  
20 school year, to maintain school as required by law or to  
21 maintain a recognized school is not eligible to receive  
22 Evidence-Based Funding. In case of non-recognition of one  
23 or more attendance centers in a school district otherwise  
24 operating recognized schools, the claim of the district  
25 shall be reduced in the proportion that the enrollment in  
26 the attendance center or centers bears to the enrollment

1 of the school district. "Recognized school" means any  
2 public school that meets the standards for recognition by  
3 the State Board. A school district or attendance center  
4 not having recognition status at the end of a school term  
5 is entitled to receive State aid payments due upon a legal  
6 claim that was filed while it was recognized.

7 (7) School district claims filed under this Section  
8 are subject to Sections 18-9 and 18-12 of this Code,  
9 except as otherwise provided in this Section.

10 (8) Each fiscal year, the State Superintendent shall  
11 calculate for each Organizational Unit an amount of its  
12 Base Funding Minimum and Evidence-Based Funding that shall  
13 be deemed attributable to the provision of special  
14 educational facilities and services, as defined in Section  
15 14-1.08 of this Code, in a manner that ensures compliance  
16 with maintenance of State financial support requirements  
17 under the federal Individuals with Disabilities Education  
18 Act. An Organizational Unit must use such funds only for  
19 the provision of special educational facilities and  
20 services, as defined in Section 14-1.08 of this Code, and  
21 must comply with any expenditure verification procedures  
22 adopted by the State Board.

23 (9) All Organizational Units in this State must submit  
24 annual spending plans by the end of September of each year  
25 to the State Board as part of the annual budget process,  
26 which shall describe how each Organizational Unit will

1       utilize the Base Funding Minimum and Evidence-Based  
2       Funding it receives from this State under this Section  
3       with specific identification of the intended utilization  
4       of Low-Income, English learner, and special education  
5       resources. Additionally, the annual spending plans of each  
6       Organizational Unit shall describe how the Organizational  
7       Unit expects to achieve student growth and how the  
8       Organizational Unit will achieve State education goals, as  
9       defined by the State Board. The State Superintendent may,  
10      from time to time, identify additional requisites for  
11      Organizational Units to satisfy when compiling the annual  
12      spending plans required under this subsection (h). The  
13      format and scope of annual spending plans shall be  
14      developed by the State Superintendent and the State Board  
15      of Education. School districts that serve students under  
16      Article 14C of this Code shall continue to submit  
17      information as required under Section 14C-12 of this Code.

18           (10) No later than January 1, 2018, the State  
19      Superintendent shall develop a 5-year strategic plan for  
20      all Organizational Units to help in planning for adequacy  
21      funding under this Section. The State Superintendent shall  
22      submit the plan to the Governor and the General Assembly,  
23      as provided in Section 3.1 of the General Assembly  
24      Organization Act. The plan shall include recommendations  
25      for:

26           (A) a framework for collaborative, professional,

1 innovative, and 21st century learning environments  
2 using the Evidence-Based Funding model;

3 (B) ways to prepare and support this State's  
4 educators for successful instructional careers;

5 (C) application and enhancement of the current  
6 financial accountability measures, the approved State  
7 plan to comply with the federal Every Student Succeeds  
8 Act, and the Illinois Balanced Accountability Measures  
9 in relation to student growth and elements of the  
10 Evidence-Based Funding model; and

11 (D) implementation of an effective school adequacy  
12 funding system based on projected and recommended  
13 funding levels from the General Assembly.

14 (11) On an annual basis, the State Superintendent must  
15 recalibrate all of the following per pupil elements of the  
16 Adequacy Target and applied to the formulas, based on the  
17 study of average expenses and as reported in the most  
18 recent annual financial report:

19 (A) Gifted under subparagraph (M) of paragraph (2)  
20 of subsection (b).

21 (B) Instructional materials under subparagraph (O)  
22 of paragraph (2) of subsection (b).

23 (C) Assessment under subparagraph (P) of paragraph  
24 (2) of subsection (b).

25 (D) Student activities under subparagraph (R) of  
26 paragraph (2) of subsection (b).

1 (E) Maintenance and operations under subparagraph  
2 (S) of paragraph (2) of subsection (b).

3 (F) Central office under subparagraph (T) of  
4 paragraph (2) of subsection (b).

5 (i) Professional Review Panel.

6 (1) A Professional Review Panel is created to study  
7 and review topics related to the implementation and effect  
8 of Evidence-Based Funding, as assigned by a joint  
9 resolution or Public Act of the General Assembly or a  
10 motion passed by the State Board of Education. The Panel  
11 must provide recommendations to and serve the Governor,  
12 the General Assembly, and the State Board. The State  
13 Superintendent or his or her designee must serve as a  
14 voting member and chairperson of the Panel. The State  
15 Superintendent must appoint a vice chairperson from the  
16 membership of the Panel. The Panel must advance  
17 recommendations based on a three-fifths majority vote of  
18 Panel members present and voting. A minority opinion may  
19 also accompany any recommendation of the Panel. The Panel  
20 shall be appointed by the State Superintendent, except as  
21 otherwise provided in paragraph (2) of this subsection (i)  
22 and include the following members:

23 (A) Two appointees that represent district  
24 superintendents, recommended by a statewide  
25 organization that represents district superintendents.

26 (B) Two appointees that represent school boards,

1 recommended by a statewide organization that  
2 represents school boards.

3 (C) Two appointees from districts that represent  
4 school business officials, recommended by a statewide  
5 organization that represents school business  
6 officials.

7 (D) Two appointees that represent school  
8 principals, recommended by a statewide organization  
9 that represents school principals.

10 (E) Two appointees that represent teachers,  
11 recommended by a statewide organization that  
12 represents teachers.

13 (F) Two appointees that represent teachers,  
14 recommended by another statewide organization that  
15 represents teachers.

16 (G) Two appointees that represent regional  
17 superintendents of schools, recommended by  
18 organizations that represent regional superintendents.

19 (H) Two independent experts selected solely by the  
20 State Superintendent.

21 (I) Two independent experts recommended by public  
22 universities in this State.

23 (J) One member recommended by a statewide  
24 organization that represents parents.

25 (K) Two representatives recommended by collective  
26 impact organizations that represent major metropolitan

1 areas or geographic areas in Illinois.

2 (L) One member from a statewide organization  
3 focused on research-based education policy to support  
4 a school system that prepares all students for  
5 college, a career, and democratic citizenship.

6 (M) One representative from a school district  
7 organized under Article 34 of this Code.

8 The State Superintendent shall ensure that the  
9 membership of the Panel includes representatives from  
10 school districts and communities reflecting the  
11 geographic, socio-economic, racial, and ethnic diversity  
12 of this State. The State Superintendent shall additionally  
13 ensure that the membership of the Panel includes  
14 representatives with expertise in bilingual education and  
15 special education. Staff from the State Board shall staff  
16 the Panel.

17 (2) In addition to those Panel members appointed by  
18 the State Superintendent, 4 members of the General  
19 Assembly shall be appointed as follows: one member of the  
20 House of Representatives appointed by the Speaker of the  
21 House of Representatives, one member of the Senate  
22 appointed by the President of the Senate, one member of  
23 the House of Representatives appointed by the Minority  
24 Leader of the House of Representatives, and one member of  
25 the Senate appointed by the Minority Leader of the Senate.  
26 There shall be one additional member appointed by the



1 Governor. All members appointed by legislative leaders or  
2 the Governor shall be non-voting, ex officio members.

3 (3) The Panel must study topics at the direction of  
4 the General Assembly or State Board of Education, as  
5 provided under paragraph (1). The Panel may also study the  
6 following topics at the direction of the chairperson:

7 (A) The format and scope of annual spending plans  
8 referenced in paragraph (9) of subsection (h) of this  
9 Section.

10 (B) The Comparable Wage Index under this Section.

11 (C) Maintenance and operations, including capital  
12 maintenance and construction costs.

13 (D) "At-risk student" definition.

14 (E) Benefits.

15 (F) Technology.

16 (G) Local Capacity Target.

17 (H) Funding for Alternative Schools, Laboratory  
18 Schools, safe schools, and alternative learning  
19 opportunities programs.

20 (I) Funding for college and career acceleration  
21 strategies.

22 (J) Special education investments.

23 (K) Early childhood investments, in collaboration  
24 with the Illinois Early Learning Council.

25 (4) (Blank).

26 (5) Within 5 years after the implementation of this

1 Section, and every 5 years thereafter, the Panel shall  
2 complete an evaluative study of the entire Evidence-Based  
3 Funding model, including an assessment of whether or not  
4 the formula is achieving State goals. The Panel shall  
5 report to the State Board, the General Assembly, and the  
6 Governor on the findings of the study.

7 (6) (Blank).

8 (7) To ensure that (i) the Adequacy Target calculation  
9 under subsection (b) accurately reflects the needs of  
10 students living in poverty or attending schools located in  
11 areas of high poverty, (ii) racial equity within the  
12 Evidence-Based Funding formula is explicitly explored and  
13 advanced, and (iii) the funding goals of the formula  
14 distribution system established under this Section are  
15 sufficient to provide adequate funding for every student  
16 and to fully fund every school in this State, the Panel  
17 shall review the Essential Elements under paragraph (2) of  
18 subsection (b). The Panel shall consider all of the  
19 following in its review:

20 (A) The financial ability of school districts to  
21 provide instruction in a foreign language to every  
22 student and whether an additional Essential Element  
23 should be added to the formula to ensure that every  
24 student has access to instruction in a foreign  
25 language.

26 (B) The adult-to-student ratio for each Essential

1 Element in which a ratio is identified. The Panel  
2 shall consider whether the ratio accurately reflects  
3 the staffing needed to support students living in  
4 poverty or who have traumatic backgrounds.

5 (C) Changes to the Essential Elements that may be  
6 required to better promote racial equity and eliminate  
7 structural racism within schools.

8 (D) The impact of investing \$350,000,000 in  
9 additional funds each year under this Section and an  
10 estimate of when the school system will become fully  
11 funded under this level of appropriation.

12 (E) Provide an overview of alternative funding  
13 structures that would enable the State to become fully  
14 funded at an earlier date.

15 (F) The potential to increase efficiency and to  
16 find cost savings within the school system to expedite  
17 the journey to a fully funded system.

18 (G) The appropriate levels for reenrolling and  
19 graduating high-risk high school students who have  
20 been previously out of school. These outcomes shall  
21 include enrollment, attendance, skill gains, credit  
22 gains, graduation or promotion to the next grade  
23 level, and the transition to college, training, or  
24 employment, with an emphasis on progressively  
25 increasing the overall attendance.

26 (H) The evidence-based or research-based practices

1           that are shown to reduce the gaps and disparities  
2           experienced by African American students in academic  
3           achievement and educational performance, including  
4           practices that have been shown to reduce disparities  
5           ~~parities~~ in disciplinary rates, drop-out rates,  
6           graduation rates, college matriculation rates, and  
7           college completion rates.

8           On or before December 31, 2021, the Panel shall report  
9           to the State Board, the General Assembly, and the Governor  
10          on the findings of its review. This paragraph (7) is  
11          inoperative on and after July 1, 2022.

12          (j) References. Beginning July 1, 2017, references in  
13          other laws to general State aid funds or calculations under  
14          Section 18-8.05 of this Code (now repealed) shall be deemed to  
15          be references to evidence-based model formula funds or  
16          calculations under this Section.

17          (Source: P.A. 101-10, eff. 6-5-19; 101-17, eff. 6-14-19;  
18          101-643, eff. 6-18-20; 101-654, eff. 3-8-21; 102-33, eff.  
19          6-25-21; 102-197, eff. 7-30-21; 102-558, eff. 8-20-21; revised  
20          10-12-21.)

21          Section 5-78. The School Construction Law is amended by  
22          adding Section 5-500 as follows:

23                 (105 ILCS 230/5-500 new)

24                 Sec. 5-500. Emergency funding eligibility.

1       (a) The State Board of Education shall classify  
2 destruction or disrepair of a public school as an emergency  
3 that is eligible for emergency funding if the public school  
4 (i) does not otherwise meet the minimum enrollment  
5 requirements to be eligible for emergency funding, (ii) has a  
6 majority-minority student population, and (iii) is located  
7 within a municipality with a population of less than 5,000  
8 outside of Cook County and the destruction or disrepair  
9 occurred during the time in which proclamations issued by the  
10 Governor during the 2019-2020, 2020-2021, and 2021-2022 school  
11 years declaring a disaster due to a public health emergency  
12 pursuant to Section 7 of the Illinois Emergency Management  
13 Agency Act were in effect.

14       (b) Notwithstanding any other provisions of law to the  
15 contrary, any school district that receives funding pursuant  
16 to subsection (a) is exempt from providing local matching  
17 funds.

18       Section 5-80. The Board of Higher Education Act is amended  
19 by adding Section 9.41 as follows:

20       (110 ILCS 205/9.41 new)

21       Sec. 9.41. Board of Higher Education State Contracts and  
22 Grants Fund; creation. The Board of Higher Education State  
23 Contracts and Grants Fund is created as a special fund in the  
24 State treasury. The Board shall deposit into the Fund moneys

1 received from grants, awards, or other financial activities  
2 from state or local government agencies, and, where  
3 appropriate, other funds made available through contracts with  
4 state or local government agencies. Moneys in the Fund may be  
5 used by the Board, subject to appropriation, for grants,  
6 awards, contracts, and other purposes in accordance with this  
7 Act.

8 Section 5-82. The Public Community College Act is amended  
9 by adding Section 2-12.2 as follows:

10 (110 ILCS 805/2-12.2 new)

11 Sec. 2-12.2. Pipeline for the Advancement of the  
12 Healthcare Workforce. The State Board shall develop a funding  
13 formula to distribute funds for the Illinois Pipeline for the  
14 Advancement of the Healthcare (PATH) Workforce Program, a  
15 program that is hereby established and designed to create,  
16 support, and expand opportunities of individuals enrolled at a  
17 public community college in a healthcare pathway, to obtain  
18 credentials, certificates, and degrees that allow them to  
19 enter into or advance their careers in the healthcare  
20 industry. The State Board shall adopt rules as necessary to  
21 implement the funding formula and distribute the funds to  
22 Illinois community colleges.

23 Section 5-85. The Higher Education Student Assistance Act

1 is amended by changing Sections 35, 38, and 77 as follows:

2 (110 ILCS 947/35)

3 Sec. 35. Monetary award program.

4 (a) The Commission shall, each year, receive and consider  
5 applications for grant assistance under this Section. Subject  
6 to a separate appropriation for such purposes, an applicant is  
7 eligible for a grant under this Section when the Commission  
8 finds that the applicant:

9 (1) is a resident of this State and a citizen or  
10 permanent resident of the United States; ~~and~~

11 (2) is enrolled or has been accepted for enrollment in  
12 a qualified institution for the purpose of obtaining a  
13 degree, certificate, or other credential offered by the  
14 institution, as applicable; and

15 (3) in the absence of grant assistance, will be  
16 deterred by financial considerations from completing an  
17 educational program at the qualified institution of his or  
18 her choice.

19 (b) The Commission shall award renewals only upon the  
20 student's application and upon the Commission's finding that  
21 the applicant:

22 (1) has remained a student in good standing;

23 (2) remains a resident of this State; and

24 (3) is in a financial situation that continues to  
25 warrant assistance.

1 (c) All grants shall be applicable only to tuition and  
2 necessary fee costs. The Commission shall determine the grant  
3 amount for each student, which shall not exceed the smallest  
4 of the following amounts:

5 (1) subject to appropriation, \$5,468 for fiscal year  
6 2009, \$5,968 for fiscal year 2010, ~~and~~ \$6,468 for fiscal  
7 year 2011 and each fiscal year thereafter through fiscal  
8 year 2022, and \$8,508 for fiscal year 2023 and each fiscal  
9 year thereafter, or such lesser amount as the Commission  
10 finds to be available, during an academic year;

11 (2) the amount which equals 2 semesters or 3 quarters  
12 tuition and other necessary fees required generally by the  
13 institution of all full-time undergraduate students; or

14 (3) such amount as the Commission finds to be  
15 appropriate in view of the applicant's financial  
16 resources.

17 Subject to appropriation, the maximum grant amount for  
18 students not subject to subdivision (1) of this subsection (c)  
19 must be increased by the same percentage as any increase made  
20 by law to the maximum grant amount under subdivision (1) of  
21 this subsection (c).

22 "Tuition and other necessary fees" as used in this Section  
23 include the customary charge for instruction and use of  
24 facilities in general, and the additional fixed fees charged  
25 for specified purposes, which are required generally of  
26 nongrant recipients for each academic period for which the



1 grant applicant actually enrolls, but do not include fees  
2 payable only once or breakage fees and other contingent  
3 deposits which are refundable in whole or in part. The  
4 Commission may prescribe, by rule not inconsistent with this  
5 Section, detailed provisions concerning the computation of  
6 tuition and other necessary fees.

7 (d) No applicant, including those presently receiving  
8 scholarship assistance under this Act, is eligible for  
9 monetary award program consideration under this Act after  
10 receiving a baccalaureate degree or the equivalent of 135  
11 semester credit hours of award payments.

12 (d-5) In this subsection (d-5), "renewing applicant" means  
13 a student attending an institution of higher learning who  
14 received a Monetary Award Program grant during the prior  
15 academic year. Beginning with the processing of applications  
16 for the 2020-2021 academic year, the Commission shall annually  
17 publish a priority deadline date for renewing applicants.  
18 Subject to appropriation, a renewing applicant who files by  
19 the published priority deadline date shall receive a grant if  
20 he or she continues to meet the eligibility requirements under  
21 this Section. A renewing applicant's failure to apply by the  
22 priority deadline date established under this subsection (d-5)  
23 shall not disqualify him or her from receiving a grant if  
24 sufficient funding is available to provide awards after that  
25 date.

26 (e) The Commission, in determining the number of grants to

1 be offered, shall take into consideration past experience with  
2 the rate of grant funds unclaimed by recipients. The  
3 Commission shall notify applicants that grant assistance is  
4 contingent upon the availability of appropriated funds.

5 (e-5) The General Assembly finds and declares that it is  
6 an important purpose of the Monetary Award Program to  
7 facilitate access to college both for students who pursue  
8 postsecondary education immediately following high school and  
9 for those who pursue postsecondary education later in life,  
10 particularly Illinoisans who are dislocated workers with  
11 financial need and who are seeking to improve their economic  
12 position through education. For the 2015-2016 and 2016-2017  
13 academic years, the Commission shall give additional and  
14 specific consideration to the needs of dislocated workers with  
15 the intent of allowing applicants who are dislocated workers  
16 an opportunity to secure financial assistance even if applying  
17 later than the general pool of applicants. The Commission's  
18 consideration shall include, in determining the number of  
19 grants to be offered, an estimate of the resources needed to  
20 serve dislocated workers who apply after the Commission  
21 initially suspends award announcements for the upcoming  
22 regular academic year, but prior to the beginning of that  
23 academic year. For the purposes of this subsection (e-5), a  
24 dislocated worker is defined as in the federal Workforce  
25 Innovation and Opportunity Act.

26 (f) (Blank).

1 (g) The Commission shall determine the eligibility of and  
2 make grants to applicants enrolled at qualified for-profit  
3 institutions in accordance with the criteria set forth in this  
4 Section. The eligibility of applicants enrolled at such  
5 for-profit institutions shall be limited as follows:

6 (1) Beginning with the academic year 1997, only to  
7 eligible first-time freshmen and first-time transfer  
8 students who have attained an associate degree.

9 (2) Beginning with the academic year 1998, only to  
10 eligible freshmen students, transfer students who have  
11 attained an associate degree, and students who receive a  
12 grant under paragraph (1) for the academic year 1997 and  
13 whose grants are being renewed for the academic year 1998.

14 (3) Beginning with the academic year 1999, to all  
15 eligible students.

16 (h) The Commission may award a grant to an eligible  
17 applicant enrolled at an Illinois public institution of higher  
18 learning in a program that will culminate in the award of an  
19 occupational or career and technical certificate as that term  
20 is defined in 23 Ill. Adm. Code 1501.301.

21 (i) The Commission may adopt rules to implement this  
22 Section.

23 (Source: P.A. 100-477, eff. 9-8-17; 100-621, eff. 7-20-18;  
24 100-823, eff. 8-13-18; 101-81, eff. 7-12-19.)

1           Sec. 38. Monetary award program accountability. The  
2 Illinois Student Assistance Commission is directed to assess  
3 the educational persistence of monetary award program  
4 recipients. An assessment under this Section shall include an  
5 analysis of such factors as undergraduate educational goals,  
6 chosen field of study, retention rates, and expected time to  
7 complete a degree. The assessment also shall include an  
8 analysis of the academic success of monetary award program  
9 recipients through a review of measures that are typically  
10 associated with academic success, such as grade point average,  
11 satisfactory academic progress, and credit hours earned. Each  
12 analysis should take into consideration student class level,  
13 dependency types, and the type of higher education institution  
14 at which each monetary award program recipient is enrolled.  
15 The Illinois Community College Board and the Illinois Board of  
16 Higher Education are authorized and directed to share data  
17 with the Commission as needed to allow completion of the  
18 assessment. The Commission shall report its findings to the  
19 General Assembly and the Board of Higher Education by February  
20 1, 1999 and at least every 2 years thereafter.

21 (Source: P.A. 90-486, eff. 8-17-97; 90-488, eff. 8-17-97.)

22           (110 ILCS 947/77)

23           Sec. 77. Illinois Student Assistance Commission Contracts  
24 and Grants Fund.

25           (a) The Illinois Student Assistance Commission Contracts

1 and Grants Fund is created as a special fund in the State  
2 treasury. All gifts, grants, or donations of money received by  
3 the Commission must be deposited into this Fund and, where  
4 appropriate, other funds made available through contracts with  
5 governmental, public, and private agencies or persons may also  
6 be deposited into this Fund.

7 (b) Moneys in the Fund may be used by the Commission,  
8 subject to appropriation, for support of the Commission's  
9 student and borrower assistance outreach, research, and  
10 training activities.

11 (Source: P.A. 92-597, eff. 7-1-02.)

12 Section 5-88. The Nursing Education Scholarship Law is  
13 amended by changing Sections 3, 5, 6.5, and 7 and by adding  
14 Sections 3.1 and 9.1 as follows:

15 (110 ILCS 975/3) (from Ch. 144, par. 2753)

16 Sec. 3. Definitions. The following terms, whenever used or  
17 referred to, have the following meanings except where the  
18 context clearly indicates otherwise:

19 (1) "Board" means the Board of Higher Education created by  
20 the Board of Higher Education Act.

21 (2) "Department" means the Illinois Department of Public  
22 Health.

23 (3) "Approved institution" means a public community  
24 college, private junior college, hospital-based diploma in

1 nursing program, or public or private college or university  
2 with a pre-licensure nursing education program located in this  
3 State that has approval by the Department of Financial and  
4 Professional Regulation for an associate degree in nursing  
5 program, associate degree in applied sciences in nursing  
6 program, hospital-based diploma in nursing program,  
7 baccalaureate degree in nursing program, graduate degree in  
8 nursing program, or certificate in a practical nursing program  
9 or a post-licensure nursing education program approved by the  
10 Board of Higher Education or any successor agency with similar  
11 authority.

12 (4) "Baccalaureate degree in nursing program" means a  
13 program offered by an approved institution and leading to a  
14 bachelor of science degree in nursing.

15 (5) "Enrollment" means the establishment and maintenance  
16 of an individual's status as a student in an approved  
17 institution, regardless of the terms used at the institution  
18 to describe such status.

19 (6) "Academic year" means the period of time from  
20 September 1 of one year through August 31 of the next year or  
21 as otherwise defined by the academic institution.

22 (7) "Associate degree in nursing program or hospital-based  
23 diploma in nursing program" means a program offered by an  
24 approved institution and leading to an associate degree in  
25 nursing, associate degree in applied sciences in nursing, or  
26 hospital-based diploma in nursing.

1           (8) "Graduate degree in nursing program" means a program  
2 offered by an approved institution and leading to a master of  
3 science degree in nursing or a doctorate of philosophy or  
4 doctorate of nursing degree in nursing.

5           (9) "Director" means the Director of the Illinois  
6 Department of Public Health.

7           (10) "Accepted for admission" means a student has  
8 completed the requirements for entry into an associate degree  
9 in nursing program, associate degree in applied sciences in  
10 nursing program, hospital-based diploma in nursing program,  
11 baccalaureate degree in nursing program, graduate degree in  
12 nursing program, or certificate in practical nursing program  
13 at an approved institution, as documented by the institution.

14           (11) "Fees" means those mandatory charges, in addition to  
15 tuition, that all enrolled students must pay, including  
16 required course or lab fees.

17           (12) "Full-time student" means a student enrolled for at  
18 least 12 hours per term or as otherwise determined by the  
19 academic institution.

20           (13) "Law" means the Nursing Education Scholarship Law.

21           (14) "Nursing employment obligation" means employment in  
22 this State as a registered professional nurse, licensed  
23 practical nurse, or advanced practice registered nurse in  
24 direct patient care for at least one year for each year of  
25 scholarship assistance received through the Nursing Education  
26 Scholarship Program.

1 (15) "Part-time student" means a person who is enrolled  
2 for at least one-third of the number of hours required per term  
3 by a school for its full-time students.

4 (16) "Practical nursing program" means a program offered  
5 by an approved institution leading to a certificate in  
6 practical nursing.

7 (17) "Registered professional nurse" means a person who is  
8 currently licensed as a registered professional nurse by the  
9 Department of Professional Regulation under the Nurse Practice  
10 Act.

11 (18) "Licensed practical nurse" means a person who is  
12 currently licensed as a licensed practical nurse by the  
13 Department of Professional Regulation under the Nurse Practice  
14 Act.

15 (19) "School term" means an academic term, such as a  
16 semester, quarter, trimester, or number of clock hours, as  
17 defined by an approved institution.

18 (20) "Student in good standing" means a student  
19 maintaining a cumulative grade point average equivalent to at  
20 least the academic grade of a "C".

21 (21) "Total and permanent disability" means a physical or  
22 mental impairment, disease, or loss of a permanent nature that  
23 prevents nursing employment with or without reasonable  
24 accommodation. Proof of disability shall be a declaration from  
25 the social security administration, Illinois Workers'  
26 Compensation Commission, Department of Defense, or an insurer



1 authorized to transact business in Illinois who is providing  
2 disability insurance coverage to a contractor.

3 (22) "Tuition" means the established charges of an  
4 institution of higher learning for instruction at that  
5 institution.

6 (23) "Nurse educator" means a person who is currently  
7 licensed as a registered nurse by the Department of  
8 Professional Regulation under the Nurse Practice Act, who has  
9 a graduate degree in nursing, and who is employed by an  
10 approved academic institution to educate registered nursing  
11 students, licensed practical nursing students, and registered  
12 nurses pursuing graduate degrees.

13 (24) "Nurse educator employment obligation" means  
14 employment in this State as a nurse educator for at least 2  
15 years for each year of scholarship assistance received under  
16 Section 6.5 of this Law.

17 (25) "Commission" means the Illinois Student Assistance  
18 Commission.

19 Rulemaking authority to implement the provisions of this  
20 Act ~~Public Act 96-805, if any,~~ is conditioned on the rules  
21 being adopted in accordance with all provisions of the  
22 Illinois Administrative Procedure Act and all rules and  
23 procedures of the Joint Committee on Administrative Rules; any  
24 purported rule not so adopted, for whatever reason, is  
25 unauthorized.

26 (Source: P.A. 100-183, eff. 8-18-17; 100-513, eff. 1-1-18;

1 100-863, eff. 8-14-18.)

2 (110 ILCS 975/3.1 new)

3 Sec. 3.1. Approved institutions. An approved institution  
4 must maintain compliance with all applicable State and federal  
5 laws. An approved institution is not eligible for other  
6 programs administered by the Commission and is not required to  
7 meet the definition of "institution of higher learning",  
8 "qualified institution", or "institution" as defined in  
9 Section 10 of the Higher Education Student Assistance Act. The  
10 Commission may establish by rule additional requirements for  
11 approved institutions.

12 (110 ILCS 975/5) (from Ch. 144, par. 2755)

13 Sec. 5. Nursing education scholarships. Beginning with the  
14 fall term of the 2004-2005 academic year, the Department, in  
15 accordance with rules and regulations promulgated by it for  
16 this program, shall provide scholarships to individuals  
17 selected from among those applicants who qualify for  
18 consideration by showing:

19 (1) that he or she has been a resident of this State  
20 for at least one year prior to application, and is a  
21 citizen or a lawful permanent resident alien of the United  
22 States;

23 (2) that he or she is enrolled in or accepted for  
24 admission to an associate degree in nursing program,

1 hospital-based diploma in nursing program, baccalaureate  
2 degree in nursing program, graduate degree in nursing  
3 program, or practical nursing program at an approved  
4 institution; and

5 (3) that he or she agrees to meet the nursing  
6 employment obligation.

7 If in any year the number of qualified applicants exceeds  
8 the number of scholarships to be awarded, the Department  
9 shall, in consultation with the Illinois Nursing Workforce  
10 Center Advisory Board, consider the following factors in  
11 granting priority in awarding scholarships:

12 (A) Financial need, as shown on a standardized  
13 financial needs assessment form used by an approved  
14 institution, of students who will pursue their  
15 education on a full-time or close to full-time basis  
16 and who already have a certificate in practical  
17 nursing, a diploma in nursing, or an associate degree  
18 in nursing and are pursuing a higher degree.

19 (B) A student's status as a registered nurse who  
20 is pursuing a graduate degree in nursing to pursue  
21 employment in an approved institution that educates  
22 licensed practical nurses and that educates registered  
23 nurses in undergraduate and graduate nursing programs.

24 (C) A student's merit, as shown through his or her  
25 grade point average, class rank, and other academic  
26 and extracurricular activities. The Department may add

1 to and further define these merit criteria by rule.

2 Unless otherwise indicated, scholarships shall be awarded  
3 to recipients at approved institutions for a period of up to 2  
4 years if the recipient is enrolled in an associate degree in  
5 nursing program, up to 3 years if the recipient is enrolled in  
6 a hospital-based diploma in nursing program, up to 4 years if  
7 the recipient is enrolled in a baccalaureate degree in nursing  
8 program, up to 5 years if the recipient is enrolled in a  
9 graduate degree in nursing program, and up to one year if the  
10 recipient is enrolled in a certificate in practical nursing  
11 program. At least 40% of the scholarships awarded shall be for  
12 recipients who are pursuing baccalaureate degrees in nursing,  
13 30% of the scholarships awarded shall be for recipients who  
14 are pursuing associate degrees in nursing or a diploma in  
15 nursing, 10% of the scholarships awarded shall be for  
16 recipients who are pursuing a certificate in practical  
17 nursing, and 20% of the scholarships awarded shall be for  
18 recipients who are pursuing a graduate degree in nursing.

19 During ~~Beginning with the fall term of the 2021-2022~~  
20 ~~academic year and continuing through the 2024-2025 academic~~  
21 ~~year,~~ subject to appropriation from the Hospital Licensure  
22 Fund, in addition to any other funds available to the  
23 Department for such scholarships, the Department may award a  
24 total of \$500,000 ~~annually~~ in scholarships under this Section.  
25 (Source: P.A. 102-641, eff. 8-27-21.)

1 (110 ILCS 975/6.5)

2 Sec. 6.5. Nurse educator scholarships.

3 (a) Beginning with the fall term of the 2009-2010 academic  
4 year, the Department shall provide scholarships to individuals  
5 selected from among those applicants who qualify for  
6 consideration by showing the following:

7 (1) that he or she has been a resident of this State  
8 for at least one year prior to application and is a citizen  
9 or a lawful permanent resident alien of the United States;

10 (2) that he or she is enrolled in or accepted for  
11 admission to a graduate degree in nursing program at an  
12 approved institution; and

13 (3) that he or she agrees to meet the nurse educator  
14 employment obligation.

15 (b) If in any year the number of qualified applicants  
16 exceeds the number of scholarships to be awarded under this  
17 Section, the Department shall, in consultation with the  
18 Illinois Nursing Workforce Center Advisory Board, consider the  
19 following factors in granting priority in awarding  
20 scholarships:

21 (1) Financial need, as shown on a standardized  
22 financial needs assessment form used by an approved  
23 institution, of students who will pursue their education  
24 on a full-time or close to full-time basis and who already  
25 have a diploma in nursing and are pursuing a higher  
26 degree.

1           (2) A student's status as a registered nurse who is  
2           pursuing a graduate degree in nursing to pursue employment  
3           in an approved institution that educates licensed  
4           practical nurses and that educates registered nurses in  
5           undergraduate and graduate nursing programs.

6           (3) A student's merit, as shown through his or her  
7           grade point average, class rank, experience as a nurse,  
8           including supervisory experience, experience as a nurse in  
9           the United States military, and other academic and  
10          extracurricular activities.

11          (c) Unless otherwise indicated, scholarships under this  
12          Section shall be awarded to recipients at approved  
13          institutions for a period of up to 3 years.

14          (d) Within 12 months after graduation from a graduate  
15          degree in nursing program for nurse educators, any recipient  
16          who accepted a scholarship under this Section shall begin  
17          meeting the required nurse educator employment obligation. In  
18          order to defer his or her continuous employment obligation, a  
19          recipient must request the deferment in writing from the  
20          Department. A recipient shall receive a deferment if he or she  
21          notifies the Department, within 30 days after enlisting, that  
22          he or she is spending up to 4 years in military service. A  
23          recipient shall receive a deferment if he or she notifies the  
24          Department, within 30 days after enrolling, that he or she is  
25          enrolled in an academic program leading to a graduate degree  
26          in nursing. The recipient must begin meeting the required

1 nurse educator employment obligation no later than 6 months  
2 after the end of the deferment or deferments.

3 Any person who fails to fulfill the nurse educator  
4 employment obligation shall pay to the Department an amount  
5 equal to the amount of scholarship funds received per year for  
6 each unfulfilled year of the nurse educator employment  
7 obligation, together with interest at 7% per year on the  
8 unpaid balance. Payment must begin within 6 months following  
9 the date of the occurrence initiating the repayment. All  
10 repayments must be completed within 6 years from the date of  
11 the occurrence initiating the repayment. However, this  
12 repayment obligation may be deferred and re-evaluated every 6  
13 months when the failure to fulfill the nurse educator  
14 employment obligation results from involuntarily leaving the  
15 profession due to a decrease in the number of nurses employed  
16 in this State or when the failure to fulfill the nurse educator  
17 employment obligation results from total and permanent  
18 disability. The repayment obligation shall be excused if the  
19 failure to fulfill the nurse educator employment obligation  
20 results from the death or adjudication as incompetent of the  
21 person holding the scholarship. No claim for repayment may be  
22 filed against the estate of such a decedent or incompetent.

23 The Department may allow a nurse educator employment  
24 obligation fulfillment alternative if the nurse educator  
25 scholarship recipient is unsuccessful in finding work as a  
26 nurse educator. The Department shall maintain a database of

1 all available nurse educator positions in this State.

2 (e) Each person applying for a scholarship under this  
3 Section must be provided with a copy of this Section at the  
4 time of application for the benefits of this scholarship.

5 (f) Rulemaking authority to implement this ~~amendatory~~ Act  
6 ~~of the 96th General Assembly, if any,~~ is conditioned on the  
7 rules being adopted in accordance with all provisions of the  
8 Illinois Administrative Procedure Act and all rules and  
9 procedures of the Joint Committee on Administrative Rules; any  
10 purported rule not so adopted, for whatever reason, is  
11 unauthorized.

12 (Source: P.A. 100-513, eff. 1-1-18.)

13 (110 ILCS 975/7) (from Ch. 144, par. 2757)

14 Sec. 7. Amount of scholarships. To determine a scholarship  
15 amount, the Department shall consider tuition and fee charges  
16 at community colleges and universities statewide and projected  
17 living expenses. ~~Using information provided annually by the~~  
18 ~~Illinois Student Assistance Commission,~~ 75% of the weighted  
19 tuition and fees charged by community colleges in Illinois  
20 shall be added to the uniform living allowance reported in the  
21 weighted Monetary Award Program (MAP) budget to determine the  
22 full-time scholarship amount for students pursuing an  
23 associate degree or diploma in nursing at an Illinois  
24 community college. Scholarship amounts for students pursuing  
25 associate, baccalaureate, or graduate degrees in nursing at a



1 college or university shall include 75% of the weighted  
2 tuition and fees charged by public universities in Illinois  
3 plus the uniform living allowance reported in the weighted MAP  
4 budget. Scholarship amounts for students in practical nursing  
5 programs shall include 75% of the average of tuition charges  
6 at all practical nursing programs plus the uniform living  
7 allowance reported in the weighted MAP budget. The Department  
8 may provide that scholarships shall be on a quarterly or  
9 semi-annual basis and shall be contingent upon the student's  
10 diligently pursuing nursing studies and being a student in  
11 good standing. Scholarship awards may be provided to part-time  
12 students; the amount shall be determined by applying the  
13 proportion represented by the part-time enrollment to  
14 full-time enrollment ratio to the average per-term scholarship  
15 amount for a student in the same nursing degree category.

16 (Source: P.A. 92-43, eff. 1-1-02; 93-879, eff. 1-1-05.)

17 (110 ILCS 975/9.1 new)

18 Sec. 9.1. Transfer of functions from the Department to the  
19 Commission.

20 (a) On July 1, 2022, or as soon thereafter as practical,  
21 all functions performed by the Department under this Act,  
22 together with all of the powers, duties, rights, and  
23 responsibilities of the Department relating to those  
24 functions, are transferred from the Department to the  
25 Commission.

1           (1) The Department and the Commission shall cooperate  
2           to ensure that the transfer of functions is completed as  
3           soon as practical.

4           (2) To the extent necessary or prudent to select  
5           scholarship recipients and award scholarships pursuant to  
6           this Act, following the application cycle which begins on  
7           March 1, 2022, the Department and the Commission may enter  
8           into interagency agreements pursuant to Section 3 of the  
9           Intergovernmental Cooperation Act to ensure scholarships  
10           are awarded for the 2022-2023 academic year.

11           (b) Neither the functions transferred under this Section,  
12           nor any powers, duties, rights, and responsibilities relating  
13           to those functions, are altered or changed by this amendatory  
14           Act of the 102nd General Assembly, except that all such  
15           functions, powers, duties, rights, and responsibilities shall  
16           be performed or exercised by the Commission as of July 1, 2022.

17           (c) All books, records, papers, documents, contracts, and  
18           pending business pertaining to the functions transferred under  
19           this Section, including but not limited to material in  
20           electronic or magnetic format and necessary computer hardware  
21           and software, shall be transferred to the Commission. The  
22           transfer of that information shall not, however, violate any  
23           applicable confidentiality constraints.

24           (d) Whenever reports or notices are required to be made or  
25           given or papers or documents furnished or served by any person  
26           to or upon the Department in connection with any of the

1 functions transferred under this Section, the same shall be  
2 made, given, furnished, or served in the same manner to or upon  
3 the Commission.

4 The Department shall transfer to the Commission any such  
5 reports, notices, papers, or documents received by the  
6 Department after July 1, 2022. The Department and the  
7 Commission shall cooperate to ensure that the transfer of any  
8 such reports, notices, papers, or documents is completed as  
9 soon as is practical.

10 (e) This Section shall not affect any act done, ratified,  
11 or canceled, or any right occurring or established, or any  
12 action or proceeding had or commenced in an administrative,  
13 civil, or criminal case, regarding the functions of the  
14 Department before July 1, 2022; such actions may be  
15 prosecuted, defended, or continued by the Department.

16 (f) Any rules of the Department that (1) relate to the  
17 functions transferred under this Section, (2) that are in full  
18 force on July 1, 2022, and (3) that have been duly adopted by  
19 the Department, shall become the rules of the Commission. This  
20 Section shall not affect the legality of any such rules in the  
21 Illinois Administrative Code. Any proposed rules filed with  
22 the Secretary of State by the Department that are pending in  
23 the rulemaking process on July 1, 2022, and that pertain to the  
24 functions transferred, shall be deemed to have been filed by  
25 the Commission. As soon as practicable after July 1, 2022, the  
26 Commission may revise and clarify the rules transferred to it

1 under this Section and propose and adopt new rules that relate  
2 to the functions transferred in this Section.

3 (g) The powers, duties, rights, and responsibilities  
4 relating to the functions transferred under this Section are  
5 vested in and shall be exercised by the Commission. Each act  
6 done in exercise of those powers, duties, rights, and  
7 responsibilities shall have the same legal effect as if done  
8 by the Department or its divisions, officers, or employees.

9 (h) Whenever a provision of law, including, but not  
10 limited to, the provisions of this Act, refers to the  
11 Department in connection with its performance of a function  
12 that is transferred to the Commission under this Section, that  
13 provision shall be deemed to refer to the Commission on and  
14 after July 1, 2022.

15 Section 5-89. The Specialized Mental Health Rehabilitation  
16 Act of 2013 is amended by changing Sections 5-102 and 5-107 as  
17 follows:

18 (210 ILCS 49/5-102)

19 Sec. 5-102. Transition payments.

20 (a) In addition to payments already required by law, the  
21 Department of Healthcare and Family Services shall make  
22 payments to facilities licensed under this Act in the amount  
23 of \$29.43 per licensed bed, per day, for the period beginning  
24 June 1, 2014 and ending June 30, 2014.

1       (b) For the purpose of incentivizing reduced room  
2 occupancy and notwithstanding any provision of law to the  
3 contrary, the Medicaid rates for specialized mental health  
4 rehabilitation facilities effective on July 1, 2022 must be  
5 equal to the rates in effect for specialized mental health  
6 rehabilitation facilities on June 30, 2022, increased by 5.0%.  
7 This rate shall be in effect from July 1, 2022 through June 30,  
8 2024. After June 30, 2024, this rate shall remain in effect  
9 only for any occupied bed that is in a room with no more than 2  
10 beds. The rate increase shall be effective for payment for  
11 services under both the fee-for-service and managed care  
12 medical assistance programs established under Article V of the  
13 Illinois Public Aid Code.

14 (Source: P.A. 98-651, eff. 6-16-14.)

15 (210 ILCS 49/5-107)

16 Sec. 5-107. Quality of life enhancement. Beginning on July  
17 1, 2019, for improving the quality of life and the quality of  
18 care, an additional payment shall be awarded to a facility for  
19 their single occupancy rooms. This payment shall be in  
20 addition to the rate for recovery and rehabilitation. The  
21 additional rate for single room occupancy shall be no less  
22 than \$10 per day, per single room occupancy. The Department of  
23 Healthcare and Family Services shall adjust payment to  
24 Medicaid managed care entities to cover these costs. Beginning  
25 July 1, 2022, for improving the quality of life and the quality

1 of care, a payment of no less than \$5 per day, per single room  
2 occupancy shall be added to the existing \$10 additional per  
3 day, per single room occupancy rate for a total of at least \$15  
4 per day, per single room occupancy. Beginning July 1, 2022,  
5 for improving the quality of life and the quality of care, an  
6 additional payment shall be awarded to a facility for its  
7 dual-occupancy rooms. This payment shall be in addition to the  
8 rate for recovery and rehabilitation. The additional rate for  
9 dual-occupancy rooms shall be no less than \$10 per day, per  
10 Medicaid-occupied bed, in each dual-occupancy room. The  
11 Department of Healthcare and Family Services shall adjust  
12 payment to Medicaid managed care entities to cover these  
13 costs. As used in this Section, "dual-occupancy room" means a  
14 room that contains 2 resident beds.

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

16 Section 5-90. The Clinical Social Work and Social Work  
17 Practice Act is amended by adding Section 13.2 as follows:

18 (225 ILCS 20/13.2 new)

19 Sec. 13.2. Fee waivers. Notwithstanding any provision of  
20 law to the contrary, during State fiscal years 2022, 2023, and  
21 2024, the Department shall allow individuals a one-time waiver  
22 of fees imposed under subsection (a) of Section 11 or Section  
23 7, 9, 9A, 12.5, or 13 of this Act. No individual may benefit  
24 from such waiver more than once.

1 Section 5-91. The Medical Practice Act of 1987 is amended  
2 by adding Section 9.1 as follows:

3 (225 ILCS 60/9.1 new)

4 Sec. 9.1. Fee waivers. Notwithstanding any provision of  
5 law to the contrary, during State fiscal years 2022, 2023, and  
6 2024, the Department shall allow individuals a one-time waiver  
7 of fees imposed under Section 9, 19, or 21 of this Act. No  
8 individual may benefit from such waiver more than once.

9 Section 5-92. The Nurse Practice Act is amended by adding  
10 Section 50-27 and by changing Section 70-50 as follows:

11 (225 ILCS 65/50-27 new)

12 Sec. 50-27. Fee waivers. Notwithstanding any provision of  
13 law to the contrary, during State fiscal years 2022, 2023, and  
14 2024, the Department shall allow individuals a one-time waiver  
15 of fees imposed under Section 50-26, 55-10, 55-11, 55-15,  
16 60-10, 60-11, 60-20, 65-5, 65-15, or 70-45 of this Act. No  
17 individual may benefit from such waiver more than once.

18 (225 ILCS 65/70-50) (was 225 ILCS 65/20-40)

19 (Section scheduled to be repealed on January 1, 2028)

20 Sec. 70-50. Fund.

21 (a) There is hereby created within the State Treasury the

1 Nursing Dedicated and Professional Fund. The monies in the  
2 Fund may be used by and at the direction of the Department for  
3 the administration and enforcement of this Act, including, but  
4 not limited to:

5 (1) Distribution and publication of this Act and  
6 rules.

7 (2) Employment of secretarial, nursing,  
8 administrative, enforcement, and other staff for the  
9 administration of this Act.

10 (b) Disposition of fees:

11 (1) \$5 of every licensure fee shall be placed in a fund  
12 for assistance to nurses enrolled in a diversionary  
13 program as approved by the Department.

14 (2) All of the fees, fines, and penalties collected  
15 pursuant to this Act shall be deposited in the Nursing  
16 Dedicated and Professional Fund.

17 (3) Each fiscal year, the moneys deposited in the  
18 Nursing Dedicated and Professional Fund shall be  
19 appropriated to the Department for expenses of the  
20 Department and the Board in the administration of this  
21 Act. All earnings received from investment of moneys in  
22 the Nursing Dedicated and Professional Fund shall be  
23 deposited in the Nursing Dedicated and Professional Fund  
24 and shall be used for the same purposes as fees deposited  
25 in the Fund.

26 (4) For fiscal years 2010 through 2022 ~~the fiscal year~~



1 ~~beginning July 1, 2009 and for each fiscal year~~  
2 ~~thereafter,~~ \$2,000,000 of the moneys deposited in the  
3 Nursing Dedicated and Professional Fund each year shall be  
4 set aside and appropriated to the Department of Public  
5 Health for nursing scholarships awarded pursuant to the  
6 Nursing Education Scholarship Law. For fiscal year 2023  
7 and for each fiscal year thereafter, \$4,000,000 of the  
8 moneys deposited in the Nursing Dedicated and Professional  
9 Fund each year shall be set aside and appropriated to the  
10 Illinois Student Assistance Commission for nursing  
11 scholarships awarded pursuant to the Nursing Education  
12 Scholarship Law.

13 (5) Moneys in the Fund may be transferred to the  
14 Professions Indirect Cost Fund as authorized under Section  
15 2105-300 of the Department of Professional Regulation Law  
16 (20 ILCS 2105/2105-300).

17 (c) Moneys set aside for nursing scholarships awarded  
18 pursuant to the Nursing Education Scholarship Law as provided  
19 in item (4) of subsection (b) of this Section may not be  
20 transferred under Section 8h of the State Finance Act.

21 (Source: P.A. 100-513, eff. 1-1-18.)

22 Section 5-93. The Pharmacy Practice Act is amended by  
23 adding Section 27.1 as follows:

24 (225 ILCS 85/27.1 new)

1       Sec. 27.1. Fee waivers. Notwithstanding any provision of  
2 law to the contrary, during State fiscal years 2022, 2023, and  
3 2024, the Department shall allow individuals a one-time waiver  
4 of fees imposed under Section 7, 8, 9, 9.5, or 27 of this Act.  
5 No individual may benefit from such waiver more than once.

6       Section 5-94. The Physician Assistant Practice Act of 1987  
7 is amended by adding Section 14.2 as follows:

8       (225 ILCS 95/14.2 new)

9       Sec. 14.2. Fee waivers. Notwithstanding any provision of  
10 law to the contrary, during State fiscal years 2022, 2023, and  
11 2024, the Department shall allow individuals a one-time waiver  
12 of fees imposed under Section 9, 14.1, 15, or 16 of this Act.  
13 No individual may benefit from such waiver more than once.

14       Section 5-96. The Liquor Control Act of 1934 is amended by  
15 changing Section 5-3 as follows:

16       (235 ILCS 5/5-3) (from Ch. 43, par. 118)

17       Sec. 5-3. License fees. Except as otherwise provided  
18 herein, at the time application is made to the State  
19 Commission for a license of any class, the applicant shall pay  
20 to the State Commission the fee hereinafter provided for the  
21 kind of license applied for.

22       The fee for licenses issued by the State Commission shall

1 be as follows:

2 Online Initial  
 3 renewal license  
 4 or  
 5 non-online  
 6 renewal

7 For a manufacturer's license:

8	Class 1. Distiller .....	\$4,000	\$5,000
9	Class 2. Rectifier .....	4,000	5,000
10	Class 3. Brewer .....	1,200	1,500
11	Class 4. First-class Wine		
12	Manufacturer .....	1,200	1,500
13	Class 5. Second-class		
14	Wine Manufacturer.....	1,500	1,750
15	Class 6. First-class wine-maker ....	1,200	1,500
16	Class 7. Second-class wine-maker ..	1,500	1,750
17	Class 8. Limited Wine		
18	Manufacturer .....	250	350
19	Class 9. Craft Distiller .....	2,000	2,500
20	Class 10. Class 1 Craft Distiller ..	50	75
21	Class 11. Class 2 Craft Distiller ..	75	100
22	Class 12. Class 1 Brewer .....	50	75
23	Class 13. Class 2 Brewer .....	75	100
24	Class 14. Class 3 Brewer .....	25	50
25	For a Brew Pub License .....	1,200	1,500
26	For a Distilling Pub License .....	1,200	1,500

1	For a caterer retailer's license ..	350	500
2	For a foreign importer's license ..	25	25
3	For an importing distributor's		
4	license.....	25	25
5	For a distributor's license		
6	(11,250,000 gallons		
7	or over) .....	1,450	2,200
8	For a distributor's license		
9	(over 4,500,000 gallons, but		
10	under 11,250,000 gallons) .....	950	1,450
11	For a distributor's license		
12	(4,500,000 gallons or under) ..	300	450
13	For a non-resident dealer's license		
14	(500,000 gallons or over)		
15	or with self-distribution		
16	privileges .....	1,200	1,500
17	For a non-resident dealer's license		
18	(under 500,000 gallons) .....	250	350
19	For a wine-maker's premises		
20	license.....	250	500
21	For a winery shipper's license		
22	(under 250,000 gallons) .....	200	350
23	For a winery shipper's license		
24	(250,000 or over, but		
25	under 500,000 gallons) .....	750	1,000
26	For a winery shipper's license		

1	(500,000 gallons or over) .....	1,200	1,500
2	For a wine-maker's premises		
3	license, second location .....	500	1,000
4	For a wine-maker's premises		
5	license, third location.....	500	1,000
6	For a retailer's license .....	600	750
7	For a special event retailer's		
8	license, (not-for-profit).....	25	25
9	For a beer showcase permit license,		
10	one day only .....	100	150
11	2 days or more .....	150	250
12	For a special use permit license,		
13	one day only .....	100	150
14	2 days or more .....	150	250
15	For a railroad license .....	100	150
16	For a boat license .....	500	1,000
17	For an airplane license, times the		
18	licensee's maximum number of		
19	aircraft in flight, serving		
20	liquor over the State at any		
21	given time, which either		
22	originate, terminate, or make		
23	an intermediate stop in		
24	the State.....	100	150
25	For a non-beverage user's license:		
26	Class 1 .....	24	24

1	Class 2 .....	60	60
2	Class 3 .....	120	120
3	Class 4 .....	240	240
4	Class 5 .....	600	600
5	For a broker's license .....	750	1,000
6	For an auction liquor license .....	100	150
7	For a homebrewer special		
8	event permit .....	25	25
9	For a craft distiller		
10	tasting permit .....	25	25
11	For a BASSET trainer license .....	300	350
12	For a tasting representative		
13	license.....	200	300
14	For a brewer warehouse permit .....	25	25
15	For a craft distiller		
16	warehouse permit .....	25	25

17 Fees collected under this Section shall be paid into the  
18 Dram Shop Fund. The State Commission shall waive license  
19 renewal fees for those retailers' licenses that are designated  
20 as "1A" by the State Commission and expire on or after July 1,  
21 2022, and on or before June 30, 2023. One-half ~~On and after~~  
22 July 1, 2003 and until June 30, 2016, of the funds received for  
23 a retailer's license, in addition to the first \$175, an  
24 additional \$75 shall be paid into the Dram Shop Fund, and \$250  
25 shall be paid into the General Revenue Fund. On and after June  
26 30, 2016, one-half of the funds received for a retailer's

1 license shall be paid into the Dram Shop Fund and one-half of  
2 the funds received for a retailer's license shall be paid into  
3 the General Revenue Fund. ~~Beginning June 30, 1990 and on June~~  
4 ~~30 of each subsequent year through June 29, 2003, any balance~~  
5 ~~over \$5,000,000 remaining in the Dram Shop Fund shall be~~  
6 ~~credited to State liquor licensees and applied against their~~  
7 ~~fees for State liquor licenses for the following year. The~~  
8 ~~amount credited to each licensee shall be a proportion of the~~  
9 ~~balance in the Dram Fund that is the same as the proportion of~~  
10 ~~the license fee paid by the licensee under this Section for the~~  
11 ~~period in which the balance was accumulated to the aggregate~~  
12 ~~fees paid by all licensees during that period.~~

13 No fee shall be paid for licenses issued by the State  
14 Commission to the following non-beverage users:

15 (a) Hospitals, sanitariums, or clinics when their use  
16 of alcoholic liquor is exclusively medicinal, mechanical  
17 or scientific.

18 (b) Universities, colleges of learning or schools when  
19 their use of alcoholic liquor is exclusively medicinal,  
20 mechanical or scientific.

21 (c) Laboratories when their use is exclusively for the  
22 purpose of scientific research.

23 (Source: P.A. 101-482, eff. 8-23-19; 101-615, eff. 12-20-19;  
24 102-442, eff. 8-20-21; 102-558, eff. 8-20-21.)

25 Section 5-97. The Illinois Gambling Act is amended by

1 changing Section 13 as follows:

2 (230 ILCS 10/13) (from Ch. 120, par. 2413)

3 Sec. 13. Wagering tax; rate; distribution.

4 (a) Until January 1, 1998, a tax is imposed on the adjusted  
5 gross receipts received from gambling games authorized under  
6 this Act at the rate of 20%.

7 (a-1) From January 1, 1998 until July 1, 2002, a privilege  
8 tax is imposed on persons engaged in the business of  
9 conducting riverboat gambling operations, based on the  
10 adjusted gross receipts received by a licensed owner from  
11 gambling games authorized under this Act at the following  
12 rates:

13 15% of annual adjusted gross receipts up to and  
14 including \$25,000,000;

15 20% of annual adjusted gross receipts in excess of  
16 \$25,000,000 but not exceeding \$50,000,000;

17 25% of annual adjusted gross receipts in excess of  
18 \$50,000,000 but not exceeding \$75,000,000;

19 30% of annual adjusted gross receipts in excess of  
20 \$75,000,000 but not exceeding \$100,000,000;

21 35% of annual adjusted gross receipts in excess of  
22 \$100,000,000.

23 (a-2) From July 1, 2002 until July 1, 2003, a privilege tax  
24 is imposed on persons engaged in the business of conducting  
25 riverboat gambling operations, other than licensed managers



1 conducting riverboat gambling operations on behalf of the  
2 State, based on the adjusted gross receipts received by a  
3 licensed owner from gambling games authorized under this Act  
4 at the following rates:

5 15% of annual adjusted gross receipts up to and  
6 including \$25,000,000;

7 22.5% of annual adjusted gross receipts in excess of  
8 \$25,000,000 but not exceeding \$50,000,000;

9 27.5% of annual adjusted gross receipts in excess of  
10 \$50,000,000 but not exceeding \$75,000,000;

11 32.5% of annual adjusted gross receipts in excess of  
12 \$75,000,000 but not exceeding \$100,000,000;

13 37.5% of annual adjusted gross receipts in excess of  
14 \$100,000,000 but not exceeding \$150,000,000;

15 45% of annual adjusted gross receipts in excess of  
16 \$150,000,000 but not exceeding \$200,000,000;

17 50% of annual adjusted gross receipts in excess of  
18 \$200,000,000.

19 (a-3) Beginning July 1, 2003, a privilege tax is imposed  
20 on persons engaged in the business of conducting riverboat  
21 gambling operations, other than licensed managers conducting  
22 riverboat gambling operations on behalf of the State, based on  
23 the adjusted gross receipts received by a licensed owner from  
24 gambling games authorized under this Act at the following  
25 rates:

26 15% of annual adjusted gross receipts up to and

1 including \$25,000,000;

2 27.5% of annual adjusted gross receipts in excess of  
3 \$25,000,000 but not exceeding \$37,500,000;

4 32.5% of annual adjusted gross receipts in excess of  
5 \$37,500,000 but not exceeding \$50,000,000;

6 37.5% of annual adjusted gross receipts in excess of  
7 \$50,000,000 but not exceeding \$75,000,000;

8 45% of annual adjusted gross receipts in excess of  
9 \$75,000,000 but not exceeding \$100,000,000;

10 50% of annual adjusted gross receipts in excess of  
11 \$100,000,000 but not exceeding \$250,000,000;

12 70% of annual adjusted gross receipts in excess of  
13 \$250,000,000.

14 An amount equal to the amount of wagering taxes collected  
15 under this subsection (a-3) that are in addition to the amount  
16 of wagering taxes that would have been collected if the  
17 wagering tax rates under subsection (a-2) were in effect shall  
18 be paid into the Common School Fund.

19 The privilege tax imposed under this subsection (a-3)  
20 shall no longer be imposed beginning on the earlier of (i) July  
21 1, 2005; (ii) the first date after June 20, 2003 that riverboat  
22 gambling operations are conducted pursuant to a dormant  
23 license; or (iii) the first day that riverboat gambling  
24 operations are conducted under the authority of an owners  
25 license that is in addition to the 10 owners licenses  
26 initially authorized under this Act. For the purposes of this

1 subsection (a-3), the term "dormant license" means an owners  
2 license that is authorized by this Act under which no  
3 riverboat gambling operations are being conducted on June 20,  
4 2003.

5 (a-4) Beginning on the first day on which the tax imposed  
6 under subsection (a-3) is no longer imposed and ending upon  
7 the imposition of the privilege tax under subsection (a-5) of  
8 this Section, a privilege tax is imposed on persons engaged in  
9 the business of conducting gambling operations, other than  
10 licensed managers conducting riverboat gambling operations on  
11 behalf of the State, based on the adjusted gross receipts  
12 received by a licensed owner from gambling games authorized  
13 under this Act at the following rates:

14 15% of annual adjusted gross receipts up to and  
15 including \$25,000,000;

16 22.5% of annual adjusted gross receipts in excess of  
17 \$25,000,000 but not exceeding \$50,000,000;

18 27.5% of annual adjusted gross receipts in excess of  
19 \$50,000,000 but not exceeding \$75,000,000;

20 32.5% of annual adjusted gross receipts in excess of  
21 \$75,000,000 but not exceeding \$100,000,000;

22 37.5% of annual adjusted gross receipts in excess of  
23 \$100,000,000 but not exceeding \$150,000,000;

24 45% of annual adjusted gross receipts in excess of  
25 \$150,000,000 but not exceeding \$200,000,000;

26 50% of annual adjusted gross receipts in excess of

1           \$200,000,000.

2           For the imposition of the privilege tax in this subsection  
3 (a-4), amounts paid pursuant to item (1) of subsection (b) of  
4 Section 56 of the Illinois Horse Racing Act of 1975 shall not  
5 be included in the determination of adjusted gross receipts.

6           (a-5)(1) Beginning on July 1, 2020, a privilege tax is  
7 imposed on persons engaged in the business of conducting  
8 gambling operations, other than the owners licensee under  
9 paragraph (1) of subsection (e-5) of Section 7 and licensed  
10 managers conducting riverboat gambling operations on behalf of  
11 the State, based on the adjusted gross receipts received by  
12 such licensee from the gambling games authorized under this  
13 Act. The privilege tax for all gambling games other than table  
14 games, including, but not limited to, slot machines, video  
15 game of chance gambling, and electronic gambling games shall  
16 be at the following rates:

17           15% of annual adjusted gross receipts up to and  
18 including \$25,000,000;

19           22.5% of annual adjusted gross receipts in excess of  
20 \$25,000,000 but not exceeding \$50,000,000;

21           27.5% of annual adjusted gross receipts in excess of  
22 \$50,000,000 but not exceeding \$75,000,000;

23           32.5% of annual adjusted gross receipts in excess of  
24 \$75,000,000 but not exceeding \$100,000,000;

25           37.5% of annual adjusted gross receipts in excess of  
26 \$100,000,000 but not exceeding \$150,000,000;

1           45% of annual adjusted gross receipts in excess of  
2           \$150,000,000 but not exceeding \$200,000,000;

3           50% of annual adjusted gross receipts in excess of  
4           \$200,000,000.

5           The privilege tax for table games shall be at the  
6           following rates:

7           15% of annual adjusted gross receipts up to and  
8           including \$25,000,000;

9           20% of annual adjusted gross receipts in excess of  
10          \$25,000,000.

11          For the imposition of the privilege tax in this subsection  
12          (a-5), amounts paid pursuant to item (1) of subsection (b) of  
13          Section 56 of the Illinois Horse Racing Act of 1975 shall not  
14          be included in the determination of adjusted gross receipts.

15          (2) Beginning on the first day that an owners licensee  
16          under paragraph (1) of subsection (e-5) of Section 7 conducts  
17          gambling operations, either in a temporary facility or a  
18          permanent facility, a privilege tax is imposed on persons  
19          engaged in the business of conducting gambling operations  
20          under paragraph (1) of subsection (e-5) of Section 7, other  
21          than licensed managers conducting riverboat gambling  
22          operations on behalf of the State, based on the adjusted gross  
23          receipts received by such licensee from the gambling games  
24          authorized under this Act. The privilege tax for all gambling  
25          games other than table games, including, but not limited to,  
26          slot machines, video game of chance gambling, and electronic

1 gambling games shall be at the following rates:

2 12% of annual adjusted gross receipts up to and  
3 including \$25,000,000 to the State and 10.5% of annual  
4 adjusted gross receipts up to and including \$25,000,000 to  
5 the City of Chicago;

6 16% of annual adjusted gross receipts in excess of  
7 \$25,000,000 but not exceeding \$50,000,000 to the State and  
8 14% of annual adjusted gross receipts in excess of  
9 \$25,000,000 but not exceeding \$50,000,000 to the City of  
10 Chicago;

11 20.1% of annual adjusted gross receipts in excess of  
12 \$50,000,000 but not exceeding \$75,000,000 to the State and  
13 17.4% of annual adjusted gross receipts in excess of  
14 \$50,000,000 but not exceeding \$75,000,000 to the City of  
15 Chicago;

16 21.4% of annual adjusted gross receipts in excess of  
17 \$75,000,000 but not exceeding \$100,000,000 to the State  
18 and 18.6% of annual adjusted gross receipts in excess of  
19 \$75,000,000 but not exceeding \$100,000,000 to the City of  
20 Chicago;

21 22.7% of annual adjusted gross receipts in excess of  
22 \$100,000,000 but not exceeding \$150,000,000 to the State  
23 and 19.8% of annual adjusted gross receipts in excess of  
24 \$100,000,000 but not exceeding \$150,000,000 to the City of  
25 Chicago;

26 24.1% of annual adjusted gross receipts in excess of

1           \$150,000,000 but not exceeding \$225,000,000 to the State  
2           and 20.9% of annual adjusted gross receipts in excess of  
3           \$150,000,000 but not exceeding \$225,000,000 to the City of  
4           Chicago;

5           26.8% of annual adjusted gross receipts in excess of  
6           \$225,000,000 but not exceeding \$1,000,000,000 to the State  
7           and 23.2% of annual adjusted gross receipts in excess of  
8           \$225,000,000 but not exceeding \$1,000,000,000 to the City  
9           of Chicago;

10           40% of annual adjusted gross receipts in excess of  
11           \$1,000,000,000 to the State and 34.7% of annual gross  
12           receipts in excess of \$1,000,000,000 to the City of  
13           Chicago.

14           The privilege tax for table games shall be at the  
15           following rates:

16           8.1% of annual adjusted gross receipts up to and  
17           including \$25,000,000 to the State and 6.9% of annual  
18           adjusted gross receipts up to and including \$25,000,000 to  
19           the City of Chicago;

20           10.7% of annual adjusted gross receipts in excess of  
21           \$25,000,000 but not exceeding \$75,000,000 to the State and  
22           9.3% of annual adjusted gross receipts in excess of  
23           \$25,000,000 but not exceeding \$75,000,000 to the City of  
24           Chicago;

25           11.2% of annual adjusted gross receipts in excess of  
26           \$75,000,000 but not exceeding \$175,000,000 to the State

1 and 9.8% of annual adjusted gross receipts in excess of  
2 \$75,000,000 but not exceeding \$175,000,000 to the City of  
3 Chicago;

4 13.5% of annual adjusted gross receipts in excess of  
5 \$175,000,000 but not exceeding \$225,000,000 to the State  
6 and 11.5% of annual adjusted gross receipts in excess of  
7 \$175,000,000 but not exceeding \$225,000,000 to the City of  
8 Chicago;

9 15.1% of annual adjusted gross receipts in excess of  
10 \$225,000,000 but not exceeding \$275,000,000 to the State  
11 and 12.9% of annual adjusted gross receipts in excess of  
12 \$225,000,000 but not exceeding \$275,000,000 to the City of  
13 Chicago;

14 16.2% of annual adjusted gross receipts in excess of  
15 \$275,000,000 but not exceeding \$375,000,000 to the State  
16 and 13.8% of annual adjusted gross receipts in excess of  
17 \$275,000,000 but not exceeding \$375,000,000 to the City of  
18 Chicago;

19 18.9% of annual adjusted gross receipts in excess of  
20 \$375,000,000 to the State and 16.1% of annual gross  
21 receipts in excess of \$375,000,000 to the City of Chicago.

22 For the imposition of the privilege tax in this subsection  
23 (a-5), amounts paid pursuant to item (1) of subsection (b) of  
24 Section 56 of the Illinois Horse Racing Act of 1975 shall not  
25 be included in the determination of adjusted gross receipts.

26 Notwithstanding the provisions of this subsection (a-5),



1 for the first 10 years that the privilege tax is imposed under  
2 this subsection (a-5), the privilege tax shall be imposed on  
3 the modified annual adjusted gross receipts of a riverboat or  
4 casino conducting gambling operations in the City of East St.  
5 Louis, unless:

6 (1) the riverboat or casino fails to employ at least  
7 450 people, except no minimum employment shall be required  
8 during 2020 and 2021 or during periods that the riverboat  
9 or casino is closed on orders of State officials for  
10 public health emergencies or other emergencies not caused  
11 by the riverboat or casino;

12 (2) the riverboat or casino fails to maintain  
13 operations in a manner consistent with this Act or is not a  
14 viable riverboat or casino subject to the approval of the  
15 Board; or

16 (3) the owners licensee is not an entity in which  
17 employees participate in an employee stock ownership plan  
18 or in which the owners licensee sponsors a 401(k)  
19 retirement plan and makes a matching employer contribution  
20 equal to at least one-quarter of the first 12% or one-half  
21 of the first 6% of each participating employee's  
22 contribution, not to exceed any limitations under federal  
23 laws and regulations.

24 As used in this subsection (a-5), "modified annual  
25 adjusted gross receipts" means:

26 (A) for calendar year 2020, the annual adjusted gross

1 receipts for the current year minus the difference between  
2 an amount equal to the average annual adjusted gross  
3 receipts from a riverboat or casino conducting gambling  
4 operations in the City of East St. Louis for 2014, 2015,  
5 2016, 2017, and 2018 and the annual adjusted gross  
6 receipts for 2018;

7 (B) for calendar year 2021, the annual adjusted gross  
8 receipts for the current year minus the difference between  
9 an amount equal to the average annual adjusted gross  
10 receipts from a riverboat or casino conducting gambling  
11 operations in the City of East St. Louis for 2014, 2015,  
12 2016, 2017, and 2018 and the annual adjusted gross  
13 receipts for 2019; and

14 (C) for calendar years 2022 through 2029, the annual  
15 adjusted gross receipts for the current year minus the  
16 difference between an amount equal to the average annual  
17 adjusted gross receipts from a riverboat or casino  
18 conducting gambling operations in the City of East St.  
19 Louis for 3 years preceding the current year and the  
20 annual adjusted gross receipts for the immediately  
21 preceding year.

22 (a-6) From June 28, 2019 (the effective date of Public Act  
23 101-31) until June 30, 2023, an owners licensee that conducted  
24 gambling operations prior to January 1, 2011 shall receive a  
25 dollar-for-dollar credit against the tax imposed under this  
26 Section for any renovation or construction costs paid by the

1 owners licensee, but in no event shall the credit exceed  
2 \$2,000,000.

3 Additionally, from June 28, 2019 (the effective date of  
4 Public Act 101-31) until December 31, 2024 ~~2022~~, an owners  
5 licensee that (i) is located within 15 miles of the Missouri  
6 border, and (ii) has at least 3 riverboats, casinos, or their  
7 equivalent within a 45-mile radius, may be authorized to  
8 relocate to a new location with the approval of both the unit  
9 of local government designated as the home dock and the Board,  
10 so long as the new location is within the same unit of local  
11 government and no more than 3 miles away from its original  
12 location. Such owners licensee shall receive a credit against  
13 the tax imposed under this Section equal to 8% of the total  
14 project costs, as approved by the Board, for any renovation or  
15 construction costs paid by the owners licensee for the  
16 construction of the new facility, provided that the new  
17 facility is operational by July 1, 2024 ~~2022~~. In determining  
18 whether or not to approve a relocation, the Board must  
19 consider the extent to which the relocation will diminish the  
20 gaming revenues received by other Illinois gaming facilities.

21 (a-7) Beginning in the initial adjustment year and through  
22 the final adjustment year, if the total obligation imposed  
23 pursuant to either subsection (a-5) or (a-6) will result in an  
24 owners licensee receiving less after-tax adjusted gross  
25 receipts than it received in calendar year 2018, then the  
26 total amount of privilege taxes that the owners licensee is

1 required to pay for that calendar year shall be reduced to the  
2 extent necessary so that the after-tax adjusted gross receipts  
3 in that calendar year equals the after-tax adjusted gross  
4 receipts in calendar year 2018, but the privilege tax  
5 reduction shall not exceed the annual adjustment cap. If  
6 pursuant to this subsection (a-7), the total obligation  
7 imposed pursuant to either subsection (a-5) or (a-6) shall be  
8 reduced, then the owners licensee shall not receive a refund  
9 from the State at the end of the subject calendar year but  
10 instead shall be able to apply that amount as a credit against  
11 any payments it owes to the State in the following calendar  
12 year to satisfy its total obligation under either subsection  
13 (a-5) or (a-6). The credit for the final adjustment year shall  
14 occur in the calendar year following the final adjustment  
15 year.

16 If an owners licensee that conducted gambling operations  
17 prior to January 1, 2019 expands its riverboat or casino,  
18 including, but not limited to, with respect to its gaming  
19 floor, additional non-gaming amenities such as restaurants,  
20 bars, and hotels and other additional facilities, and incurs  
21 construction and other costs related to such expansion from  
22 June 28, 2019 (the effective date of Public Act 101-31) until  
23 June 28, 2024 (the 5th anniversary of the effective date of  
24 Public Act 101-31), then for each \$15,000,000 spent for any  
25 such construction or other costs related to expansion paid by  
26 the owners licensee, the final adjustment year shall be

1 extended by one year and the annual adjustment cap shall  
2 increase by 0.2% of adjusted gross receipts during each  
3 calendar year until and including the final adjustment year.  
4 No further modifications to the final adjustment year or  
5 annual adjustment cap shall be made after \$75,000,000 is  
6 incurred in construction or other costs related to expansion  
7 so that the final adjustment year shall not extend beyond the  
8 9th calendar year after the initial adjustment year, not  
9 including the initial adjustment year, and the annual  
10 adjustment cap shall not exceed 4% of adjusted gross receipts  
11 in a particular calendar year. Construction and other costs  
12 related to expansion shall include all project related costs,  
13 including, but not limited to, all hard and soft costs,  
14 financing costs, on or off-site ground, road or utility work,  
15 cost of gaming equipment and all other personal property,  
16 initial fees assessed for each incremental gaming position,  
17 and the cost of incremental land acquired for such expansion.  
18 Soft costs shall include, but not be limited to, legal fees,  
19 architect, engineering and design costs, other consultant  
20 costs, insurance cost, permitting costs, and pre-opening costs  
21 related to the expansion, including, but not limited to, any  
22 of the following: marketing, real estate taxes, personnel,  
23 training, travel and out-of-pocket expenses, supply,  
24 inventory, and other costs, and any other project related soft  
25 costs.

26 To be eligible for the tax credits in subsection (a-6),

1 all construction contracts shall include a requirement that  
2 the contractor enter into a project labor agreement with the  
3 building and construction trades council with geographic  
4 jurisdiction of the location of the proposed gaming facility.

5 Notwithstanding any other provision of this subsection  
6 (a-7), this subsection (a-7) does not apply to an owners  
7 licensee unless such owners licensee spends at least  
8 \$15,000,000 on construction and other costs related to its  
9 expansion, excluding the initial fees assessed for each  
10 incremental gaming position.

11 This subsection (a-7) does not apply to owners licensees  
12 authorized pursuant to subsection (e-5) of Section 7 of this  
13 Act.

14 For purposes of this subsection (a-7):

15 "Building and construction trades council" means any  
16 organization representing multiple construction entities that  
17 are monitoring or attentive to compliance with public or  
18 workers' safety laws, wage and hour requirements, or other  
19 statutory requirements or that are making or maintaining  
20 collective bargaining agreements.

21 "Initial adjustment year" means the year commencing on  
22 January 1 of the calendar year immediately following the  
23 earlier of the following:

24 (1) the commencement of gambling operations, either in  
25 a temporary or permanent facility, with respect to the  
26 owners license authorized under paragraph (1) of

1 subsection (e-5) of Section 7 of this Act; or

2 (2) June 28, 2021 (24 months after the effective date  
3 of Public Act 101-31);

4 provided the initial adjustment year shall not commence  
5 earlier than June 28, 2020 (12 months after the effective date  
6 of Public Act 101-31).

7 "Final adjustment year" means the 2nd calendar year after  
8 the initial adjustment year, not including the initial  
9 adjustment year, and as may be extended further as described  
10 in this subsection (a-7).

11 "Annual adjustment cap" means 3% of adjusted gross  
12 receipts in a particular calendar year, and as may be  
13 increased further as otherwise described in this subsection  
14 (a-7).

15 (a-8) Riverboat gambling operations conducted by a  
16 licensed manager on behalf of the State are not subject to the  
17 tax imposed under this Section.

18 (a-9) Beginning on January 1, 2020, the calculation of  
19 gross receipts or adjusted gross receipts, for the purposes of  
20 this Section, for a riverboat, a casino, or an organization  
21 gaming facility shall not include the dollar amount of  
22 non-cashable vouchers, coupons, and electronic promotions  
23 redeemed by wagerers upon the riverboat, in the casino, or in  
24 the organization gaming facility up to and including an amount  
25 not to exceed 20% of a riverboat's, a casino's, or an  
26 organization gaming facility's adjusted gross receipts.

1           The Illinois Gaming Board shall submit to the General  
2 Assembly a comprehensive report no later than March 31, 2023  
3 detailing, at a minimum, the effect of removing non-cashable  
4 vouchers, coupons, and electronic promotions from this  
5 calculation on net gaming revenues to the State in calendar  
6 years 2020 through 2022, the increase or reduction in wagers  
7 as a result of removing non-cashable vouchers, coupons, and  
8 electronic promotions from this calculation, the effect of the  
9 tax rates in subsection (a-5) on net gaming revenues to this  
10 State, and proposed modifications to the calculation.

11           (a-10) The taxes imposed by this Section shall be paid by  
12 the licensed owner or the organization gaming licensee to the  
13 Board not later than 5:00 o'clock p.m. of the day after the day  
14 when the wagers were made.

15           (a-15) If the privilege tax imposed under subsection (a-3)  
16 is no longer imposed pursuant to item (i) of the last paragraph  
17 of subsection (a-3), then by June 15 of each year, each owners  
18 licensee, other than an owners licensee that admitted  
19 1,000,000 persons or fewer in calendar year 2004, must, in  
20 addition to the payment of all amounts otherwise due under  
21 this Section, pay to the Board a reconciliation payment in the  
22 amount, if any, by which the licensed owner's base amount  
23 exceeds the amount of net privilege tax paid by the licensed  
24 owner to the Board in the then current State fiscal year. A  
25 licensed owner's net privilege tax obligation due for the  
26 balance of the State fiscal year shall be reduced up to the



1 total of the amount paid by the licensed owner in its June 15  
2 reconciliation payment. The obligation imposed by this  
3 subsection (a-15) is binding on any person, firm, corporation,  
4 or other entity that acquires an ownership interest in any  
5 such owners license. The obligation imposed under this  
6 subsection (a-15) terminates on the earliest of: (i) July 1,  
7 2007, (ii) the first day after August 23, 2005 (the effective  
8 date of Public Act 94-673) that riverboat gambling operations  
9 are conducted pursuant to a dormant license, (iii) the first  
10 day that riverboat gambling operations are conducted under the  
11 authority of an owners license that is in addition to the 10  
12 owners licenses initially authorized under this Act, or (iv)  
13 the first day that a licensee under the Illinois Horse Racing  
14 Act of 1975 conducts gaming operations with slot machines or  
15 other electronic gaming devices. The Board must reduce the  
16 obligation imposed under this subsection (a-15) by an amount  
17 the Board deems reasonable for any of the following reasons:  
18 (A) an act or acts of God, (B) an act of bioterrorism or  
19 terrorism or a bioterrorism or terrorism threat that was  
20 investigated by a law enforcement agency, or (C) a condition  
21 beyond the control of the owners licensee that does not result  
22 from any act or omission by the owners licensee or any of its  
23 agents and that poses a hazardous threat to the health and  
24 safety of patrons. If an owners licensee pays an amount in  
25 excess of its liability under this Section, the Board shall  
26 apply the overpayment to future payments required under this

1 Section.

2 For purposes of this subsection (a-15):

3 "Act of God" means an incident caused by the operation of  
4 an extraordinary force that cannot be foreseen, that cannot be  
5 avoided by the exercise of due care, and for which no person  
6 can be held liable.

7 "Base amount" means the following:

8 For a riverboat in Alton, \$31,000,000.

9 For a riverboat in East Peoria, \$43,000,000.

10 For the Empress riverboat in Joliet, \$86,000,000.

11 For a riverboat in Metropolis, \$45,000,000.

12 For the Harrah's riverboat in Joliet, \$114,000,000.

13 For a riverboat in Aurora, \$86,000,000.

14 For a riverboat in East St. Louis, \$48,500,000.

15 For a riverboat in Elgin, \$198,000,000.

16 "Dormant license" has the meaning ascribed to it in  
17 subsection (a-3).

18 "Net privilege tax" means all privilege taxes paid by a  
19 licensed owner to the Board under this Section, less all  
20 payments made from the State Gaming Fund pursuant to  
21 subsection (b) of this Section.

22 The changes made to this subsection (a-15) by Public Act  
23 94-839 are intended to restate and clarify the intent of  
24 Public Act 94-673 with respect to the amount of the payments  
25 required to be made under this subsection by an owners  
26 licensee to the Board.

1 (b) From the tax revenue from riverboat or casino gambling  
2 deposited in the State Gaming Fund under this Section, an  
3 amount equal to 5% of adjusted gross receipts generated by a  
4 riverboat or a casino, other than a riverboat or casino  
5 designated in paragraph (1), (3), or (4) of subsection (e-5)  
6 of Section 7, shall be paid monthly, subject to appropriation  
7 by the General Assembly, to the unit of local government in  
8 which the casino is located or that is designated as the home  
9 dock of the riverboat. Notwithstanding anything to the  
10 contrary, beginning on the first day that an owners licensee  
11 under paragraph (1), (2), (3), (4), (5), or (6) of subsection  
12 (e-5) of Section 7 conducts gambling operations, either in a  
13 temporary facility or a permanent facility, and for 2 years  
14 thereafter, a unit of local government designated as the home  
15 dock of a riverboat whose license was issued before January 1,  
16 2019, other than a riverboat conducting gambling operations in  
17 the City of East St. Louis, shall not receive less under this  
18 subsection (b) than the amount the unit of local government  
19 received under this subsection (b) in calendar year 2018.  
20 Notwithstanding anything to the contrary and because the City  
21 of East St. Louis is a financially distressed city, beginning  
22 on the first day that an owners licensee under paragraph (1),  
23 (2), (3), (4), (5), or (6) of subsection (e-5) of Section 7  
24 conducts gambling operations, either in a temporary facility  
25 or a permanent facility, and for 10 years thereafter, a unit of  
26 local government designated as the home dock of a riverboat

1 conducting gambling operations in the City of East St. Louis  
2 shall not receive less under this subsection (b) than the  
3 amount the unit of local government received under this  
4 subsection (b) in calendar year 2018.

5 From the tax revenue deposited in the State Gaming Fund  
6 pursuant to riverboat or casino gambling operations conducted  
7 by a licensed manager on behalf of the State, an amount equal  
8 to 5% of adjusted gross receipts generated pursuant to those  
9 riverboat or casino gambling operations shall be paid monthly,  
10 subject to appropriation by the General Assembly, to the unit  
11 of local government that is designated as the home dock of the  
12 riverboat upon which those riverboat gambling operations are  
13 conducted or in which the casino is located.

14 From the tax revenue from riverboat or casino gambling  
15 deposited in the State Gaming Fund under this Section, an  
16 amount equal to 5% of the adjusted gross receipts generated by  
17 a riverboat designated in paragraph (3) of subsection (e-5) of  
18 Section 7 shall be divided and remitted monthly, subject to  
19 appropriation, as follows: 70% to Waukegan, 10% to Park City,  
20 15% to North Chicago, and 5% to Lake County.

21 From the tax revenue from riverboat or casino gambling  
22 deposited in the State Gaming Fund under this Section, an  
23 amount equal to 5% of the adjusted gross receipts generated by  
24 a riverboat designated in paragraph (4) of subsection (e-5) of  
25 Section 7 shall be remitted monthly, subject to appropriation,  
26 as follows: 70% to the City of Rockford, 5% to the City of

1 Loves Park, 5% to the Village of Machesney, and 20% to  
2 Winnebago County.

3 From the tax revenue from riverboat or casino gambling  
4 deposited in the State Gaming Fund under this Section, an  
5 amount equal to 5% of the adjusted gross receipts generated by  
6 a riverboat designated in paragraph (5) of subsection (e-5) of  
7 Section 7 shall be remitted monthly, subject to appropriation,  
8 as follows: 2% to the unit of local government in which the  
9 riverboat or casino is located, and 3% shall be distributed:  
10 (A) in accordance with a regional capital development plan  
11 entered into by the following communities: Village of Beecher,  
12 City of Blue Island, Village of Burnham, City of Calumet City,  
13 Village of Calumet Park, City of Chicago Heights, City of  
14 Country Club Hills, Village of Crestwood, Village of Crete,  
15 Village of Dixmoor, Village of Dolton, Village of East Hazel  
16 Crest, Village of Flossmoor, Village of Ford Heights, Village  
17 of Glenwood, City of Harvey, Village of Hazel Crest, Village  
18 of Homewood, Village of Lansing, Village of Lynwood, City of  
19 Markham, Village of Matteson, Village of Midlothian, Village  
20 of Monee, City of Oak Forest, Village of Olympia Fields,  
21 Village of Orland Hills, Village of Orland Park, City of Palos  
22 Heights, Village of Park Forest, Village of Phoenix, Village  
23 of Posen, Village of Richton Park, Village of Riverdale,  
24 Village of Robbins, Village of Sauk Village, Village of South  
25 Chicago Heights, Village of South Holland, Village of Steger,  
26 Village of Thornton, Village of Tinley Park, Village of

1 University Park, and Village of Worth; or (B) if no regional  
2 capital development plan exists, equally among the communities  
3 listed in item (A) to be used for capital expenditures or  
4 public pension payments, or both.

5 Units of local government may refund any portion of the  
6 payment that they receive pursuant to this subsection (b) to  
7 the riverboat or casino.

8 (b-4) Beginning on the first day the licensee under  
9 paragraph (5) of subsection (e-5) of Section 7 conducts  
10 gambling operations, either in a temporary facility or a  
11 permanent facility, and ending on July 31, 2042, from the tax  
12 revenue deposited in the State Gaming Fund under this Section,  
13 \$5,000,000 shall be paid annually, subject to appropriation,  
14 to the host municipality of that owners licensee of a license  
15 issued or re-issued pursuant to Section 7.1 of this Act before  
16 January 1, 2012. Payments received by the host municipality  
17 pursuant to this subsection (b-4) may not be shared with any  
18 other unit of local government.

19 (b-5) Beginning on June 28, 2019 (the effective date of  
20 Public Act 101-31), from the tax revenue deposited in the  
21 State Gaming Fund under this Section, an amount equal to 3% of  
22 adjusted gross receipts generated by each organization gaming  
23 facility located outside Madison County shall be paid monthly,  
24 subject to appropriation by the General Assembly, to a  
25 municipality other than the Village of Stickney in which each  
26 organization gaming facility is located or, if the

1 organization gaming facility is not located within a  
2 municipality, to the county in which the organization gaming  
3 facility is located, except as otherwise provided in this  
4 Section. From the tax revenue deposited in the State Gaming  
5 Fund under this Section, an amount equal to 3% of adjusted  
6 gross receipts generated by an organization gaming facility  
7 located in the Village of Stickney shall be paid monthly,  
8 subject to appropriation by the General Assembly, as follows:  
9 25% to the Village of Stickney, 5% to the City of Berwyn, 50%  
10 to the Town of Cicero, and 20% to the Stickney Public Health  
11 District.

12 From the tax revenue deposited in the State Gaming Fund  
13 under this Section, an amount equal to 5% of adjusted gross  
14 receipts generated by an organization gaming facility located  
15 in the City of Collinsville shall be paid monthly, subject to  
16 appropriation by the General Assembly, as follows: 30% to the  
17 City of Alton, 30% to the City of East St. Louis, and 40% to  
18 the City of Collinsville.

19 Municipalities and counties may refund any portion of the  
20 payment that they receive pursuant to this subsection (b-5) to  
21 the organization gaming facility.

22 (b-6) Beginning on June 28, 2019 (the effective date of  
23 Public Act 101-31), from the tax revenue deposited in the  
24 State Gaming Fund under this Section, an amount equal to 2% of  
25 adjusted gross receipts generated by an organization gaming  
26 facility located outside Madison County shall be paid monthly,

1 subject to appropriation by the General Assembly, to the  
2 county in which the organization gaming facility is located  
3 for the purposes of its criminal justice system or health care  
4 system.

5 Counties may refund any portion of the payment that they  
6 receive pursuant to this subsection (b-6) to the organization  
7 gaming facility.

8 (b-7) From the tax revenue from the organization gaming  
9 licensee located in one of the following townships of Cook  
10 County: Bloom, Bremen, Calumet, Orland, Rich, Thornton, or  
11 Worth, an amount equal to 5% of the adjusted gross receipts  
12 generated by that organization gaming licensee shall be  
13 remitted monthly, subject to appropriation, as follows: 2% to  
14 the unit of local government in which the organization gaming  
15 licensee is located, and 3% shall be distributed: (A) in  
16 accordance with a regional capital development plan entered  
17 into by the following communities: Village of Beecher, City of  
18 Blue Island, Village of Burnham, City of Calumet City, Village  
19 of Calumet Park, City of Chicago Heights, City of Country Club  
20 Hills, Village of Crestwood, Village of Crete, Village of  
21 Dixmoor, Village of Dolton, Village of East Hazel Crest,  
22 Village of Flossmoor, Village of Ford Heights, Village of  
23 Glenwood, City of Harvey, Village of Hazel Crest, Village of  
24 Homewood, Village of Lansing, Village of Lynwood, City of  
25 Markham, Village of Matteson, Village of Midlothian, Village  
26 of Monee, City of Oak Forest, Village of Olympia Fields,



1 Village of Orland Hills, Village of Orland Park, City of Palos  
2 Heights, Village of Park Forest, Village of Phoenix, Village  
3 of Posen, Village of Richton Park, Village of Riverdale,  
4 Village of Robbins, Village of Sauk Village, Village of South  
5 Chicago Heights, Village of South Holland, Village of Steger,  
6 Village of Thornton, Village of Tinley Park, Village of  
7 University Park, and Village of Worth; or (B) if no regional  
8 capital development plan exists, equally among the communities  
9 listed in item (A) to be used for capital expenditures or  
10 public pension payments, or both.

11 (b-8) In lieu of the payments under subsection (b) of this  
12 Section, from the tax revenue deposited in the State Gaming  
13 Fund pursuant to riverboat or casino gambling operations  
14 conducted by an owners licensee under paragraph (1) of  
15 subsection (e-5) of Section 7, an amount equal to the tax  
16 revenue generated from the privilege tax imposed by paragraph  
17 (2) of subsection (a-5) that is to be paid to the City of  
18 Chicago shall be paid monthly, subject to appropriation by the  
19 General Assembly, as follows: (1) an amount equal to 0.5% of  
20 the annual adjusted gross receipts generated by the owners  
21 licensee under paragraph (1) of subsection (e-5) of Section 7  
22 to the home rule county in which the owners licensee is located  
23 for the purpose of enhancing the county's criminal justice  
24 system; and (2) the balance to the City of Chicago and shall be  
25 expended or obligated by the City of Chicago for pension  
26 payments in accordance with Public Act 99-506.

1           (c) Appropriations, as approved by the General Assembly,  
2 may be made from the State Gaming Fund to the Board (i) for the  
3 administration and enforcement of this Act and the Video  
4 Gaming Act, (ii) for distribution to the Illinois State Police  
5 and to the Department of Revenue for the enforcement of this  
6 Act and the Video Gaming Act, and (iii) to the Department of  
7 Human Services for the administration of programs to treat  
8 problem gambling, including problem gambling from sports  
9 wagering. The Board's annual appropriations request must  
10 separately state its funding needs for the regulation of  
11 gaming authorized under Section 7.7, riverboat gaming, casino  
12 gaming, video gaming, and sports wagering.

13           (c-2) An amount equal to 2% of the adjusted gross receipts  
14 generated by an organization gaming facility located within a  
15 home rule county with a population of over 3,000,000  
16 inhabitants shall be paid, subject to appropriation from the  
17 General Assembly, from the State Gaming Fund to the home rule  
18 county in which the organization gaming licensee is located  
19 for the purpose of enhancing the county's criminal justice  
20 system.

21           (c-3) Appropriations, as approved by the General Assembly,  
22 may be made from the tax revenue deposited into the State  
23 Gaming Fund from organization gaming licensees pursuant to  
24 this Section for the administration and enforcement of this  
25 Act.

26           (c-4) After payments required under subsections (b),

1 (b-5), (b-6), (b-7), (c), (c-2), and (c-3) have been made from  
2 the tax revenue from organization gaming licensees deposited  
3 into the State Gaming Fund under this Section, all remaining  
4 amounts from organization gaming licensees shall be  
5 transferred into the Capital Projects Fund.

6 (c-5) (Blank).

7 (c-10) Each year the General Assembly shall appropriate  
8 from the General Revenue Fund to the Education Assistance Fund  
9 an amount equal to the amount paid into the Horse Racing Equity  
10 Fund pursuant to subsection (c-5) in the prior calendar year.

11 (c-15) After the payments required under subsections (b),  
12 (c), and (c-5) have been made, an amount equal to 2% of the  
13 adjusted gross receipts of (1) an owners licensee that  
14 relocates pursuant to Section 11.2, (2) an owners licensee  
15 conducting riverboat gambling operations pursuant to an owners  
16 license that is initially issued after June 25, 1999, or (3)  
17 the first riverboat gambling operations conducted by a  
18 licensed manager on behalf of the State under Section 7.3,  
19 whichever comes first, shall be paid, subject to appropriation  
20 from the General Assembly, from the State Gaming Fund to each  
21 home rule county with a population of over 3,000,000  
22 inhabitants for the purpose of enhancing the county's criminal  
23 justice system.

24 (c-20) Each year the General Assembly shall appropriate  
25 from the General Revenue Fund to the Education Assistance Fund  
26 an amount equal to the amount paid to each home rule county

1 with a population of over 3,000,000 inhabitants pursuant to  
2 subsection (c-15) in the prior calendar year.

3 (c-21) After the payments required under subsections (b),  
4 (b-4), (b-5), (b-6), (b-7), (b-8), (c), (c-3), and (c-4) have  
5 been made, an amount equal to 0.5% of the adjusted gross  
6 receipts generated by the owners licensee under paragraph (1)  
7 of subsection (e-5) of Section 7 shall be paid monthly,  
8 subject to appropriation from the General Assembly, from the  
9 State Gaming Fund to the home rule county in which the owners  
10 licensee is located for the purpose of enhancing the county's  
11 criminal justice system.

12 (c-22) After the payments required under subsections (b),  
13 (b-4), (b-5), (b-6), (b-7), (b-8), (c), (c-3), (c-4), and  
14 (c-21) have been made, an amount equal to 2% of the adjusted  
15 gross receipts generated by the owners licensee under  
16 paragraph (5) of subsection (e-5) of Section 7 shall be paid,  
17 subject to appropriation from the General Assembly, from the  
18 State Gaming Fund to the home rule county in which the owners  
19 licensee is located for the purpose of enhancing the county's  
20 criminal justice system.

21 (c-25) From July 1, 2013 and each July 1 thereafter  
22 through July 1, 2019, \$1,600,000 shall be transferred from the  
23 State Gaming Fund to the Chicago State University Education  
24 Improvement Fund.

25 On July 1, 2020 and each July 1 thereafter, \$3,000,000  
26 shall be transferred from the State Gaming Fund to the Chicago

1 State University Education Improvement Fund.

2 (c-30) On July 1, 2013 or as soon as possible thereafter,  
3 \$92,000,000 shall be transferred from the State Gaming Fund to  
4 the School Infrastructure Fund and \$23,000,000 shall be  
5 transferred from the State Gaming Fund to the Horse Racing  
6 Equity Fund.

7 (c-35) Beginning on July 1, 2013, in addition to any  
8 amount transferred under subsection (c-30) of this Section,  
9 \$5,530,000 shall be transferred monthly from the State Gaming  
10 Fund to the School Infrastructure Fund.

11 (d) From time to time, through June 30, 2021, the Board  
12 shall transfer the remainder of the funds generated by this  
13 Act into the Education Assistance Fund.

14 (d-5) Beginning on July 1, 2021, on the last day of each  
15 month, or as soon thereafter as possible, after all the  
16 required expenditures, distributions, and transfers have been  
17 made from the State Gaming Fund for the month pursuant to  
18 subsections (b) through (c-35), at the direction of the Board,  
19 the Comptroller shall direct and the Treasurer shall transfer  
20 \$22,500,000, along with any deficiencies in such amounts from  
21 prior months in the same fiscal year, from the State Gaming  
22 Fund to the Education Assistance Fund; then, at the direction  
23 of the Board, the Comptroller shall direct and the Treasurer  
24 shall transfer the remainder of the funds generated by this  
25 Act, if any, from the State Gaming Fund to the Capital Projects  
26 Fund.

1 (e) Nothing in this Act shall prohibit the unit of local  
2 government designated as the home dock of the riverboat from  
3 entering into agreements with other units of local government  
4 in this State or in other states to share its portion of the  
5 tax revenue.

6 (f) To the extent practicable, the Board shall administer  
7 and collect the wagering taxes imposed by this Section in a  
8 manner consistent with the provisions of Sections 4, 5, 5a,  
9 5b, 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9, and 10 of  
10 the Retailers' Occupation Tax Act and Section 3-7 of the  
11 Uniform Penalty and Interest Act.

12 (Source: P.A. 101-31, Article 25, Section 25-910, eff.  
13 6-28-19; 101-31, Article 35, Section 35-55, eff. 6-28-19;  
14 101-648, eff. 6-30-20; 102-16, eff. 6-17-21; 102-538, eff.  
15 8-20-21; 102-689, eff. 12-17-21.)

16 Section 5-98. The Illinois Public Aid Code is amended by  
17 changing Sections 5-5.01a and 5-5.7a and by adding Sections  
18 5-5.7b and 12-4.56 as follows:

19 (305 ILCS 5/5-5.01a)

20 Sec. 5-5.01a. Supportive living facilities program.

21 (a) The Department shall establish and provide oversight  
22 for a program of supportive living facilities that seek to  
23 promote resident independence, dignity, respect, and  
24 well-being in the most cost-effective manner.

1           A supportive living facility is (i) a free-standing  
2 facility or (ii) a distinct physical and operational entity  
3 within a mixed-use building that meets the criteria  
4 established in subsection (d). A supportive living facility  
5 integrates housing with health, personal care, and supportive  
6 services and is a designated setting that offers residents  
7 their own separate, private, and distinct living units.

8           Sites for the operation of the program shall be selected  
9 by the Department based upon criteria that may include the  
10 need for services in a geographic area, the availability of  
11 funding, and the site's ability to meet the standards.

12           (b) Beginning July 1, 2014, subject to federal approval,  
13 the Medicaid rates for supportive living facilities shall be  
14 equal to the supportive living facility Medicaid rate  
15 effective on June 30, 2014 increased by 8.85%. Once the  
16 assessment imposed at Article V-G of this Code is determined  
17 to be a permissible tax under Title XIX of the Social Security  
18 Act, the Department shall increase the Medicaid rates for  
19 supportive living facilities effective on July 1, 2014 by  
20 9.09%. The Department shall apply this increase retroactively  
21 to coincide with the imposition of the assessment in Article  
22 V-G of this Code in accordance with the approval for federal  
23 financial participation by the Centers for Medicare and  
24 Medicaid Services.

25           The Medicaid rates for supportive living facilities  
26 effective on July 1, 2017 must be equal to the rates in effect

1 for supportive living facilities on June 30, 2017 increased by  
2 2.8%.

3 The Medicaid rates for supportive living facilities  
4 effective on July 1, 2018 must be equal to the rates in effect  
5 for supportive living facilities on June 30, 2018.

6 Subject to federal approval, the Medicaid rates for  
7 supportive living services on and after July 1, 2019 and  
8 through June 30, 2022, must be at least 54.3% of the average  
9 total nursing facility services per diem for the geographic  
10 areas defined by the Department while maintaining the rate  
11 differential for dementia care and must be updated whenever  
12 the total nursing facility service per diems are updated.  
13 Beginning July 1, 2022, upon the implementation of the Patient  
14 Driven Payment Model, Medicaid rates for supportive living  
15 services must be at least 54.3% of the average total nursing  
16 services per diem rate for the geographic areas. For purposes  
17 of this provision, the average total nursing services per diem  
18 rate shall include all add-ons for nursing facilities for the  
19 geographic area provided for in Section 5-5.2. The rate  
20 differential for dementia care must be maintained in these  
21 rates and the rates shall be updated whenever nursing facility  
22 per diem rates are updated.

23 (c) The Department may adopt rules to implement this  
24 Section. Rules that establish or modify the services,  
25 standards, and conditions for participation in the program  
26 shall be adopted by the Department in consultation with the



1 Department on Aging, the Department of Rehabilitation  
2 Services, and the Department of Mental Health and  
3 Developmental Disabilities (or their successor agencies).

4 (d) Subject to federal approval by the Centers for  
5 Medicare and Medicaid Services, the Department shall accept  
6 for consideration of certification under the program any  
7 application for a site or building where distinct parts of the  
8 site or building are designated for purposes other than the  
9 provision of supportive living services, but only if:

10 (1) those distinct parts of the site or building are  
11 not designated for the purpose of providing assisted  
12 living services as required under the Assisted Living and  
13 Shared Housing Act;

14 (2) those distinct parts of the site or building are  
15 completely separate from the part of the building used for  
16 the provision of supportive living program services,  
17 including separate entrances;

18 (3) those distinct parts of the site or building do  
19 not share any common spaces with the part of the building  
20 used for the provision of supportive living program  
21 services; and

22 (4) those distinct parts of the site or building do  
23 not share staffing with the part of the building used for  
24 the provision of supportive living program services.

25 (e) Facilities or distinct parts of facilities which are  
26 selected as supportive living facilities and are in good

1 standing with the Department's rules are exempt from the  
2 provisions of the Nursing Home Care Act and the Illinois  
3 Health Facilities Planning Act.

4 (f) Section 9817 of the American Rescue Plan Act of 2021  
5 (Public Law 117-2) authorizes a 10% enhanced federal medical  
6 assistance percentage for supportive living services for a  
7 12-month period from April 1, 2021 through March 31, 2022.  
8 Subject to federal approval, including the approval of any  
9 necessary waiver amendments or other federally required  
10 documents or assurances, for a 12-month period the Department  
11 must pay a supplemental \$26 per diem rate to all supportive  
12 living facilities with the additional federal financial  
13 participation funds that result from the enhanced federal  
14 medical assistance percentage from April 1, 2021 through March  
15 31, 2022. The Department may issue parameters around how the  
16 supplemental payment should be spent, including quality  
17 improvement activities. The Department may alter the form,  
18 methods, or timeframes concerning the supplemental per diem  
19 rate to comply with any subsequent changes to federal law,  
20 changes made by guidance issued by the federal Centers for  
21 Medicare and Medicaid Services, or other changes necessary to  
22 receive the enhanced federal medical assistance percentage.

23 (Source: P.A. 101-10, eff. 6-5-19; 102-43, eff. 7-6-21.)

24 (305 ILCS 5/5-5.7a)

25 Sec. 5-5.7a. Pandemic related stability payments for

1 health care providers. Notwithstanding other provisions of  
2 law, and in accordance with the Illinois Emergency Management  
3 Agency, the Department of Healthcare and Family Services shall  
4 develop a process to distribute pandemic related stability  
5 payments, from federal sources dedicated for such purposes, to  
6 health care providers that are providing care to recipients  
7 under the Medical Assistance Program. For provider types  
8 serving residents who are recipients of medical assistance  
9 under this Code and are funded by other State agencies, the  
10 Department will coordinate the distribution process of the  
11 pandemic related stability payments. Federal sources dedicated  
12 to pandemic related payments include, but are not limited to,  
13 funds distributed to the State of Illinois from the  
14 Coronavirus Relief Fund pursuant to the Coronavirus Aid,  
15 Relief, and Economic Security Act ("CARES Act") and from the  
16 Coronavirus State Fiscal Recovery Fund pursuant to Section  
17 9901 of the American Rescue Plan Act of 2021, that are  
18 appropriated to the Department during Fiscal Years 2020, 2021,  
19 and 2022 for purposes permitted by those federal laws and  
20 related federal guidance.

21 (1) Pandemic related stability payments for these  
22 providers shall be separate and apart from any rate  
23 methodology otherwise defined in this Code to the extent  
24 permitted in accordance with Section 5001 of the CARES Act  
25 and Section 9901 of the American Rescue Plan Act of 2021  
26 and any related federal guidance.

1           (2) Payments made from moneys received from the  
2           Coronavirus Relief Fund shall be used exclusively for  
3           expenses incurred by the providers that are eligible for  
4           reimbursement from the Coronavirus Relief Fund in  
5           accordance with Section 5001 of the CARES Act and related  
6           federal guidance. Payments made from moneys received from  
7           the Coronavirus State Fiscal Recovery Fund shall be used  
8           exclusively for purposes permitted by Section 9901 of the  
9           American Rescue Plan Act of 2021 and related federal  
10          guidance.

11          (3) All providers receiving pandemic related stability  
12          payments shall attest in a format to be created by the  
13          Department and be able to demonstrate that their expenses  
14          are pandemic related, were not part of their annual  
15          budgets established before March 1, 2020, ~~and are directly~~  
16          ~~associated with health care needs.~~

17          (4) Pandemic related stability payments will be  
18          distributed based on a schedule and framework to be  
19          established by the Department with recognition of the  
20          pandemic related acuity of the situation for each  
21          provider, taking into account the factors including, but  
22          not limited to, the following:

23                 (A) the impact of the pandemic on patients served,  
24                 impact on staff, and shortages of the personal  
25                 protective equipment necessary for infection control  
26                 efforts for all providers;

1 (B) COVID-19 positivity rates among staff, or  
2 patients, or both;

3 (C) pandemic related workforce challenges and  
4 costs associated with temporary wage increases  
5 associated with pandemic related hazard pay programs,  
6 or costs associated with which providers do not have  
7 enough staff to adequately provide care and protection  
8 to the residents and other staff;

9 (D) providers with significant reductions in  
10 utilization that result in corresponding reductions in  
11 revenue as a result of the pandemic, including, but  
12 not limited to, the cancellation or postponement of  
13 elective procedures and visits;

14 (E) pandemic related payments received directly by  
15 the providers through other federal resources;

16 (F) current efforts to respond to and provide  
17 services to communities disproportionately impacted by  
18 the COVID-19 public health emergency, including  
19 low-income and socially vulnerable communities that  
20 have seen the most severe health impacts and  
21 exacerbated health inequities along racial, ethnic,  
22 and socioeconomic lines; and

23 (G) provider needs for capital improvements to  
24 existing facilities, including upgrades to HVAC and  
25 ventilation systems and capital improvements for  
26 enhancing infection control or reducing crowding,

1           which may include bed-buybacks.

2           (5) Pandemic related stability payments made from  
3 moneys received from the Coronavirus Relief Fund will be  
4 distributed to providers based on a methodology to be  
5 administered by the Department with amounts determined by  
6 a calculation of total federal pandemic related funds  
7 appropriated by the Illinois General Assembly for this  
8 purpose. Providers receiving the pandemic related  
9 stability payments will attest to their increased costs,  
10 declining revenues, and receipt of additional pandemic  
11 related funds directly from the federal government.

12           (6) Of the payments provided for by this Section made  
13 from moneys received from the Coronavirus Relief Fund, a  
14 minimum of 30% shall be allotted for health care providers  
15 that serve the ZIP codes located in the most  
16 disproportionately impacted areas of Illinois, based on  
17 positive COVID-19 cases based on data collected by the  
18 Department of Public Health and provided to the Department  
19 of Healthcare and Family Services.

20           (7) From funds appropriated, directly or indirectly,  
21 from moneys received by the State from the Coronavirus  
22 State Fiscal Recovery Fund for Fiscal Years 2021 and 2022,  
23 the Department shall expend such funds only for purposes  
24 permitted by Section 9901 of the American Rescue Plan Act  
25 of 2021 and related federal guidance. Such expenditures  
26 may include, but are not limited to: payments to providers

1 for costs incurred due to the COVID-19 public health  
2 emergency; unreimbursed costs for testing and treatment of  
3 uninsured Illinois residents; costs of COVID-19 mitigation  
4 and prevention; medical expenses related to aftercare or  
5 extended care for COVID-19 patients with longer term  
6 symptoms and effects; costs of behavioral health care;  
7 costs of public health and safety staff; and expenditures  
8 permitted in order to address (i) disparities in public  
9 health outcomes, (ii) nursing and other essential health  
10 care workforce investments, (iii) exacerbation of  
11 pre-existing disparities, and (iv) promoting healthy  
12 childhood environments.

13 (8) From funds appropriated, directly or indirectly,  
14 from moneys received by the State from the Coronavirus  
15 State Fiscal Recovery Fund for Fiscal Years 2022 and 2023,  
16 the Department shall establish a program for making  
17 payments to long term care service providers and  
18 facilities, for purposes related to financial support for  
19 workers in the long term care industry, but only as  
20 permitted by either the CARES Act or Section 9901 of the  
21 American Rescue Plan Act of 2021 and related federal  
22 guidance, including, but not limited to the following:  
23 monthly amounts of \$25,000,000 per month for July 2021,  
24 August 2021, and September 2021 where at least 50% of the  
25 funds in July shall be passed directly to front line  
26 workers and an additional 12.5% more in each of the next 2

1 months; financial support programs for providers enhancing  
2 direct care staff recruitment efforts through the payment  
3 of education expenses; and financial support programs for  
4 providers offering enhanced and expanded training for all  
5 levels of the long term care healthcare workforce to  
6 achieve better patient outcomes, such as training on  
7 infection control, proper personal protective equipment,  
8 best practices in quality of care, and culturally  
9 competent patient communications. The Department shall  
10 have the authority to audit and potentially recoup funds  
11 not utilized as outlined and attested.

12 (8.5) From funds appropriated, directly or indirectly,  
13 from moneys received by the State from the Coronavirus  
14 State Fiscal Recovery Fund, the Department shall establish  
15 a grant program to provide premium pay to front line  
16 workers at facilities licensed by the Department of Public  
17 Health under the Nursing Home Care Act as skilled nursing  
18 facilities or intermediate care facilities.

19 (A) Awards pursuant to this program shall comply  
20 with the requirements of Section 9901 of the American  
21 Rescue Plan Act of 2021 and all related federal  
22 guidance. Awards shall be scaled based on a process  
23 determined by the Department. The amount awarded to  
24 each recipient shall not exceed \$3.17 per nursing  
25 hour. Awards shall be for eligible expenditures  
26 incurred no earlier than May 1, 2022 and no later than



1           June 30, 2023.

2           (B) Financial assistance under this paragraph  
3           (8.5) shall be expended only for premium pay for  
4           eligible workers, which must be in addition to any  
5           wages or remuneration the eligible worker has already  
6           received and shall be subject to the other  
7           requirements and limitations set forth in the American  
8           Rescue Plan Act of 2021 and related federal guidance.

9           (C) Upon receipt of funds, recipients shall  
10           distribute funds such that eligible workers receive an  
11           amount up to \$13 per hour but no more than \$25,000 for  
12           the duration of the program. Recipients shall provide  
13           a written certification to the Department  
14           acknowledging compliance with this paragraph.

15           (D) No portion of these funds shall be spent on  
16           volunteer or temporary staff, and these funds shall  
17           not be used to make retroactive premium payments  
18           before the effective date of this amendatory Act of  
19           the 102nd General Assembly.

20           (E) The Department shall require each recipient  
21           under this paragraph to submit appropriate  
22           documentation acknowledging compliance with State and  
23           federal law. For purposes of this paragraph, "eligible  
24           worker" means a permanent staff member, regardless of  
25           union affiliation, of a facility licensed by the  
26           Department of Public Health under the Nursing Home

1           Care Act as a skilled nursing facility or intermediate  
2           care facility engaged in "essential work", as defined  
3           by Section 9901 of the American Rescue Plan Act of 2021  
4           and related federal guidance, and (1) whose total pay  
5           is below 150% of the average annual wage for all  
6           occupations in the worker's county of residence, as  
7           defined by the Bureau of Labor Statistics Occupational  
8           Employment and Wage Statistics, or (2) is not exempt  
9           from the federal Fair Labor Standards Act overtime  
10           provisions.

11           (9) From funds appropriated, directly or indirectly,  
12           from moneys received by the State from the Coronavirus  
13           State Fiscal Recovery Fund for Fiscal Years 2022 through  
14           2024 the Department shall establish programs ~~a program~~ for  
15           making payments to facilities licensed under the Nursing  
16           Home Care Act and facilities licensed under the  
17           Specialized Mental Health Rehabilitation Act of 2013. To  
18           the extent permitted by Section 9901 of the American  
19           Rescue Plan Act of 2021 and related federal guidance, the  
20           programs ~~program~~ shall provide:

21                 (A) Payments ~~provide payments~~ for making permanent  
22           improvements to resident rooms in order to improve  
23           resident outcomes and infection control. Funds may be  
24           used to reduce bed capacity and room occupancy. To be  
25           eligible for funding, a facility must submit an  
26           application to the Department as prescribed by the

1 Department and as published on its website. A facility  
2 may need to receive approval from the Health  
3 Facilities and Services Review Board for the permanent  
4 improvements or the removal of the beds before it can  
5 receive payment under this paragraph.

6 (B) Payments to reimburse facilities licensed by  
7 the Department of Public Health under the Nursing Home  
8 Care Act as skilled nursing facilities or intermediate  
9 care facilities for eligible expenses related to the  
10 public health impacts of the COVID-19 public health  
11 emergency, including, but not limited to, costs  
12 related to COVID-19 testing for residents, COVID-19  
13 prevention and treatment equipment, medical supplies,  
14 and personal protective equipment.

15 (i) Awards made pursuant to this program shall  
16 comply with the requirements of Section 9901 of  
17 the American Rescue Plan Act of 2021 and all  
18 related federal guidance. The amount awarded to  
19 each recipient shall not exceed \$1.71 per nursing  
20 hour. Permissible expenditures must be made no  
21 earlier than May 1, 2022 and no later than June 30,  
22 2023.

23 (ii) Financial assistance pursuant to this  
24 paragraph shall not be expended for premium pay.

25 (iii) The Department shall require each  
26 recipient under this paragraph to submit

1                   appropriate documentation acknowledging  
2                   compliance with State and federal law.

3       (Source: P.A. 101-636, eff. 6-10-20; 102-16, eff. 6-17-21;  
4       102-687, eff. 12-17-21.)

5                   (305 ILCS 5/5-5.7b new)

6                   Sec. 5-5.7b. Pandemic related stability payments to  
7                   ambulance service providers in response to COVID-19.

8                   (a) Definitions. As used in this Section:

9                   "Ambulance Services Industry" means the industry that is  
10                  comprised of "Qualifying Ground Ambulance Service Providers",  
11                  as defined in this Section.

12                  "Qualifying Ground Ambulance Service Provider" means a  
13                  "vehicle service provider," as that term is defined in Section  
14                  3.85 of the Emergency Medical Services (EMS) Systems Act,  
15                  which operates licensed ambulances for the purpose of  
16                  providing emergency, non-emergency ambulance services, or both  
17                  emergency and non-emergency ambulance services. The term  
18                  "Qualifying Ground Ambulance Service Provider" is limited to  
19                  providers headquartered within the State and licensed by the  
20                  Department of Public Health as of March 12, 2020.

21                  "Eligible worker" means a staff member of a Qualifying  
22                  Ground Ambulance Service Provider engaged in "essential work",  
23                  as defined by Section 9901 of the ARPA and related federal  
24                  guidance, and (1) whose total pay is below 150% of the average  
25                  annual wage for all occupations in the worker's county of

1 residence, as defined by the BLS Occupational Employment and  
2 Wage Statistics or (2) is not exempt from the federal Fair  
3 Labor Standards Act overtime provisions.

4 (b) Purpose. The Department may receive federal funds  
5 under the authority of legislation passed in response to the  
6 Coronavirus epidemic, including, but not limited to the  
7 American Rescue Plan Act of 2021, P.L. 117-2 (the "ARPA").  
8 Upon receipt or availability of such State or federal funds,  
9 and subject to appropriations for their use, the Department  
10 shall establish and administer programs for purposes allowable  
11 under Section 9901 of the ARPA to provide financial assistance  
12 to Qualifying Ground Ambulance Service Providers for premium  
13 pay for eligible workers, to provide reimbursement for  
14 eligible expenditures, and to provide support following the  
15 negative economic impact of the COVID-19 public health  
16 emergency on the Ambulance Services Industry. Financial  
17 assistance may include, but is not limited to grants, expense  
18 reimbursements, or subsidies.

19 (c) Non-Emergency Service Certification. To be eligible  
20 for funding under this Section, a Qualifying Ground Ambulance  
21 Service Provider that provides non-emergency services to  
22 institutional residents must certify that it will provide  
23 non-emergency ambulance services to individuals enrolled in  
24 the State's Medical Assistance Program and residing in  
25 non-institutional settings for at least one year following the  
26 receipt of funding pursuant to this amendatory Act of the

1 102nd General Assembly. The provider shall maintain the  
2 certification in its records. The provider shall also maintain  
3 documentation of all non-emergency ambulance services for the  
4 period covered by the certification. The provider shall  
5 produce the certification and supporting documentation upon  
6 demand by the Department or its representative. Failure to  
7 comply shall result in recovery of any payments made by the  
8 Department.

9 (d) Premium Pay Initiative. Subject to paragraph (c) of  
10 this Section, the Department shall establish a Premium Pay  
11 Initiative to distribute awards to each Qualifying Ground  
12 Ambulance Service Provider for the purpose of providing  
13 premium pay to eligible workers.

14 (1) Financial assistance pursuant to this paragraph  
15 (d) shall be scaled based on a process determined by the  
16 Department. The amount awarded to each Qualifying Ground  
17 Ambulance Service Provider shall be up to \$13 per hour for  
18 each eligible worker employed.

19 (2) The financial assistance awarded shall only be  
20 expended for premium pay for eligible workers, which must  
21 be in addition to any wages or remuneration the eligible  
22 worker has already received and shall be subject to the  
23 other requirements and limitations set forth in the ARPA  
24 and related federal guidance.

25 (3) Upon receipt of funds, the Qualifying Ground  
26 Ambulance Service Provider shall distribute funds such

1       that an eligible worker receives an amount up to \$13 per  
2       hour but no more than \$25,000 for the duration of the  
3       program. The Qualifying Ground Ambulance Service Provider  
4       shall provide a written certification to the Department  
5       acknowledging compliance with this paragraph (d).

6           (4) No portion of these funds shall be spent on  
7       volunteer staff.

8           (5) These funds shall not be used to make retroactive  
9       premium payments prior to the effective date of this  
10       amendatory Act of the 102nd General Assembly.

11           (6) The Department shall require each Qualifying  
12       Ground Ambulance Service Provider that receives funds  
13       under this paragraph (d) to submit appropriate  
14       documentation acknowledging compliance with State and  
15       federal law on an annual basis.

16           (e) COVID-19 Response Support Initiative. Subject to  
17       paragraph (c) of this Section and based on an application  
18       filed by a Qualifying Ground Ambulance Service Provider, the  
19       Department shall establish the Ground Ambulance COVID-19  
20       Response Support Initiative. The purpose of the award shall be  
21       to reimburse Qualifying Ground Ambulance Service Providers for  
22       eligible expenses under Section 9901 of the ARPA related to  
23       the public health impacts of the COVID-19 public health  
24       emergency, including but not limited to costs related to  
25       COVID-19 testing for patients, COVID-19 prevention and  
26       treatment equipment, medical supplies, personal protective

1 equipment, and other emergency medical response treatments.

2 (1) The award shall be for eligible expenditures  
3 incurred no earlier than May 1, 2022 and no later than June  
4 30, 2023.

5 (2) Funds awarded under this paragraph (e) shall not  
6 be expended for premium pay to eligible workers.

7 (3) The Department shall require each Qualifying  
8 Ground Ambulance Service Provider that receives funds  
9 under this paragraph (e) to submit appropriate  
10 documentation acknowledging compliance with State and  
11 federal law on an annual basis.

12 (f) Ambulance Industry Recovery Program. If the Department  
13 designates the Ambulance Services Industry as an "impacted  
14 industry", as defined by the ARPA and related federal  
15 guidance, the Department shall establish the Ambulance  
16 Industry Recovery Grant Program, to provide aid to Qualifying  
17 Ground Ambulance Service Providers that experienced staffing  
18 losses due to the COVID-19 public health emergency.

19 (1) Funds awarded under this paragraph (f) shall not  
20 be expended for premium pay to eligible workers.

21 (2) Each Qualifying Ground Ambulance Service Provider  
22 that receives funds under this paragraph (f) shall comply  
23 with paragraph (c) of this Section.

24 (3) The Department shall require each Qualifying  
25 Ground Ambulance Service Provider that receives funds  
26 under this paragraph (f) to submit appropriate



1 documentation acknowledging compliance with State and  
2 federal law on an annual basis.

3 (305 ILCS 5/12-4.56 new)

4 Sec. 12-4.56. Managed Primary Care Demonstration Project.  
5 The Department shall establish and implement a Managed Primary  
6 Care Demonstration Project to provide primary care services  
7 that are focused on preventive rather than curative care to  
8 persons who reside in underserved communities that lack  
9 accessible health and medical services. The demonstration  
10 project shall operate for a 5-year period and provide  
11 supplemental services to medical assistance recipients. The  
12 Department shall contract with a health care organization  
13 through a competitive process that is capable of providing  
14 patient-centered, prevention-focused services, that may  
15 include, but are not limited to, the following:

16 (1) Patient navigators to manage patient care.

17 (2) Patient-tailored preventive health care plans.

18 (3) Administrative personal health care consultants  
19 for home health maintenance between medical office visits.

20 (4) Clinical personal health care consultants for  
21 telehealth (health information and advice) and wellness  
22 initiatives.

23 (5) A patient portal.

24 (6) An online virtual health hub that provides  
25 patients with access to wellness, self-guided education,

1 health seminars, a video library, and additional health  
2 and wellness resources.

3 (7) Community health and human services centers to  
4 engage, educate, and empower patients to get involved in  
5 their own self-care.

6 (8) Mobile preventive health stations and kiosks to  
7 bring services to underserved communities that are health  
8 or medical deserts.

9 (9) Call centers to interact with medical homes and  
10 facilitate service offerings.

11 A request for proposals for the demonstration project  
12 shall be issued by December 31, 2022.

13 Section 5-100. The Energy Assistance Act is amended by  
14 changing Sections 3, 6, and 13 as follows:

15 (305 ILCS 20/3) (from Ch. 111 2/3, par. 1403)

16 Sec. 3. Definitions. As used in this Act, unless the  
17 context otherwise requires:

18 The ~~(a) the~~ terms defined in Sections 3-101 through 3-121  
19 of the Public Utilities Act have the meanings ascribed to them  
20 in that Act.†

21 ~~(b)~~ "Department" means the Department of Commerce and  
22 Economic Opportunity.†

23 "Energy conservation measure" means any measure installed  
24 in a dwelling that reduces energy consumption.

1        "Energy ~~(c)~~ "energy provider" means any utility, municipal  
2 utility, cooperative utility, or any other corporation or  
3 individual which provides winter energy services.†

4        "Healthy home measure" means any measure that is intended  
5 to keep a dwelling dry, clean, safe, well ventilated, pest  
6 free, contaminant free, maintained, or thermally controlled.

7        "Home improvement measure" means any measure that is  
8 intended to make a dwelling weatherization-ready by  
9 alleviating deferrals from weatherization activities or  
10 allowing for the addition of renewable energy retrofits, or  
11 both.

12        "Measure" means the installation of any equipment, device,  
13 or material in a dwelling.

14        "Renewable energy retrofit" means any retrofit required  
15 for the use of energy from a solar photovoltaic, solar  
16 thermal, wind, or geothermal energy system.

17        "Winter" ~~(d) "winter"~~ means the period from November 1 of  
18 any year through April 30 of the following year.

19        (Source: P.A. 95-331, eff. 8-21-07; 96-33, eff. 7-10-09;  
20 96-154, eff. 1-1-10.)

21        (305 ILCS 20/6) (from Ch. 111 2/3, par. 1406)

22        Sec. 6. Eligibility, conditions of participation, and  
23 energy assistance.

24        (a) Any person who is a resident of the State of Illinois  
25 and whose household income is not greater than an amount

1 determined annually by the Department, in consultation with  
2 the Policy Advisory Council, may apply for assistance pursuant  
3 to this Act in accordance with regulations promulgated by the  
4 Department. In setting the annual eligibility level, the  
5 Department shall consider the amount of available funding and  
6 may not set a limit higher than 150% of the federal nonfarm  
7 poverty level as established by the federal Office of  
8 Management and Budget or 60% of the State median income for the  
9 current State fiscal year as established by the U.S.  
10 Department of Health and Human Services; except that for the  
11 period from the effective date of this amendatory Act of the  
12 101st General Assembly through June 30, 2021, the Department  
13 may establish limits not higher than 200% of that poverty  
14 level. The Department, in consultation with the Policy  
15 Advisory Council, may adjust the percentage of poverty level  
16 annually in accordance with federal guidelines and based on  
17 funding availability.

18 (b) Applicants who qualify for assistance pursuant to  
19 subsection (a) of this Section shall, subject to appropriation  
20 from the General Assembly and subject to availability of funds  
21 to the Department, receive energy assistance as provided by  
22 this Act. The Department, upon receipt of monies authorized  
23 pursuant to this Act for energy assistance, shall commit funds  
24 for each qualified applicant in an amount determined by the  
25 Department. In determining the amounts of assistance to be  
26 provided to or on behalf of a qualified applicant, the

1 Department shall ensure that the highest amounts of assistance  
2 go to households with the greatest energy costs in relation to  
3 household income. The Department shall include factors such as  
4 energy costs, household size, household income, and region of  
5 the State when determining individual household benefits. In  
6 setting assistance levels, the Department shall attempt to  
7 provide assistance to approximately the same number of  
8 households who participated in the 1991 Residential Energy  
9 Assistance Partnership Program. Such assistance levels shall  
10 be adjusted annually on the basis of funding availability and  
11 energy costs. In promulgating rules for the administration of  
12 this Section the Department shall assure that a minimum of 1/3  
13 of funds available for benefits to eligible households with  
14 the lowest incomes and that elderly households, households  
15 with children under the age of 6 years old, and households with  
16 persons with disabilities are offered a priority application  
17 period.

18 (c) If the applicant is not a customer of record of an  
19 energy provider for energy services or an applicant for such  
20 service, such applicant shall receive a direct energy  
21 assistance payment in an amount established by the Department  
22 for all such applicants under this Act; provided, however,  
23 that such an applicant must have rental expenses for housing  
24 greater than 30% of household income.

25 (c-1) This subsection shall apply only in cases where: (1)  
26 the applicant is not a customer of record of an energy provider

1 because energy services are provided by the owner of the unit  
2 as a portion of the rent; (2) the applicant resides in housing  
3 subsidized or developed with funds provided under the Rental  
4 Housing Support Program Act or under a similar locally funded  
5 rent subsidy program, or is the voucher holder who resides in a  
6 rental unit within the State of Illinois and whose monthly  
7 rent is subsidized by the tenant-based Housing Choice Voucher  
8 Program under Section 8 of the U.S. Housing Act of 1937; and  
9 (3) the rental expenses for housing are no more than 30% of  
10 household income. In such cases, the household may apply for  
11 an energy assistance payment under this Act and the owner of  
12 the housing unit shall cooperate with the applicant by  
13 providing documentation of the energy costs for that unit. Any  
14 compensation paid to the energy provider who supplied energy  
15 services to the household shall be paid on behalf of the owner  
16 of the housing unit providing energy services to the  
17 household. The Department shall report annually to the General  
18 Assembly on the number of households receiving energy  
19 assistance under this subsection and the cost of such  
20 assistance. The provisions of this subsection (c-1), other  
21 than this sentence, are inoperative after August 31, 2012.

22 (d) If the applicant is a customer of an energy provider,  
23 such applicant shall receive energy assistance in an amount  
24 established by the Department for all such applicants under  
25 this Act, such amount to be paid by the Department to the  
26 energy provider supplying winter energy service to such

1 applicant. Such applicant shall:

2 (i) make all reasonable efforts to apply to any other  
3 appropriate source of public energy assistance; and

4 (ii) sign a waiver permitting the Department to  
5 receive income information from any public or private  
6 agency providing income or energy assistance and from any  
7 employer, whether public or private.

8 (e) Any qualified applicant pursuant to this Section may  
9 receive or have paid on such applicant's behalf an emergency  
10 assistance payment to enable such applicant to obtain access  
11 to winter energy services. Any such payments shall be made in  
12 accordance with regulations of the Department.

13 (f) The Department may, if sufficient funds are available,  
14 provide additional benefits to certain qualified applicants:

15 (i) for the reduction of past due amounts owed to  
16 energy providers; ~~and~~

17 (ii) to assist the household in responding to  
18 excessively high summer temperatures or energy costs.  
19 Households containing elderly members, children, a person  
20 with a disability, or a person with a medical need for  
21 conditioned air shall receive priority for receipt of such  
22 benefits; ~~and.~~

23 (iii) for the installation of energy conservation  
24 measures, health and safety measures, healthy home  
25 measures, home improvement measures to help alleviate  
26 deferrals from weatherization activities, and renewable

1           energy retrofits.

2           (Source: P.A. 101-636, eff. 6-10-20; 102-16, eff. 6-17-21;  
3           102-176, eff. 6-1-22.)

4           (305 ILCS 20/13)

5           (Section scheduled to be repealed on January 1, 2025)

6           Sec. 13. Supplemental Low-Income Energy Assistance Fund.

7           (a) The Supplemental Low-Income Energy Assistance Fund is  
8           hereby created as a special fund in the State Treasury. The  
9           Supplemental Low-Income Energy Assistance Fund is authorized  
10          to receive moneys from voluntary donations from individuals,  
11          foundations, corporations, and other sources, moneys received  
12          pursuant to Section 17, and, by statutory deposit, the moneys  
13          collected pursuant to this Section. The Fund is also  
14          authorized to receive voluntary donations from individuals,  
15          foundations, corporations, and other sources. Subject to  
16          appropriation, the Department shall use moneys from the  
17          Supplemental Low-Income Energy Assistance Fund for: (i)  
18          payments to electric or gas public utilities, municipal  
19          electric or gas utilities, and electric cooperatives on behalf  
20          of their customers who are participants in the program  
21          authorized by Sections 4 and 18 of this Act; (ii), ~~for~~ the  
22          provision of weatherization services, including, but not  
23          limited to, the installation of energy conservation measures,  
24          health and safety measures, healthy home measures, home  
25          improvement measures to alleviate the deferrals of certain



1 projects, including, but not limited to, roofs and foundation  
2 repairs, and renewable energy retrofits; and (iii) ~~for~~  
3 administration of the Supplemental Low-Income Energy  
4 Assistance Fund. All other deposits outside of the Energy  
5 Assistance Charge as set forth in subsection (b) are not  
6 subject to the percentage restrictions related to  
7 administrative and weatherization expenses provided in this  
8 subsection. The yearly expenditures for weatherization may not  
9 exceed 10% of the amount collected during the year pursuant to  
10 this Section, except when unspent funds from the Supplemental  
11 Low-Income Energy Assistance Fund are reallocated from a  
12 previous year; any unspent balance of the 10% weatherization  
13 allowance may be utilized for weatherization expenses in the  
14 year they are reallocated. The yearly administrative expenses  
15 of the Supplemental Low-Income Energy Assistance Fund may not  
16 exceed 13% of the amount collected during that year pursuant  
17 to this Section, except when unspent funds from the  
18 Supplemental Low-Income Energy Assistance Fund are reallocated  
19 from a previous year; any unspent balance of the 13%  
20 administrative allowance may be utilized for administrative  
21 expenses in the year they are reallocated. Of the 13%  
22 administrative allowance, no less than 8% shall be provided to  
23 Local Administrative Agencies for administrative expenses.

24 (b) Notwithstanding the provisions of Section 16-111 of  
25 the Public Utilities Act but subject to subsection (k) of this  
26 Section, each public utility, electric cooperative, as defined

1 in Section 3.4 of the Electric Supplier Act, and municipal  
2 utility, as referenced in Section 3-105 of the Public  
3 Utilities Act, that is engaged in the delivery of electricity  
4 or the distribution of natural gas within the State of  
5 Illinois shall, effective January 1, 2021, assess each of its  
6 customer accounts a monthly Energy Assistance Charge for the  
7 Supplemental Low-Income Energy Assistance Fund. The delivering  
8 public utility, municipal electric or gas utility, or electric  
9 or gas cooperative for a self-assessing purchaser remains  
10 subject to the collection of the fee imposed by this Section.  
11 The monthly charge shall be as follows:

12 (1) Base Energy Assistance Charge per month on each  
13 account for residential electrical service;

14 (2) Base Energy Assistance Charge per month on each  
15 account for residential gas service;

16 (3) Ten times the Base Energy Assistance Charge per  
17 month on each account for non-residential electric service  
18 which had less than 10 megawatts of peak demand during the  
19 previous calendar year;

20 (4) Ten times the Base Energy Assistance Charge per  
21 month on each account for non-residential gas service  
22 which had distributed to it less than 4,000,000 therms of  
23 gas during the previous calendar year;

24 (5) Three hundred and seventy-five times the Base  
25 Energy Assistance Charge per month on each account for  
26 non-residential electric service which had 10 megawatts or

1 greater of peak demand during the previous calendar year;  
2 and

3 (6) Three hundred and seventy-five times the Base  
4 Energy Assistance Charge per month on each account for  
5 non-residential gas service which had 4,000,000 or more  
6 therms of gas distributed to it during the previous  
7 calendar year.

8 The Base Energy Assistance Charge shall be \$0.48 per month  
9 for the calendar year beginning January 1, 2022 and shall  
10 increase by \$0.16 per month for any calendar year, provided no  
11 less than 80% of the previous State fiscal year's available  
12 Supplemental Low-Income Energy Assistance Fund funding was  
13 exhausted. The maximum Base Energy Assistance Charge shall not  
14 exceed \$0.96 per month for any calendar year.

15 The incremental change to such charges imposed by Public  
16 Act 99-933 and this amendatory Act of the 102nd General  
17 Assembly shall not (i) be used for any purpose other than to  
18 directly assist customers and (ii) be applicable to utilities  
19 serving less than 100,000 customers in Illinois on January 1,  
20 2021. The incremental change to such charges imposed by this  
21 amendatory Act of the 102nd General Assembly are intended to  
22 increase utilization of the Percentage of Income Payment Plan  
23 (PIPP or PIP Plan) and shall be applied such that PIP Plan  
24 enrollment is at least doubled, as compared to 2020  
25 enrollment, by 2024.

26 In addition, electric and gas utilities have committed,

1 and shall contribute, a one-time payment of \$22 million to the  
2 Fund, within 10 days after the effective date of the tariffs  
3 established pursuant to Sections 16-111.8 and 19-145 of the  
4 Public Utilities Act to be used for the Department's cost of  
5 implementing the programs described in Section 18 of this  
6 amendatory Act of the 96th General Assembly, the Arrearage  
7 Reduction Program described in Section 18, and the programs  
8 described in Section 8-105 of the Public Utilities Act. If a  
9 utility elects not to file a rider within 90 days after the  
10 effective date of this amendatory Act of the 96th General  
11 Assembly, then the contribution from such utility shall be  
12 made no later than February 1, 2010.

13 (c) For purposes of this Section:

14 (1) "residential electric service" means electric  
15 utility service for household purposes delivered to a  
16 dwelling of 2 or fewer units which is billed under a  
17 residential rate, or electric utility service for  
18 household purposes delivered to a dwelling unit or units  
19 which is billed under a residential rate and is registered  
20 by a separate meter for each dwelling unit;

21 (2) "residential gas service" means gas utility  
22 service for household purposes distributed to a dwelling  
23 of 2 or fewer units which is billed under a residential  
24 rate, or gas utility service for household purposes  
25 distributed to a dwelling unit or units which is billed  
26 under a residential rate and is registered by a separate

1 meter for each dwelling unit;

2 (3) "non-residential electric service" means electric  
3 utility service which is not residential electric service;  
4 and

5 (4) "non-residential gas service" means gas utility  
6 service which is not residential gas service.

7 (d) Within 30 days after the effective date of this  
8 amendatory Act of the 96th General Assembly, each public  
9 utility engaged in the delivery of electricity or the  
10 distribution of natural gas shall file with the Illinois  
11 Commerce Commission tariffs incorporating the Energy  
12 Assistance Charge in other charges stated in such tariffs,  
13 which shall become effective no later than the beginning of  
14 the first billing cycle following such filing.

15 (e) The Energy Assistance Charge assessed by electric and  
16 gas public utilities shall be considered a charge for public  
17 utility service.

18 (f) By the 20th day of the month following the month in  
19 which the charges imposed by the Section were collected, each  
20 public utility, municipal utility, and electric cooperative  
21 shall remit to the Department of Revenue all moneys received  
22 as payment of the Energy Assistance Charge on a return  
23 prescribed and furnished by the Department of Revenue showing  
24 such information as the Department of Revenue may reasonably  
25 require; provided, however, that a utility offering an  
26 Arrearage Reduction Program or Supplemental Arrearage

1 Reduction Program pursuant to Section 18 of this Act shall be  
2 entitled to net those amounts necessary to fund and recover  
3 the costs of such Programs as authorized by that Section that  
4 is no more than the incremental change in such Energy  
5 Assistance Charge authorized by Public Act 96-33. If a  
6 customer makes a partial payment, a public utility, municipal  
7 utility, or electric cooperative may elect either: (i) to  
8 apply such partial payments first to amounts owed to the  
9 utility or cooperative for its services and then to payment  
10 for the Energy Assistance Charge or (ii) to apply such partial  
11 payments on a pro-rata basis between amounts owed to the  
12 utility or cooperative for its services and to payment for the  
13 Energy Assistance Charge.

14 If any payment provided for in this Section exceeds the  
15 distributor's liabilities under this Act, as shown on an  
16 original return, the Department may authorize the distributor  
17 to credit such excess payment against liability subsequently  
18 to be remitted to the Department under this Act, in accordance  
19 with reasonable rules adopted by the Department. If the  
20 Department subsequently determines that all or any part of the  
21 credit taken was not actually due to the distributor, the  
22 distributor's discount shall be reduced by an amount equal to  
23 the difference between the discount as applied to the credit  
24 taken and that actually due, and that distributor shall be  
25 liable for penalties and interest on such difference.

26 (g) The Department of Revenue shall deposit into the

1 Supplemental Low-Income Energy Assistance Fund all moneys  
2 remitted to it in accordance with subsection (f) of this  
3 Section. The utilities shall coordinate with the Department to  
4 establish an equitable and practical methodology for  
5 implementing this subsection (g) beginning with the 2010  
6 program year.

7 (h) On or before December 31, 2002, the Department shall  
8 prepare a report for the General Assembly on the expenditure  
9 of funds appropriated from the Low-Income Energy Assistance  
10 Block Grant Fund for the program authorized under Section 4 of  
11 this Act.

12 (i) The Department of Revenue may establish such rules as  
13 it deems necessary to implement this Section.

14 (j) The Department of Commerce and Economic Opportunity  
15 may establish such rules as it deems necessary to implement  
16 this Section.

17 (k) The charges imposed by this Section shall only apply  
18 to customers of municipal electric or gas utilities and  
19 electric or gas cooperatives if the municipal electric or gas  
20 utility or electric or gas cooperative makes an affirmative  
21 decision to impose the charge. If a municipal electric or gas  
22 utility or an electric cooperative makes an affirmative  
23 decision to impose the charge provided by this Section, the  
24 municipal electric or gas utility or electric cooperative  
25 shall inform the Department of Revenue in writing of such  
26 decision when it begins to impose the charge. If a municipal

1 electric or gas utility or electric or gas cooperative does  
2 not assess this charge, the Department may not use funds from  
3 the Supplemental Low-Income Energy Assistance Fund to provide  
4 benefits to its customers under the program authorized by  
5 Section 4 of this Act.

6 In its use of federal funds under this Act, the Department  
7 may not cause a disproportionate share of those federal funds  
8 to benefit customers of systems which do not assess the charge  
9 provided by this Section.

10 This Section is repealed on January 1, 2025 unless renewed  
11 by action of the General Assembly.

12 (Source: P.A. 102-16, eff. 6-17-21; 102-176, eff. 6-1-22;  
13 102-671, eff. 11-30-21; 102-673, eff. 11-30-21.)

14 Section 5-105. The Environmental Protection Act is amended  
15 by changing Sections 22.15 and 57.11 as follows:

16 (415 ILCS 5/22.15) (from Ch. 111 1/2, par. 1022.15)

17 Sec. 22.15. Solid Waste Management Fund; fees.

18 (a) There is hereby created within the State Treasury a  
19 special fund to be known as the Solid Waste Management Fund, to  
20 be constituted from the fees collected by the State pursuant  
21 to this Section, from repayments of loans made from the Fund  
22 for solid waste projects, from registration fees collected  
23 pursuant to the Consumer Electronics Recycling Act, and from  
24 amounts transferred into the Fund pursuant to Public Act



1 100-433. Moneys received by either the Agency or the  
2 Department of Commerce and Economic Opportunity in repayment  
3 of loans made pursuant to the Illinois Solid Waste Management  
4 Act shall be deposited into the General Revenue Fund.

5 (b) The Agency shall assess and collect a fee in the amount  
6 set forth herein from the owner or operator of each sanitary  
7 landfill permitted or required to be permitted by the Agency  
8 to dispose of solid waste if the sanitary landfill is located  
9 off the site where such waste was produced and if such sanitary  
10 landfill is owned, controlled, and operated by a person other  
11 than the generator of such waste. The Agency shall deposit all  
12 fees collected into the Solid Waste Management Fund. If a site  
13 is contiguous to one or more landfills owned or operated by the  
14 same person, the volumes permanently disposed of by each  
15 landfill shall be combined for purposes of determining the fee  
16 under this subsection. Beginning on July 1, 2018, and on the  
17 first day of each month thereafter during fiscal years 2019  
18 through 2023 ~~2022~~, the State Comptroller shall direct and  
19 State Treasurer shall transfer an amount equal to 1/12 of  
20 \$5,000,000 per fiscal year from the Solid Waste Management  
21 Fund to the General Revenue Fund.

22 (1) If more than 150,000 cubic yards of non-hazardous  
23 solid waste is permanently disposed of at a site in a  
24 calendar year, the owner or operator shall either pay a  
25 fee of 95 cents per cubic yard or, alternatively, the  
26 owner or operator may weigh the quantity of the solid

1 waste permanently disposed of with a device for which  
2 certification has been obtained under the Weights and  
3 Measures Act and pay a fee of \$2.00 per ton of solid waste  
4 permanently disposed of. In no case shall the fee  
5 collected or paid by the owner or operator under this  
6 paragraph exceed \$1.55 per cubic yard or \$3.27 per ton.

7 (2) If more than 100,000 cubic yards but not more than  
8 150,000 cubic yards of non-hazardous waste is permanently  
9 disposed of at a site in a calendar year, the owner or  
10 operator shall pay a fee of \$52,630.

11 (3) If more than 50,000 cubic yards but not more than  
12 100,000 cubic yards of non-hazardous solid waste is  
13 permanently disposed of at a site in a calendar year, the  
14 owner or operator shall pay a fee of \$23,790.

15 (4) If more than 10,000 cubic yards but not more than  
16 50,000 cubic yards of non-hazardous solid waste is  
17 permanently disposed of at a site in a calendar year, the  
18 owner or operator shall pay a fee of \$7,260.

19 (5) If not more than 10,000 cubic yards of  
20 non-hazardous solid waste is permanently disposed of at a  
21 site in a calendar year, the owner or operator shall pay a  
22 fee of \$1050.

23 (c) (Blank).

24 (d) The Agency shall establish rules relating to the  
25 collection of the fees authorized by this Section. Such rules  
26 shall include, but not be limited to:

1           (1) necessary records identifying the quantities of  
2 solid waste received or disposed;

3           (2) the form and submission of reports to accompany  
4 the payment of fees to the Agency;

5           (3) the time and manner of payment of fees to the  
6 Agency, which payments shall not be more often than  
7 quarterly; and

8           (4) procedures setting forth criteria establishing  
9 when an owner or operator may measure by weight or volume  
10 during any given quarter or other fee payment period.

11          (e) Pursuant to appropriation, all monies in the Solid  
12 Waste Management Fund shall be used by the Agency for the  
13 purposes set forth in this Section and in the Illinois Solid  
14 Waste Management Act, including for the costs of fee  
15 collection and administration, and for the administration of  
16 (1) the Consumer Electronics Recycling Act and (2) until  
17 January 1, 2020, the Electronic Products Recycling and Reuse  
18 Act.

19          (f) The Agency is authorized to enter into such agreements  
20 and to promulgate such rules as are necessary to carry out its  
21 duties under this Section and the Illinois Solid Waste  
22 Management Act.

23          (g) On the first day of January, April, July, and October  
24 of each year, beginning on July 1, 1996, the State Comptroller  
25 and Treasurer shall transfer \$500,000 from the Solid Waste  
26 Management Fund to the Hazardous Waste Fund. Moneys

1 transferred under this subsection (g) shall be used only for  
2 the purposes set forth in item (1) of subsection (d) of Section  
3 22.2.

4 (h) The Agency is authorized to provide financial  
5 assistance to units of local government for the performance of  
6 inspecting, investigating and enforcement activities pursuant  
7 to Section 4(r) at nonhazardous solid waste disposal sites.

8 (i) The Agency is authorized to conduct household waste  
9 collection and disposal programs.

10 (j) A unit of local government, as defined in the Local  
11 Solid Waste Disposal Act, in which a solid waste disposal  
12 facility is located may establish a fee, tax, or surcharge  
13 with regard to the permanent disposal of solid waste. All  
14 fees, taxes, and surcharges collected under this subsection  
15 shall be utilized for solid waste management purposes,  
16 including long-term monitoring and maintenance of landfills,  
17 planning, implementation, inspection, enforcement and other  
18 activities consistent with the Solid Waste Management Act and  
19 the Local Solid Waste Disposal Act, or for any other  
20 environment-related purpose, including, but not limited to, an  
21 environment-related public works project, but not for the  
22 construction of a new pollution control facility other than a  
23 household hazardous waste facility. However, the total fee,  
24 tax or surcharge imposed by all units of local government  
25 under this subsection (j) upon the solid waste disposal  
26 facility shall not exceed:

1           (1) 60¢ per cubic yard if more than 150,000 cubic  
2 yards of non-hazardous solid waste is permanently disposed  
3 of at the site in a calendar year, unless the owner or  
4 operator weighs the quantity of the solid waste received  
5 with a device for which certification has been obtained  
6 under the Weights and Measures Act, in which case the fee  
7 shall not exceed \$1.27 per ton of solid waste permanently  
8 disposed of.

9           (2) \$33,350 if more than 100,000 cubic yards, but not  
10 more than 150,000 cubic yards, of non-hazardous waste is  
11 permanently disposed of at the site in a calendar year.

12           (3) \$15,500 if more than 50,000 cubic yards, but not  
13 more than 100,000 cubic yards, of non-hazardous solid  
14 waste is permanently disposed of at the site in a calendar  
15 year.

16           (4) \$4,650 if more than 10,000 cubic yards, but not  
17 more than 50,000 cubic yards, of non-hazardous solid waste  
18 is permanently disposed of at the site in a calendar year.

19           (5) \$650 if not more than 10,000 cubic yards of  
20 non-hazardous solid waste is permanently disposed of at  
21 the site in a calendar year.

22           The corporate authorities of the unit of local government  
23 may use proceeds from the fee, tax, or surcharge to reimburse a  
24 highway commissioner whose road district lies wholly or  
25 partially within the corporate limits of the unit of local  
26 government for expenses incurred in the removal of

1 nonhazardous, nonfluid municipal waste that has been dumped on  
2 public property in violation of a State law or local  
3 ordinance.

4 For the disposal of solid waste from general construction  
5 or demolition debris recovery facilities as defined in  
6 subsection (a-1) of Section 3.160, the total fee, tax, or  
7 surcharge imposed by all units of local government under this  
8 subsection (j) upon the solid waste disposal facility shall  
9 not exceed 50% of the applicable amount set forth above. A unit  
10 of local government, as defined in the Local Solid Waste  
11 Disposal Act, in which a general construction or demolition  
12 debris recovery facility is located may establish a fee, tax,  
13 or surcharge on the general construction or demolition debris  
14 recovery facility with regard to the permanent disposal of  
15 solid waste by the general construction or demolition debris  
16 recovery facility at a solid waste disposal facility, provided  
17 that such fee, tax, or surcharge shall not exceed 50% of the  
18 applicable amount set forth above, based on the total amount  
19 of solid waste transported from the general construction or  
20 demolition debris recovery facility for disposal at solid  
21 waste disposal facilities, and the unit of local government  
22 and fee shall be subject to all other requirements of this  
23 subsection (j).

24 A county or Municipal Joint Action Agency that imposes a  
25 fee, tax, or surcharge under this subsection may use the  
26 proceeds thereof to reimburse a municipality that lies wholly

1 or partially within its boundaries for expenses incurred in  
2 the removal of nonhazardous, nonfluid municipal waste that has  
3 been dumped on public property in violation of a State law or  
4 local ordinance.

5 If the fees are to be used to conduct a local sanitary  
6 landfill inspection or enforcement program, the unit of local  
7 government must enter into a written delegation agreement with  
8 the Agency pursuant to subsection (r) of Section 4. The unit of  
9 local government and the Agency shall enter into such a  
10 written delegation agreement within 60 days after the  
11 establishment of such fees. At least annually, the Agency  
12 shall conduct an audit of the expenditures made by units of  
13 local government from the funds granted by the Agency to the  
14 units of local government for purposes of local sanitary  
15 landfill inspection and enforcement programs, to ensure that  
16 the funds have been expended for the prescribed purposes under  
17 the grant.

18 The fees, taxes or surcharges collected under this  
19 subsection (j) shall be placed by the unit of local government  
20 in a separate fund, and the interest received on the moneys in  
21 the fund shall be credited to the fund. The monies in the fund  
22 may be accumulated over a period of years to be expended in  
23 accordance with this subsection.

24 A unit of local government, as defined in the Local Solid  
25 Waste Disposal Act, shall prepare and post on its website, in  
26 April of each year, a report that details spending plans for

1 monies collected in accordance with this subsection. The  
2 report will at a minimum include the following:

3 (1) The total monies collected pursuant to this  
4 subsection.

5 (2) The most current balance of monies collected  
6 pursuant to this subsection.

7 (3) An itemized accounting of all monies expended for  
8 the previous year pursuant to this subsection.

9 (4) An estimation of monies to be collected for the  
10 following 3 years pursuant to this subsection.

11 (5) A narrative detailing the general direction and  
12 scope of future expenditures for one, 2 and 3 years.

13 The exemptions granted under Sections 22.16 and 22.16a,  
14 and under subsection (k) of this Section, shall be applicable  
15 to any fee, tax or surcharge imposed under this subsection  
16 (j); except that the fee, tax or surcharge authorized to be  
17 imposed under this subsection (j) may be made applicable by a  
18 unit of local government to the permanent disposal of solid  
19 waste after December 31, 1986, under any contract lawfully  
20 executed before June 1, 1986 under which more than 150,000  
21 cubic yards (or 50,000 tons) of solid waste is to be  
22 permanently disposed of, even though the waste is exempt from  
23 the fee imposed by the State under subsection (b) of this  
24 Section pursuant to an exemption granted under Section 22.16.

25 (k) In accordance with the findings and purposes of the  
26 Illinois Solid Waste Management Act, beginning January 1, 1989



1 the fee under subsection (b) and the fee, tax or surcharge  
2 under subsection (j) shall not apply to:

3 (1) waste which is hazardous waste;

4 (2) waste which is pollution control waste;

5 (3) waste from recycling, reclamation or reuse  
6 processes which have been approved by the Agency as being  
7 designed to remove any contaminant from wastes so as to  
8 render such wastes reusable, provided that the process  
9 renders at least 50% of the waste reusable; the exemption  
10 set forth in this paragraph (3) of this subsection (k)  
11 shall not apply to general construction or demolition  
12 debris recovery facilities as defined in subsection (a-1)  
13 of Section 3.160;

14 (4) non-hazardous solid waste that is received at a  
15 sanitary landfill and composted or recycled through a  
16 process permitted by the Agency; or

17 (5) any landfill which is permitted by the Agency to  
18 receive only demolition or construction debris or  
19 landscape waste.

20 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;  
21 102-16, eff. 6-17-21; 102-310, eff. 8-6-21; 102-444, eff.  
22 8-20-21; revised 9-28-21.)

23 (415 ILCS 5/57.11)

24 Sec. 57.11. Underground Storage Tank Fund; creation.

25 (a) There is hereby created in the State Treasury a

1 special fund to be known as the Underground Storage Tank Fund.  
2 There shall be deposited into the Underground Storage Tank  
3 Fund all moneys received by the Office of the State Fire  
4 Marshal as fees for underground storage tanks under Sections 4  
5 and 5 of the Gasoline Storage Act, fees pursuant to the Motor  
6 Fuel Tax Law, and beginning July 1, 2013, payments pursuant to  
7 the Use Tax Act, the Service Use Tax Act, the Service  
8 Occupation Tax Act, and the Retailers' Occupation Tax Act. All  
9 amounts held in the Underground Storage Tank Fund shall be  
10 invested at interest by the State Treasurer. All income earned  
11 from the investments shall be deposited into the Underground  
12 Storage Tank Fund no less frequently than quarterly. In  
13 addition to any other transfers that may be provided for by  
14 law, beginning on July 1, 2018 and on the first day of each  
15 month thereafter during fiscal years 2019 through 2023 ~~2022~~  
16 only, the State Comptroller shall direct and the State  
17 Treasurer shall transfer an amount equal to 1/12 of  
18 \$10,000,000 from the Underground Storage Tank Fund to the  
19 General Revenue Fund. Moneys in the Underground Storage Tank  
20 Fund, pursuant to appropriation, may be used by the Agency and  
21 the Office of the State Fire Marshal for the following  
22 purposes:

23 (1) To take action authorized under Section 57.12 to  
24 recover costs under Section 57.12.

25 (2) To assist in the reduction and mitigation of  
26 damage caused by leaks from underground storage tanks,

1 including but not limited to, providing alternative water  
2 supplies to persons whose drinking water has become  
3 contaminated as a result of those leaks.

4 (3) To be used as a matching amount towards federal  
5 assistance relative to the release of petroleum from  
6 underground storage tanks.

7 (4) For the costs of administering activities of the  
8 Agency and the Office of the State Fire Marshal relative  
9 to the Underground Storage Tank Fund.

10 (5) For payment of costs of corrective action incurred  
11 by and indemnification to operators of underground storage  
12 tanks as provided in this Title.

13 (6) For a total of 2 demonstration projects in amounts  
14 in excess of a \$10,000 deductible charge designed to  
15 assess the viability of corrective action projects at  
16 sites which have experienced contamination from petroleum  
17 releases. Such demonstration projects shall be conducted  
18 in accordance with the provision of this Title.

19 (7) Subject to appropriation, moneys in the  
20 Underground Storage Tank Fund may also be used by the  
21 Department of Revenue for the costs of administering its  
22 activities relative to the Fund and for refunds provided  
23 for in Section 13a.8 of the Motor Fuel Tax ~~Law Act~~.

24 (b) Moneys in the Underground Storage Tank Fund may,  
25 pursuant to appropriation, be used by the Office of the State  
26 Fire Marshal or the Agency to take whatever emergency action

1 is necessary or appropriate to assure that the public health  
2 or safety is not threatened whenever there is a release or  
3 substantial threat of a release of petroleum from an  
4 underground storage tank and for the costs of administering  
5 its activities relative to the Underground Storage Tank Fund.

6 (c) Beginning July 1, 1993, the Governor shall certify to  
7 the State Comptroller and State Treasurer the monthly amount  
8 necessary to pay debt service on State obligations issued  
9 pursuant to Section 6 of the General Obligation Bond Act. On  
10 the last day of each month, the Comptroller shall order  
11 transferred and the Treasurer shall transfer from the  
12 Underground Storage Tank Fund to the General Obligation Bond  
13 Retirement and Interest Fund the amount certified by the  
14 Governor, plus any cumulative deficiency in those transfers  
15 for prior months.

16 (d) Except as provided in subsection (c) of this Section,  
17 the Underground Storage Tank Fund is not subject to  
18 administrative charges authorized under Section 8h of the  
19 State Finance Act that would in any way transfer any funds from  
20 the Underground Storage Tank Fund into any other fund of the  
21 State.

22 (e) Each fiscal year, subject to appropriation, the Agency  
23 may commit up to \$10,000,000 of the moneys in the Underground  
24 Storage Tank Fund to the payment of corrective action costs  
25 for legacy sites that meet one or more of the following  
26 criteria as a result of the underground storage tank release:

1 (i) the presence of free product, (ii) contamination within a  
2 regulated recharge area, a wellhead protection area, or the  
3 setback zone of a potable water supply well, (iii)  
4 contamination extending beyond the boundaries of the site  
5 where the release occurred, or (iv) such other criteria as may  
6 be adopted in Agency rules.

7 (1) Fund moneys committed under this subsection (e)  
8 shall be held in the Fund for payment of the corrective  
9 action costs for which the moneys were committed.

10 (2) The Agency may adopt rules governing the  
11 commitment of Fund moneys under this subsection (e).

12 (3) This subsection (e) does not limit the use of Fund  
13 moneys at legacy sites as otherwise provided under this  
14 Title.

15 (4) For the purposes of this subsection (e), the term  
16 "legacy site" means a site for which (i) an underground  
17 storage tank release was reported prior to January 1,  
18 2005, (ii) the owner or operator has been determined  
19 eligible to receive payment from the Fund for corrective  
20 action costs, and (iii) the Agency did not receive any  
21 applications for payment prior to January 1, 2010.

22 (f) Beginning July 1, 2013, if the amounts deposited into  
23 the Fund from moneys received by the Office of the State Fire  
24 Marshal as fees for underground storage tanks under Sections 4  
25 and 5 of the Gasoline Storage Act and as fees pursuant to the  
26 Motor Fuel Tax Law during a State fiscal year are sufficient to

1 pay all claims for payment by the fund received during that  
2 State fiscal year, then the amount of any payments into the  
3 fund pursuant to the Use Tax Act, the Service Use Tax Act, the  
4 Service Occupation Tax Act, and the Retailers' Occupation Tax  
5 Act during that State fiscal year shall be deposited as  
6 follows: 75% thereof shall be paid into the State treasury and  
7 25% shall be reserved in a special account and used only for  
8 the transfer to the Common School Fund as part of the monthly  
9 transfer from the General Revenue Fund in accordance with  
10 Section 8a of the State Finance Act.

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

13 Section 5-106. The Open Space Lands Acquisition and  
14 Development Act is amended by changing Section 3 as follows:

15 (525 ILCS 35/3) (from Ch. 85, par. 2103)

16 Sec. 3. From appropriations made from the Capital  
17 Development Fund, Build Illinois Bond Fund or other available  
18 or designated funds for such purposes, the Department shall  
19 make grants to local governments as financial assistance for  
20 the capital development and improvement of park, recreation or  
21 conservation areas, marinas and shorelines, including planning  
22 and engineering costs, and for the acquisition of open space  
23 lands, including acquisition of easements and other property  
24 interests less than fee simple ownership if the Department

1 determines that such property interests are sufficient to  
2 carry out the purposes of this Act, subject to the conditions  
3 and limitations set forth in this Act.

4 No more than 10% of the amount so appropriated for any  
5 fiscal year may be committed or expended on any one project  
6 described in an application under this Act.

7 Except for grants awarded from new appropriations in  
8 fiscal year 2023, any ~~Any~~ grant under this Act to a local  
9 government shall be conditioned upon the state providing  
10 assistance on a 50/50 matching basis for the acquisition of  
11 open space lands and for capital development and improvement  
12 proposals. However, a local government defined as "distressed"  
13 under criteria adopted by the Department through  
14 administrative rule shall be eligible for assistance up to 90%  
15 for the acquisition of open space lands and for capital  
16 development and improvement proposals, provided that no more  
17 than 10% of the amount appropriated under this Act in any  
18 fiscal year is made available as grants to distressed local  
19 governments. For grants awarded from new appropriations in  
20 fiscal year 2023 only, a local government defined as  
21 "distressed" is eligible for assistance up to 100% for the  
22 acquisition of open space lands and for capital development  
23 and improvement proposals. The Department may make more than  
24 10% of the amount appropriated in fiscal year 2023 available  
25 as grants to distressed local governments.

26 An advance payment of a minimum of 50% of any grant made to

1 a unit of local government under this Act must be paid to the  
2 unit of local government at the time the Department awards the  
3 grant. A unit of local government may opt out of the advanced  
4 payment option at the time of the award of the grant. The  
5 remainder of the grant shall be distributed to the local  
6 government quarterly on a reimbursement basis. The Department  
7 shall consider an applicant's request for an extension to a  
8 grant under this Act if (i) the advanced payment is expended or  
9 legally obligated within the 2 years required by Section 5 of  
10 the Illinois Grant Funds Recovery Act or (ii) no advanced  
11 payment was made.

12 (Source: P.A. 102-200, eff. 7-30-21.)

13 Section 5-107. The Illinois Vehicle Code is amended by  
14 changing Section 3-659 and 6-206.1 as follows:

15 (625 ILCS 5/3-659)

16 Sec. 3-659. Pan Hellenic license plates.

17 (a) The Secretary, upon receipt of all applicable fees and  
18 applications made in the form prescribed by the Secretary, may  
19 issue special registration plates designated as Pan Hellenic  
20 license plates. The special plates issued under this Section  
21 shall be affixed only to passenger vehicles of the first  
22 division or motor vehicles of the second division weighing not  
23 more than 8,000 pounds. Plates issued under this Section shall  
24 expire according to the multi-year procedure established by



1 Section 3-414.1 of this Code.

2 (b) The design and color of the special plates shall be  
3 wholly within the discretion of the Secretary, except that an  
4 emblem of a Pan Hellenic eligible member shall be on the plate.  
5 Appropriate documentation, as determined by the Secretary,  
6 shall accompany each application. The Secretary may, in his or  
7 her discretion, allow the plates to be issued as vanity or  
8 personalized plates in accordance with Section 3-405.1 of this  
9 Code. The plates are not required to designate "Land of  
10 Lincoln" as prescribed in subsection (b) of Section 3-412 of  
11 this Code. The Secretary, in his or her discretion, may  
12 prescribe rules governing the requirements and approval of the  
13 special plates.

14 (c) An applicant for the special plate shall be charged a  
15 \$40 fee for original issuance in addition to the appropriate  
16 registration fee. Of this fee, \$25 shall be deposited into the  
17 Illinois Pan Hellenic Trust Fund and \$15 shall be deposited  
18 into the Secretary of State Special License Plate Fund, to be  
19 used by the Secretary to help defray the administrative  
20 processing costs. For each registration renewal period, a \$27  
21 fee, in addition to the appropriate registration fee, shall be  
22 charged. Of this fee, \$25 shall be deposited into the Illinois  
23 Pan Hellenic Trust Fund and \$2 shall be deposited into the  
24 Secretary of State Special License Plate Fund.

25 (d) The Illinois Pan Hellenic Trust Fund is created as a  
26 special fund in the State Treasury. The State Treasurer shall

1 create separate accounts within the Illinois Pan Hellenic  
2 Trust Fund for each eligible member for which Pan Hellenic  
3 license plates have been issued. Moneys in the Illinois Pan  
4 Hellenic Trust Fund shall be allocated to each account in  
5 proportion to the number of plates sold in regard to each  
6 fraternity or sorority. All moneys in the Illinois Pan  
7 Hellenic Trust Fund shall be distributed, subject to  
8 appropriation by the General Assembly and distribution by the  
9 Secretary, as grants to the Illinois Alpha Kappa Alpha  
10 Charitable Foundation, Illinois Delta Sigma Theta Charitable  
11 Foundation, Illinois Zeta Phi Beta Charitable Foundation,  
12 Illinois Sigma Gamma Rho Charitable Foundation, Alpha Illinois  
13 Leadership Foundation ~~Illinois Alpha Phi Alpha Charitable~~  
14 ~~Foundation~~, Illinois Omega Psi Phi Charitable Foundation,  
15 Illinois Kappa Alpha Psi Charitable Foundation, Illinois Phi  
16 Beta Sigma Charitable Foundation, or Illinois Iota Phi Theta  
17 Charitable Foundation for charitable purposes sponsored by the  
18 African-American fraternity or sorority.

19 (Source: P.A. 97-409, eff. 1-1-12.)

20 (625 ILCS 5/6-206.1) (from Ch. 95 1/2, par. 6-206.1)

21 Sec. 6-206.1. Monitoring Device Driving Permit.  
22 Declaration of Policy. It is hereby declared a policy of the  
23 State of Illinois that the driver who is impaired by alcohol,  
24 other drug or drugs, or intoxicating compound or compounds is  
25 a threat to the public safety and welfare. Therefore, to

1 provide a deterrent to such practice, a statutory summary  
2 driver's license suspension is appropriate. It is also  
3 recognized that driving is a privilege and therefore, that the  
4 granting of driving privileges, in a manner consistent with  
5 public safety, is warranted during the period of suspension in  
6 the form of a monitoring device driving permit. A person who  
7 drives and fails to comply with the requirements of the  
8 monitoring device driving permit commits a violation of  
9 Section 6-303 of this Code.

10 The following procedures shall apply whenever a first  
11 offender, as defined in Section 11-500 of this Code, is  
12 arrested for any offense as defined in Section 11-501 or a  
13 similar provision of a local ordinance and is subject to the  
14 provisions of Section 11-501.1:

15 (a) Upon mailing of the notice of suspension of driving  
16 privileges as provided in subsection (h) of Section 11-501.1  
17 of this Code, the Secretary shall also send written notice  
18 informing the person that he or she will be issued a monitoring  
19 device driving permit (MDDP). The notice shall include, at  
20 minimum, information summarizing the procedure to be followed  
21 for issuance of the MDDP, installation of the breath alcohol  
22 ignition installation device (BAIID), as provided in this  
23 Section, exemption from BAIID installation requirements, and  
24 procedures to be followed by those seeking indigent status, as  
25 provided in this Section. The notice shall also include  
26 information summarizing the procedure to be followed if the

1 person wishes to decline issuance of the MDDP. A copy of the  
2 notice shall also be sent to the court of venue together with  
3 the notice of suspension of driving privileges, as provided in  
4 subsection (h) of Section 11-501. However, a MDDP shall not be  
5 issued if the Secretary finds that:

6 (1) the offender's driver's license is otherwise  
7 invalid;

8 (2) death or great bodily harm to another resulted  
9 from the arrest for Section 11-501;

10 (3) the offender has been previously convicted of  
11 reckless homicide or aggravated driving under the  
12 influence involving death; or

13 (4) the offender is less than 18 years of age.

14 Any offender participating in the MDDP program must pay  
15 the Secretary a MDDP Administration Fee in an amount not to  
16 exceed \$30 per month, to be deposited into the Monitoring  
17 Device Driving Permit Administration Fee Fund. The Secretary  
18 shall establish by rule the amount and the procedures, terms,  
19 and conditions relating to these fees. The offender must have  
20 an ignition interlock device installed within 14 days of the  
21 date the Secretary issues the MDDP. The ignition interlock  
22 device provider must notify the Secretary, in a manner and  
23 form prescribed by the Secretary, of the installation. If the  
24 Secretary does not receive notice of installation, the  
25 Secretary shall cancel the MDDP.

26 Upon receipt of the notice, as provided in paragraph (a)

1 of this Section, the person may file a petition to decline  
2 issuance of the MDDP with the court of venue. The court shall  
3 admonish the offender of all consequences of declining  
4 issuance of the MDDP including, but not limited to, the  
5 enhanced penalties for driving while suspended. After being so  
6 admonished, the offender shall be permitted, in writing, to  
7 execute a notice declining issuance of the MDDP. This notice  
8 shall be filed with the court and forwarded by the clerk of the  
9 court to the Secretary. The offender may, at any time  
10 thereafter, apply to the Secretary for issuance of a MDDP.

11 (a-1) A person issued a MDDP may drive for any purpose and  
12 at any time, subject to the rules adopted by the Secretary  
13 under subsection (g). The person must, at his or her own  
14 expense, drive only vehicles equipped with an ignition  
15 interlock device as defined in Section 1-129.1, but in no  
16 event shall such person drive a commercial motor vehicle.

17 (a-2) Persons who are issued a MDDP and must drive  
18 employer-owned vehicles in the course of their employment  
19 duties may seek permission to drive an employer-owned vehicle  
20 that does not have an ignition interlock device. The employer  
21 shall provide to the Secretary a form, as prescribed by the  
22 Secretary, completed by the employer verifying that the  
23 employee must drive an employer-owned vehicle in the course of  
24 employment. If approved by the Secretary, the form must be in  
25 the driver's possession while operating an employer-owner  
26 vehicle not equipped with an ignition interlock device. No

1 person may use this exemption to drive a school bus, school  
2 vehicle, or a vehicle designed to transport more than 15  
3 passengers. No person may use this exemption to drive an  
4 employer-owned motor vehicle that is owned by an entity that  
5 is wholly or partially owned by the person holding the MDDP, or  
6 by a family member of the person holding the MDDP. No person  
7 may use this exemption to drive an employer-owned vehicle that  
8 is made available to the employee for personal use. No person  
9 may drive the exempted vehicle more than 12 hours per day, 6  
10 days per week.

11 (a-3) Persons who are issued a MDDP and who must drive a  
12 farm tractor to and from a farm, within 50 air miles from the  
13 originating farm are exempt from installation of a BAIID on  
14 the farm tractor, so long as the farm tractor is being used for  
15 the exclusive purpose of conducting farm operations.

16 (b) (Blank).

17 (c) (Blank).

18 (c-1) If the holder of the MDDP is convicted of or receives  
19 court supervision for a violation of Section 6-206.2, 6-303,  
20 11-204, 11-204.1, 11-401, 11-501, 11-503, 11-506 or a similar  
21 provision of a local ordinance or a similar out-of-state  
22 offense or is convicted of or receives court supervision for  
23 any offense for which alcohol or drugs is an element of the  
24 offense and in which a motor vehicle was involved (for an  
25 arrest other than the one for which the MDDP is issued), or  
26 de-installs the BAIID without prior authorization from the

1 Secretary, the MDDP shall be cancelled.

2 (c-5) If the Secretary determines that the person seeking  
3 the MDDP is indigent, the Secretary shall provide the person  
4 with a written document as evidence of that determination, and  
5 the person shall provide that written document to an ignition  
6 interlock device provider. The provider shall install an  
7 ignition interlock device on that person's vehicle without  
8 charge to the person, and seek reimbursement from the Indigent  
9 BAIID Fund. If the Secretary has deemed an offender indigent,  
10 the BAIID provider shall also provide the normal monthly  
11 monitoring services and the de-installation without charge to  
12 the offender and seek reimbursement from the Indigent BAIID  
13 Fund. Any other monetary charges, such as a lockout fee or  
14 reset fee, shall be the responsibility of the MDDP holder. A  
15 BAIID provider may not seek a security deposit from the  
16 Indigent BAIID Fund.

17 (d) MDDP information shall be available only to the  
18 courts, police officers, and the Secretary, except during the  
19 actual period the MDDP is valid, during which time it shall be  
20 a public record.

21 (e) (Blank).

22 (f) (Blank).

23 (g) The Secretary shall adopt rules for implementing this  
24 Section. The rules adopted shall address issues including, but  
25 not limited to: compliance with the requirements of the MDDP;  
26 methods for determining compliance with those requirements;

1 the consequences of noncompliance with those requirements;  
2 what constitutes a violation of the MDDP; methods for  
3 determining indigency; and the duties of a person or entity  
4 that supplies the ignition interlock device.

5 (h) The rules adopted under subsection (g) shall provide,  
6 at a minimum, that the person is not in compliance with the  
7 requirements of the MDDP if he or she:

8 (1) tampers or attempts to tamper with or circumvent  
9 the proper operation of the ignition interlock device;

10 (2) provides valid breath samples that register blood  
11 alcohol levels in excess of the number of times allowed  
12 under the rules;

13 (3) fails to provide evidence sufficient to satisfy  
14 the Secretary that the ignition interlock device has been  
15 installed in the designated vehicle or vehicles; or

16 (4) fails to follow any other applicable rules adopted  
17 by the Secretary.

18 (i) Any person or entity that supplies an ignition  
19 interlock device as provided under this Section shall, in  
20 addition to supplying only those devices which fully comply  
21 with all the rules adopted under subsection (g), provide the  
22 Secretary, within 7 days of inspection, all monitoring reports  
23 of each person who has had an ignition interlock device  
24 installed. These reports shall be furnished in a manner or  
25 form as prescribed by the Secretary.

26 (j) Upon making a determination that a violation of the



1 requirements of the MDDP has occurred, the Secretary shall  
2 extend the summary suspension period for an additional 3  
3 months beyond the originally imposed summary suspension  
4 period, during which time the person shall only be allowed to  
5 drive vehicles equipped with an ignition interlock device;  
6 provided further there are no limitations on the total number  
7 of times the summary suspension may be extended. The Secretary  
8 may, however, limit the number of extensions imposed for  
9 violations occurring during any one monitoring period, as set  
10 forth by rule. Any person whose summary suspension is extended  
11 pursuant to this Section shall have the right to contest the  
12 extension through a hearing with the Secretary, pursuant to  
13 Section 2-118 of this Code. If the summary suspension has  
14 already terminated prior to the Secretary receiving the  
15 monitoring report that shows a violation, the Secretary shall  
16 be authorized to suspend the person's driving privileges for 3  
17 months, provided that the Secretary may, by rule, limit the  
18 number of suspensions to be entered pursuant to this paragraph  
19 for violations occurring during any one monitoring period. Any  
20 person whose license is suspended pursuant to this paragraph,  
21 after the summary suspension had already terminated, shall  
22 have the right to contest the suspension through a hearing  
23 with the Secretary, pursuant to Section 2-118 of this Code.  
24 The only permit the person shall be eligible for during this  
25 new suspension period is a MDDP.

26 (k) A person who has had his or her summary suspension

1 extended for the third time, or has any combination of 3  
2 extensions and new suspensions, entered as a result of a  
3 violation that occurred while holding the MDDP, so long as the  
4 extensions and new suspensions relate to the same summary  
5 suspension, shall have his or her vehicle impounded for a  
6 period of 30 days, at the person's own expense. A person who  
7 has his or her summary suspension extended for the fourth  
8 time, or has any combination of 4 extensions and new  
9 suspensions, entered as a result of a violation that occurred  
10 while holding the MDDP, so long as the extensions and new  
11 suspensions relate to the same summary suspension, shall have  
12 his or her vehicle subject to seizure and forfeiture. The  
13 Secretary shall notify the prosecuting authority of any third  
14 or fourth extensions or new suspension entered as a result of a  
15 violation that occurred while the person held a MDDP. Upon  
16 receipt of the notification, the prosecuting authority shall  
17 impound or forfeit the vehicle. The impoundment or forfeiture  
18 of a vehicle shall be conducted pursuant to the procedure  
19 specified in Article 36 of the Criminal Code of 2012.

20 (1) A person whose driving privileges have been suspended  
21 under Section 11-501.1 of this Code and who had a MDDP that was  
22 cancelled, or would have been cancelled had notification of a  
23 violation been received prior to expiration of the MDDP,  
24 pursuant to subsection (c-1) of this Section, shall not be  
25 eligible for reinstatement when the summary suspension is  
26 scheduled to terminate. Instead, the person's driving

1 privileges shall be suspended for a period of not less than  
2 twice the original summary suspension period, or for the  
3 length of any extensions entered under subsection (j),  
4 whichever is longer. During the period of suspension, the  
5 person shall be eligible only to apply for a restricted  
6 driving permit. If a restricted driving permit is granted, the  
7 offender may only operate vehicles equipped with a BAIID in  
8 accordance with this Section.

9 (m) Any person or entity that supplies an ignition  
10 interlock device under this Section shall, for each ignition  
11 interlock device installed, pay 5% of the total gross revenue  
12 received for the device, including monthly monitoring fees,  
13 into the Indigent BAIID Fund. This 5% shall be clearly  
14 indicated as a separate surcharge on each invoice that is  
15 issued. The Secretary shall conduct an annual review of the  
16 fund to determine whether the surcharge is sufficient to  
17 provide for indigent users. The Secretary may increase or  
18 decrease this surcharge requirement as needed.

19 (n) Any person or entity that supplies an ignition  
20 interlock device under this Section that is requested to  
21 provide an ignition interlock device to a person who presents  
22 written documentation of indigency from the Secretary, as  
23 provided in subsection (c-5) of this Section, shall install  
24 the device on the person's vehicle without charge to the  
25 person and shall seek reimbursement from the Indigent BAIID  
26 Fund.

1 (o) The Indigent BAIID Fund is created as a special fund in  
2 the State treasury. The Secretary shall, subject to  
3 appropriation by the General Assembly, use all money in the  
4 Indigent BAIID Fund to reimburse ignition interlock device  
5 providers who have installed devices in vehicles of indigent  
6 persons. The Secretary shall make payments to such providers  
7 every 3 months. If the amount of money in the fund at the time  
8 payments are made is not sufficient to pay all requests for  
9 reimbursement submitted during that 3 month period, the  
10 Secretary shall make payments on a pro-rata basis, and those  
11 payments shall be considered payment in full for the requests  
12 submitted. If the amount of money in the fund exceeds the  
13 amount necessary to pay all requests for reimbursement during  
14 that 3-month period, the Secretary shall disburse the excess  
15 to the providers on a pro rata basis.

16 (p) The Monitoring Device Driving Permit Administration  
17 Fee Fund is created as a special fund in the State treasury.  
18 The Secretary shall, subject to appropriation by the General  
19 Assembly, use the money paid into this fund to offset its  
20 administrative costs for administering MDDPs.

21 (q) The Secretary is authorized to prescribe such forms as  
22 it deems necessary to carry out the provisions of this  
23 Section.

24 (Source: P.A. 101-363, eff. 8-9-19; 101-593, eff. 12-4-19.)

25 Section 5-110. The Lawyers' Assistance Program Act is

1 amended by changing Sections 15 and 30 as follows:

2 (705 ILCS 235/15)

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

4 Sec. 15. Transfer of program funds. An amount equal to the  
5 balance of the money in the Lawyers' Assistance Program Fund  
6 ~~as it existed on December 31, 2021~~ shall be transferred to the  
7 Attorney Registration and Disciplinary Commission ~~by June 30,~~  
8 ~~2022~~. As soon as is practical after completion of the  
9 transfers, the Lawyers' Assistance Program Fund is dissolved.

10 (Source: P.A. 102-190, eff. 1-1-22.)

11 (705 ILCS 235/30)

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

13 Sec. 30. Repeal. This Act is repealed on July 1, 2023 ~~2022~~.

14 (Source: P.A. 102-190, eff. 1-1-22.)

15 Section 5-115. The Unified Code of Corrections is amended  
16 by changing Sections 3-12-3a and 3-12-6 as follows:

17 (730 ILCS 5/3-12-3a) (from Ch. 38, par. 1003-12-3a)

18 Sec. 3-12-3a. Contracts, leases, and business agreements.

19 (a) The Department shall promulgate such rules and  
20 policies as it deems necessary to establish, manage, and  
21 operate its Illinois Correctional Industries division for the  
22 purpose of utilizing committed persons in the manufacture of

1 food stuffs, finished goods or wares. To the extent not  
2 inconsistent with the function and role of the ICI, the  
3 Department may enter into a contract, lease, or other type of  
4 business agreement, not to exceed 20 years, with any private  
5 corporation, partnership, person, or other business entity for  
6 the purpose of utilizing committed persons in the provision of  
7 services or for any other business or commercial enterprise  
8 deemed by the Department to be consistent with proper training  
9 and rehabilitation of committed persons.

10 In fiscal years ~~year~~ 2021 through 2023 ~~and 2022~~, the  
11 Department shall oversee the Illinois Correctional Industries  
12 accounting processes and budget requests to the General  
13 Assembly, other budgetary processes, audits by the Office of  
14 the Auditor General, and computer processes. For fiscal years  
15 ~~year~~ 2021 through 2023 ~~and 2022~~, the spending authority of  
16 Illinois Correctional Industries shall no longer be separate  
17 and apart from the Department's budget and appropriations, and  
18 the Department shall control its accounting processes,  
19 budgets, audits and computer processes in accordance with any  
20 Department rules and policies.

21 (b) The Department shall be permitted to construct  
22 buildings on State property for the purposes identified in  
23 subsection (a) and to lease for a period not to exceed 20 years  
24 any building or portion thereof on State property for the  
25 purposes identified in subsection (a).

26 (c) Any contract or other business agreement referenced in

1 subsection (a) shall include a provision requiring that all  
2 committed persons assigned receive in connection with their  
3 assignment such vocational training and/or apprenticeship  
4 programs as the Department deems appropriate.

5 (d) Committed persons assigned in accordance with this  
6 Section shall be compensated in accordance with the provisions  
7 of Section 3-12-5.

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

9 (730 ILCS 5/3-12-6) (from Ch. 38, par. 1003-12-6)

10 Sec. 3-12-6. Programs. Through its Illinois Correctional  
11 Industries division, the Department shall establish  
12 commercial, business, and manufacturing programs for the sale  
13 of finished goods and processed food and beverages to the  
14 State, its political units, agencies, and other public  
15 institutions. Illinois Correctional Industries shall  
16 establish, operate, and maintain manufacturing and food and  
17 beverage production in the Department facilities and provide  
18 food for the Department institutions and for the mental health  
19 and developmental disabilities institutions of the Department  
20 of Human Services and the institutions of the Department of  
21 Veterans' Affairs.

22 Illinois Correctional Industries shall be administered by  
23 a chief executive officer. The chief executive officer shall  
24 report to the Director of the Department or the Director's  
25 designee. The chief executive officer shall administer the

1 commercial and business programs of ICI for inmate workers in  
2 the custody of the Department of Corrections.

3 The chief executive officer shall have such assistants as  
4 are required for sales staff, manufacturing, budget, fiscal,  
5 accounting, computer, human services, and personnel as  
6 necessary to run its commercial and business programs.

7 Illinois Correctional Industries shall have a financial  
8 officer who shall report to the chief executive officer. The  
9 financial officer shall: (i) assist in the development and  
10 presentation of the Department budget submission; (ii) manage  
11 and control the spending authority of ICI; and (iii) provide  
12 oversight of the financial activities of ICI, both internally  
13 and through coordination with the Department fiscal operations  
14 personnel, including accounting processes, budget submissions,  
15 other budgetary processes, audits by the Office of the Auditor  
16 General, and computer processes. For fiscal years ~~year~~ 2021  
17 through 2023 ~~and 2022~~, the financial officer shall coordinate  
18 and cooperate with the Department's chief financial officer to  
19 perform the functions listed in this paragraph.

20 Illinois Correctional Industries shall be located in  
21 Springfield. The chief executive officer of Illinois  
22 Correctional Industries shall assign personnel to direct the  
23 production of goods and shall employ committed persons  
24 assigned by the chief administrative officer. The Department  
25 of Corrections may direct such other vocational programs as it  
26 deems necessary for the rehabilitation of inmates, which shall



1 be separate and apart from, and not in conflict with, programs  
2 of Illinois Correctional Industries.

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

4 Section 5-117. The Probation and Probation Officers Act is  
5 amended by changing Sections 9b and 15 as follows:

6 (730 ILCS 110/9b) (from Ch. 38, par. 204-1b)

7 Sec. 9b. For the purposes of this Act, the words and  
8 phrases described in this Section have the meanings designated  
9 in this Section, except when a particular context clearly  
10 requires a different meaning.

11 (1) "Division" means the Division of Probation Services of  
12 the Supreme Court.

13 (2) "Department" means a probation or court services  
14 department that provides probation or court services and such  
15 other related services assigned to it by the circuit court or  
16 by law.

17 (3) "Probation Officer" means a person employed full time  
18 in a probation or court services department or a person  
19 employed full-time or part-time as a detention officer  
20 providing services to a court under this Act or the Juvenile  
21 Court Act of 1987. A probation officer includes detention  
22 staff, non-secure group home staff and management personnel  
23 who meet minimum standards established by the Supreme Court  
24 and who are hired under the direction of the circuit court.

1 These probation officers are judicial employees designated on  
2 a circuit wide or county basis and compensated by the  
3 appropriate county board or boards.

4 (4) "Basic Services" means the number of personnel  
5 determined by the Division as necessary to comply with adult,  
6 juvenile, and detention services workload standards and to  
7 operate authorized programs of intermediate sanctions,  
8 intensive probation supervision, public or community service,  
9 intake services, secure detention services, non-secure group  
10 home services and home confinement.

11 (5) "New or Expanded Services" means personnel necessary  
12 to operate pretrial programs, victim and restitution programs,  
13 psychological services, drunk driving programs, specialized  
14 caseloads, community resource coordination programs, and other  
15 programs designed to generally improve the quality of  
16 probation and court services.

17 (6) "Individualized Services and Programs" means  
18 individualized services provided through purchase of service  
19 agreements with individuals, specialists, and local public or  
20 private agencies providing non-residential services for the  
21 rehabilitation of adult and juvenile offenders as an  
22 alternative to local or state incarceration.

23 (7) "Jurisdiction" means the geographical area of  
24 authority of a probation department as designated by the chief  
25 judge of each circuit court under Section 15 of this Act.

26 (8) "Transfer case" means any case where an adult or

1 juvenile offender seeks to have supervision transferred from  
2 one county to another or from another state to a county in  
3 Illinois, and the transfer is approved by a judicial officer,  
4 a department, or through an interstate compact.

5 (Source: P.A. 98-575, eff. 1-1-14.)

6 (730 ILCS 110/15) (from Ch. 38, par. 204-7)

7 Sec. 15. (1) The Supreme Court of Illinois may establish a  
8 Division of Probation Services whose purpose shall be the  
9 development, establishment, promulgation, and enforcement of  
10 uniform standards for probation services in this State, and to  
11 otherwise carry out the intent of this Act. The Division may:

12 (a) establish qualifications for chief probation  
13 officers and other probation and court services personnel  
14 as to hiring, promotion, and training.

15 (b) make available, on a timely basis, lists of those  
16 applicants whose qualifications meet the regulations  
17 referred to herein, including on said lists all candidates  
18 found qualified.

19 (c) establish a means of verifying the conditions for  
20 reimbursement under this Act and develop criteria for  
21 approved costs for reimbursement.

22 (d) develop standards and approve employee  
23 compensation schedules for probation and court services  
24 departments.

25 (e) employ sufficient personnel in the Division to

1 carry out the functions of the Division.

2 (f) establish a system of training and establish  
3 standards for personnel orientation and training.

4 (g) develop standards for a system of record keeping  
5 for cases and programs, gather statistics, establish a  
6 system of uniform forms, and develop research for planning  
7 of Probation Services.

8 (h) develop standards to assure adequate support  
9 personnel, office space, equipment and supplies, travel  
10 expenses, and other essential items necessary for  
11 Probation and Court Services Departments to carry out  
12 their duties.

13 (i) review and approve annual plans submitted by  
14 Probation and Court Services Departments.

15 (j) monitor and evaluate all programs operated by  
16 Probation and Court Services Departments, and may include  
17 in the program evaluation criteria such factors as the  
18 percentage of Probation sentences for felons convicted of  
19 Probationable offenses.

20 (k) seek the cooperation of local and State government  
21 and private agencies to improve the quality of probation  
22 and court services.

23 (l) where appropriate, establish programs and  
24 corresponding standards designed to generally improve the  
25 quality of probation and court services and reduce the  
26 rate of adult or juvenile offenders committed to the

1 Department of Corrections.

2 (m) establish such other standards and regulations and  
3 do all acts necessary to carry out the intent and purposes  
4 of this Act.

5 The Division shall develop standards to implement the  
6 Domestic Violence Surveillance Program established under  
7 Section 5-8A-7 of the Unified Code of Corrections, including  
8 (i) procurement of equipment and other services necessary to  
9 implement the program and (ii) development of uniform  
10 standards for the delivery of the program through county  
11 probation departments, and develop standards for collecting  
12 data to evaluate the impact and costs of the Domestic Violence  
13 Surveillance Program.

14 The Division shall establish a model list of structured  
15 intermediate sanctions that may be imposed by a probation  
16 agency for violations of terms and conditions of a sentence of  
17 probation, conditional discharge, or supervision.

18 The Division shall establish training standards for  
19 continuing education of probation officers and supervisors and  
20 broaden access to available training programs.

21 The State of Illinois shall provide for the costs of  
22 personnel, travel, equipment, telecommunications, postage,  
23 commodities, printing, space, contractual services and other  
24 related costs necessary to carry out the intent of this Act.

25 (2) (a) The chief judge of each circuit shall provide  
26 full-time probation services for all counties within the

1 circuit, in a manner consistent with the annual probation  
2 plan, the standards, policies, and regulations established by  
3 the Supreme Court. A probation district of two or more  
4 counties within a circuit may be created for the purposes of  
5 providing full-time probation services. Every county or group  
6 of counties within a circuit shall maintain a probation  
7 department which shall be under the authority of the Chief  
8 Judge of the circuit or some other judge designated by the  
9 Chief Judge. The Chief Judge, through the Probation and Court  
10 Services Department shall submit annual plans to the Division  
11 for probation and related services.

12 (b) The Chief Judge of each circuit shall appoint the  
13 Chief Probation Officer and all other probation officers for  
14 his or her circuit from lists of qualified applicants supplied  
15 by the Supreme Court. Candidates for chief managing officer  
16 and other probation officer positions must apply with both the  
17 Chief Judge of the circuit and the Supreme Court.

18 (3) A Probation and Court Service Department shall apply  
19 to the Supreme Court for funds for basic services, and may  
20 apply for funds for new and expanded programs or  
21 Individualized Services and Programs. Costs shall be  
22 reimbursed monthly based on a plan and budget approved by the  
23 Supreme Court. No Department may be reimbursed for costs which  
24 exceed or are not provided for in the approved annual plan and  
25 budget. After the effective date of this amendatory Act of  
26 1985, each county must provide basic services in accordance

1 with the annual plan and standards created by the division. No  
2 department may receive funds for new or expanded programs or  
3 individualized services and programs unless they are in  
4 compliance with standards as enumerated in paragraph (h) of  
5 subsection (1) of this Section, the annual plan, and standards  
6 for basic services.

7 (4) The Division shall reimburse the county or counties  
8 for probation services as follows:

9 (a) 100% of the salary of all chief managing officers  
10 designated as such by the Chief Judge and the division.

11 (b) 100% of the salary for all probation officer and  
12 supervisor positions approved for reimbursement by the  
13 division after April 1, 1984, to meet workload standards  
14 and to implement intensive sanction and probation  
15 supervision programs and other basic services as defined  
16 in this Act.

17 (c) 100% of the salary for all secure detention  
18 personnel and non-secure group home personnel approved for  
19 reimbursement after December 1, 1990. For all such  
20 positions approved for reimbursement before December 1,  
21 1990, the counties shall be reimbursed \$1,250 per month  
22 beginning July 1, 1995, and an additional \$250 per month  
23 beginning each July 1st thereafter until the positions  
24 receive 100% salary reimbursement. Allocation of such  
25 positions will be based on comparative need considering  
26 capacity, staff/resident ratio, physical plant and

1 program.

2 (d) \$1,000 per month for salaries for the remaining  
3 probation officer positions engaged in basic services and  
4 new or expanded services. All such positions shall be  
5 approved by the division in accordance with this Act and  
6 division standards.

7 (e) 100% of the travel expenses in accordance with  
8 Division standards for all Probation positions approved  
9 under paragraph (b) of subsection 4 of this Section.

10 (f) If the amount of funds reimbursed to the county  
11 under paragraphs (a) through (e) of subsection 4 of this  
12 Section on an annual basis is less than the amount the  
13 county had received during the 12 month period immediately  
14 prior to the effective date of this amendatory Act of  
15 1985, then the Division shall reimburse the amount of the  
16 difference to the county. The effect of paragraph (b) of  
17 subsection 7 of this Section shall be considered in  
18 implementing this supplemental reimbursement provision.

19 (5) The Division shall provide funds beginning on April 1,  
20 1987 for the counties to provide Individualized Services and  
21 Programs as provided in Section 16 of this Act.

22 (6) A Probation and Court Services Department in order to  
23 be eligible for the reimbursement must submit to the Supreme  
24 Court an application containing such information and in such a  
25 form and by such dates as the Supreme Court may require.  
26 Departments to be eligible for funding must satisfy the



1 following conditions:

2 (a) The Department shall have on file with the Supreme  
3 Court an annual Probation plan for continuing, improved,  
4 and new Probation and Court Services Programs approved by  
5 the Supreme Court or its designee. This plan shall  
6 indicate the manner in which Probation and Court Services  
7 will be delivered and improved, consistent with the  
8 minimum standards and regulations for Probation and Court  
9 Services, as established by the Supreme Court. In counties  
10 with more than one Probation and Court Services Department  
11 eligible to receive funds, all Departments within that  
12 county must submit plans which are approved by the Supreme  
13 Court.

14 (b) The annual probation plan shall seek to generally  
15 improve the quality of probation services and to reduce  
16 the commitment of adult offenders to the Department of  
17 Corrections and to reduce the commitment of juvenile  
18 offenders to the Department of Juvenile Justice and shall  
19 require, when appropriate, coordination with the  
20 Department of Corrections, the Department of Juvenile  
21 Justice, and the Department of Children and Family  
22 Services in the development and use of community  
23 resources, information systems, case review and permanency  
24 planning systems to avoid the duplication of services.

25 (c) The Department shall be in compliance with  
26 standards developed by the Supreme Court for basic, new

1 and expanded services, training, personnel hiring and  
2 promotion.

3 (d) The Department shall in its annual plan indicate  
4 the manner in which it will support the rights of crime  
5 victims and in which manner it will implement Article I,  
6 Section 8.1 of the Illinois Constitution and in what  
7 manner it will coordinate crime victims' support services  
8 with other criminal justice agencies within its  
9 jurisdiction, including but not limited to, the State's  
10 Attorney, the Sheriff and any municipal police department.

11 (7) No statement shall be verified by the Supreme Court or  
12 its designee or vouchered by the Comptroller unless each of  
13 the following conditions have been met:

14 (a) The probation officer is a full-time employee  
15 appointed by the Chief Judge to provide probation services  
16 or a part-time employee who serves as a detention officer.

17 (b) The probation officer, in order to be eligible for  
18 State reimbursement, is receiving a salary of at least  
19 \$17,000 per year, unless serving as a part-time detention  
20 officer.

21 (c) The probation officer is appointed or was  
22 reappointed in accordance with minimum qualifications or  
23 criteria established by the Supreme Court; however, all  
24 probation officers appointed prior to January 1, 1978,  
25 shall be exempted from the minimum requirements  
26 established by the Supreme Court. Payments shall be made

1 to counties employing these exempted probation officers as  
2 long as they are employed in the position held on the  
3 effective date of this amendatory Act of 1985. Promotions  
4 shall be governed by minimum qualifications established by  
5 the Supreme Court.

6 (d) The Department has an established compensation  
7 schedule approved by the Supreme Court. The compensation  
8 schedule shall include salary ranges with necessary  
9 increments to compensate each employee. The increments  
10 shall, within the salary ranges, be based on such factors  
11 as bona fide occupational qualifications, performance, and  
12 length of service. Each position in the Department shall  
13 be placed on the compensation schedule according to job  
14 duties and responsibilities of such position. The policy  
15 and procedures of the compensation schedule shall be made  
16 available to each employee.

17 (8) In order to obtain full reimbursement of all approved  
18 costs, each Department must continue to employ at least the  
19 same number of probation officers and probation managers as  
20 were authorized for employment for the fiscal year which  
21 includes January 1, 1985. This number shall be designated as  
22 the base amount of the Department. No positions approved by  
23 the Division under paragraph (b) of subsection 4 will be  
24 included in the base amount. In the event that the Department  
25 employs fewer Probation officers and Probation managers than  
26 the base amount for a period of 90 days, funding received by

1 the Department under subsection 4 of this Section may be  
2 reduced on a monthly basis by the amount of the current  
3 salaries of any positions below the base amount.

4 (9) Before the 15th day of each month, the treasurer of any  
5 county which has a Probation and Court Services Department, or  
6 the treasurer of the most populous county, in the case of a  
7 Probation or Court Services Department funded by more than one  
8 county, shall submit an itemized statement of all approved  
9 costs incurred in the delivery of Basic Probation and Court  
10 Services under this Act to the Supreme Court. The treasurer  
11 may also submit an itemized statement of all approved costs  
12 incurred in the delivery of new and expanded Probation and  
13 Court Services as well as Individualized Services and  
14 Programs. The Supreme Court or its designee shall verify  
15 compliance with this Section and shall examine and audit the  
16 monthly statement and, upon finding them to be correct, shall  
17 forward them to the Comptroller for payment to the county  
18 treasurer. In the case of payment to a treasurer of a county  
19 which is the most populous of counties sharing the salary and  
20 expenses of a Probation and Court Services Department, the  
21 treasurer shall divide the money between the counties in a  
22 manner that reflects each county's share of the cost incurred  
23 by the Department.

24 (10) The county treasurer must certify that funds received  
25 under this Section shall be used solely to maintain and  
26 improve Probation and Court Services. The county or circuit

1 shall remain in compliance with all standards, policies and  
2 regulations established by the Supreme Court. If at any time  
3 the Supreme Court determines that a county or circuit is not in  
4 compliance, the Supreme Court shall immediately notify the  
5 Chief Judge, county board chairman and the Director of Court  
6 Services Chief Probation Officer. If after 90 days of written  
7 notice the noncompliance still exists, the Supreme Court shall  
8 be required to reduce the amount of monthly reimbursement by  
9 10%. An additional 10% reduction of monthly reimbursement  
10 shall occur for each consecutive month of noncompliance.  
11 Except as provided in subsection 5 of Section 15, funding to  
12 counties shall commence on April 1, 1986. Funds received under  
13 this Act shall be used to provide for Probation Department  
14 expenses including those required under Section 13 of this  
15 Act. The Mandatory Arbitration Fund may be used to provide for  
16 Probation Department expenses, including those required under  
17 Section 13 of this Act.

18 (11) The respective counties shall be responsible for  
19 capital and space costs, fringe benefits, clerical costs,  
20 equipment, telecommunications, postage, commodities and  
21 printing.

22 (12) For purposes of this Act only, probation officers  
23 shall be considered peace officers. In the exercise of their  
24 official duties, probation officers, sheriffs, and police  
25 officers may, anywhere within the State, arrest any  
26 probationer who is in violation of any of the conditions of his

1 or her probation, conditional discharge, or supervision, and  
2 it shall be the duty of the officer making the arrest to take  
3 the probationer before the Court having jurisdiction over the  
4 probationer for further order.

5 (Source: P.A. 100-91, eff. 8-11-17.)

6 Section 5-120. The Revised Uniform Unclaimed Property Act  
7 is amended by changing Section 15-801 as follows:

8 (765 ILCS 1026/15-801)

9 Sec. 15-801. Deposit of funds by administrator.

10 (a) Except as otherwise provided in this Section, the  
11 administrator shall deposit in the Unclaimed Property Trust  
12 Fund all funds received under this Act, including proceeds  
13 from the sale of property under Article 7. The administrator  
14 may deposit any amount in the Unclaimed Property Trust Fund  
15 into the State Pensions Fund during the fiscal year at his or  
16 her discretion; however, he or she shall, on April 15 and  
17 October 15 of each year, deposit any amount in the Unclaimed  
18 Property Trust Fund exceeding \$2,500,000 into the State  
19 Pensions Fund. If on either April 15 or October 15, the  
20 administrator determines that a balance of \$2,500,000 is  
21 insufficient for the prompt payment of unclaimed property  
22 claims authorized under this Act, the administrator may retain  
23 more than \$2,500,000 in the Unclaimed Property Trust Fund in  
24 order to ensure the prompt payment of claims. Beginning in

1 State fiscal year 2024 ~~2023~~, all amounts that are deposited  
2 into the State Pensions Fund from the Unclaimed Property Trust  
3 Fund shall be apportioned to the designated retirement systems  
4 as provided in subsection (c-6) of Section 8.12 of the State  
5 Finance Act to reduce their actuarial reserve deficiencies.

6 (b) The administrator shall make prompt payment of claims  
7 he or she duly allows as provided for in this Act from the  
8 Unclaimed Property Trust Fund. This shall constitute an  
9 irrevocable and continuing appropriation of all amounts in the  
10 Unclaimed Property Trust Fund necessary to make prompt payment  
11 of claims duly allowed by the administrator pursuant to this  
12 Act.

13 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;  
14 102-16, eff. 6-17-21.)

15 ARTICLE 10.

16 Section 10-5. The Illinois Administrative Procedure Act is  
17 amended by adding Sections 5-45.21, 5-45.22, 5-45.23, and  
18 5-45.26 as follows:

19 (5 ILCS 100/5-45.21 new)

20 Sec. 5-45.21. Emergency rulemaking; Mental Health and  
21 Developmental Disabilities Administrative Act. To provide for  
22 the expeditious and timely implementation of the changes made  
23 to Section 74 of the Mental Health and Developmental

1 Disabilities Administrative Act by this amendatory Act of the  
2 102nd General Assembly, emergency rules implementing the  
3 changes made to Section 74 of the Mental Health and  
4 Developmental Disabilities Administrative Act by this  
5 amendatory Act of the 102nd General Assembly may be adopted in  
6 accordance with Section 5-45 by the Department of Human  
7 Services or other department essential to the implementation  
8 of the changes. The adoption of emergency rules authorized by  
9 Section 5-45 and this Section is deemed to be necessary for the  
10 public interest, safety, and welfare.

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

13 (5 ILCS 100/5-45.22 new)

14 Sec. 5-45.22. Emergency rulemaking; Illinois Public Aid  
15 Code. To provide for the expeditious and timely implementation  
16 of the changes made to Article 5 of the Illinois Public Aid  
17 Code by this amendatory Act of the 102nd General Assembly,  
18 emergency rules implementing the changes made to Article 5 of  
19 the Illinois Public Aid Code by this amendatory Act of the  
20 102nd General Assembly may be adopted in accordance with  
21 Section 5-45 by the Department of Healthcare and Family  
22 Services or other department essential to the implementation  
23 of the changes. The adoption of emergency rules authorized by  
24 Section 5-45 and this Section is deemed to be necessary for the  
25 public interest, safety, and welfare.



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

3           (5 ILCS 100/5-45.23 new)

4       Sec. 5-45.23. Emergency rulemaking; Medical services for  
5 certain noncitizens.To provide for the expeditious and timely  
6 implementation of the changes made to Article 12 of the  
7 Illinois Public Aid Code by this amendatory Act of the 102nd  
8 General Assembly, emergency rules implementing the changes  
9 made to Section 12-4.35 of the Illinois Public Aid Code by this  
10 amendatory Act of the 102nd General Assembly may be adopted in  
11 accordance with Section 5-45 by the Department of Healthcare  
12 and Family Services. The adoption of emergency rules  
13 authorized by Section 5-45 and this Section is deemed to be  
14 necessary for the public interest, safety, and welfare.

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

17           (5 ILCS 100/5-45.26 new)

18       Sec. 5-45.26. Emergency rulemaking. To provide for the  
19 expeditious and timely implementation of this amendatory Act  
20 of the 102nd General Assembly, emergency rules implementing  
21 Sections 605-1095 and 605-1100 of the Department of Commerce  
22 and Economic Opportunity Law of the Civil Administrative Code  
23 of Illinois may be adopted in accordance with Section 5-45 by  
24 the Department of Commerce and Economic Opportunity. The

1 adoption of emergency rules authorized by Section 5-45 and  
2 this Section is deemed to be necessary for the public  
3 interest, safety, and welfare.

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

6 Section 10-10. The Mental Health and Developmental  
7 Disabilities Administrative Act is amended by changing Section  
8 74 as follows:

9 (20 ILCS 1705/74)

10 Sec. 74. Rates and reimbursements.

11 (a) Within 30 days after July 6, 2017 (the effective date  
12 of Public Act 100-23), the Department shall increase rates and  
13 reimbursements to fund a minimum of a \$0.75 per hour wage  
14 increase for front-line personnel, including, but not limited  
15 to, direct support persons, aides, front-line supervisors,  
16 qualified intellectual disabilities professionals, nurses, and  
17 non-administrative support staff working in community-based  
18 provider organizations serving individuals with developmental  
19 disabilities. The Department shall adopt rules, including  
20 emergency rules under subsection (y) of Section 5-45 of the  
21 Illinois Administrative Procedure Act, to implement the  
22 provisions of this Section.

23 (b) Rates and reimbursements. Within 30 days after the  
24 effective date of this amendatory Act of the 100th General

1 Assembly, the Department shall increase rates and  
2 reimbursements to fund a minimum of a \$0.50 per hour wage  
3 increase for front-line personnel, including, but not limited  
4 to, direct support persons, aides, front-line supervisors,  
5 qualified intellectual disabilities professionals, nurses, and  
6 non-administrative support staff working in community-based  
7 provider organizations serving individuals with developmental  
8 disabilities. The Department shall adopt rules, including  
9 emergency rules under subsection (bb) of Section 5-45 of the  
10 Illinois Administrative Procedure Act, to implement the  
11 provisions of this Section.

12 (c) Rates and reimbursements. Within 30 days after the  
13 effective date of this amendatory Act of the 101st General  
14 Assembly, subject to federal approval, the Department shall  
15 increase rates and reimbursements in effect on June 30, 2019  
16 for community-based providers for persons with Developmental  
17 Disabilities by 3.5% The Department shall adopt rules,  
18 including emergency rules under subsection (jj) of Section  
19 5-45 of the Illinois Administrative Procedure Act, to  
20 implement the provisions of this Section, including wage  
21 increases for direct care staff.

22 (d) For community-based providers serving persons with  
23 intellectual/developmental disabilities, subject to federal  
24 approval of any relevant Waiver Amendment, the rates taking  
25 effect for services delivered on or after January 1, 2022,  
26 shall include an increase in the rate methodology sufficient

1 to provide a \$1.50 per hour wage increase for direct support  
2 personnel in residential settings and sufficient to provide  
3 wages for all residential non-executive direct care staff,  
4 excluding direct support personnel, at the federal Department  
5 of Labor, Bureau of Labor Statistics' average wage as defined  
6 in rule by the Department.

7 The establishment of and any changes to the rate  
8 methodologies for community-based services provided to persons  
9 with intellectual/developmental disabilities are subject to  
10 federal approval of any relevant Waiver Amendment and shall be  
11 defined in rule by the Department. The Department shall adopt  
12 rules, including emergency rules as authorized by Section 5-45  
13 of the Illinois Administrative Procedure Act, to implement the  
14 provisions of this subsection (d).

15 (e) For community-based providers serving persons with  
16 intellectual/developmental disabilities, subject to federal  
17 approval of any relevant Waiver Amendment, the rates taking  
18 effect for services delivered on or after January 1, 2023,  
19 shall include an increase in the rate methodology sufficient  
20 to provide a \$1.00 per hour wage increase for all direct  
21 support personnel and all other frontline personnel who are  
22 not subject to the Bureau of Labor Statistics' average wage  
23 increases, who work in residential and community day services  
24 settings, with at least \$0.50 of those funds to be provided as  
25 a direct increase to base wages, with the remaining \$0.50 to be  
26 used flexibly for base wage increases. In addition, the rates

1 taking effect for services delivered on or after January 1,  
2 2023 shall include an increase sufficient to provide wages for  
3 all residential non-executive direct care staff, excluding  
4 direct support personnel, at the federal Department of Labor,  
5 Bureau of Labor Statistics' average wage as defined in rule by  
6 the Department.

7 The establishment of and any changes to the rate  
8 methodologies for community-based services provided to persons  
9 with intellectual/developmental disabilities are subject to  
10 federal approval of any relevant Waiver Amendment and shall be  
11 defined in rule by the Department. The Department shall adopt  
12 rules, including emergency rules as authorized by Section 5-45  
13 of the Illinois Administrative Procedure Act, to implement the  
14 provisions of this subsection.

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

16 Section 10-15. The Illinois Public Aid Code is amended by  
17 changing Sections 3-2.6 and 5-5.4 as follows:

18 (305 ILCS 5/3-2.6)

19 Sec. 3-2.6. Sheltered care rates. The Department of Human  
20 Services shall increase the sheltered care rates in effect on  
21 June 30, 2022 ~~2008~~, by 10%.

22 (Source: P.A. 95-780, eff. 8-5-08.)

23 (305 ILCS 5/5-5.4) (from Ch. 23, par. 5-5.4)

1           Sec. 5-5.4. Standards of Payment - Department of  
2 Healthcare and Family Services. The Department of Healthcare  
3 and Family Services shall develop standards of payment of  
4 nursing facility and ICF/DD services in facilities providing  
5 such services under this Article which:

6           (1) Provide for the determination of a facility's payment  
7 for nursing facility or ICF/DD services on a prospective  
8 basis. The amount of the payment rate for all nursing  
9 facilities certified by the Department of Public Health under  
10 the ID/DD Community Care Act or the Nursing Home Care Act as  
11 Intermediate Care for the Developmentally Disabled facilities,  
12 Long Term Care for Under Age 22 facilities, Skilled Nursing  
13 facilities, or Intermediate Care facilities under the medical  
14 assistance program shall be prospectively established annually  
15 on the basis of historical, financial, and statistical data  
16 reflecting actual costs from prior years, which shall be  
17 applied to the current rate year and updated for inflation,  
18 except that the capital cost element for newly constructed  
19 facilities shall be based upon projected budgets. The annually  
20 established payment rate shall take effect on July 1 in 1984  
21 and subsequent years. No rate increase and no update for  
22 inflation shall be provided on or after July 1, 1994, unless  
23 specifically provided for in this Section. The changes made by  
24 Public Act 93-841 extending the duration of the prohibition  
25 against a rate increase or update for inflation are effective  
26 retroactive to July 1, 2004.

1           For facilities licensed by the Department of Public Health  
2 under the Nursing Home Care Act as Intermediate Care for the  
3 Developmentally Disabled facilities or Long Term Care for  
4 Under Age 22 facilities, the rates taking effect on July 1,  
5 1998 shall include an increase of 3%. For facilities licensed  
6 by the Department of Public Health under the Nursing Home Care  
7 Act as Skilled Nursing facilities or Intermediate Care  
8 facilities, the rates taking effect on July 1, 1998 shall  
9 include an increase of 3% plus \$1.10 per resident-day, as  
10 defined by the Department. For facilities licensed by the  
11 Department of Public Health under the Nursing Home Care Act as  
12 Intermediate Care Facilities for the Developmentally Disabled  
13 or Long Term Care for Under Age 22 facilities, the rates taking  
14 effect on January 1, 2006 shall include an increase of 3%. For  
15 facilities licensed by the Department of Public Health under  
16 the Nursing Home Care Act as Intermediate Care Facilities for  
17 the Developmentally Disabled or Long Term Care for Under Age  
18 22 facilities, the rates taking effect on January 1, 2009  
19 shall include an increase sufficient to provide a \$0.50 per  
20 hour wage increase for non-executive staff. For facilities  
21 licensed by the Department of Public Health under the ID/DD  
22 Community Care Act as ID/DD Facilities the rates taking effect  
23 within 30 days after July 6, 2017 (the effective date of Public  
24 Act 100-23) shall include an increase sufficient to provide a  
25 \$0.75 per hour wage increase for non-executive staff. The  
26 Department shall adopt rules, including emergency rules under

1 subsection (y) of Section 5-45 of the Illinois Administrative  
2 Procedure Act, to implement the provisions of this paragraph.  
3 For facilities licensed by the Department of Public Health  
4 under the ID/DD Community Care Act as ID/DD Facilities and  
5 under the MC/DD Act as MC/DD Facilities, the rates taking  
6 effect within 30 days after the effective date of this  
7 amendatory Act of the 100th General Assembly shall include an  
8 increase sufficient to provide a \$0.50 per hour wage increase  
9 for non-executive front-line personnel, including, but not  
10 limited to, direct support persons, aides, front-line  
11 supervisors, qualified intellectual disabilities  
12 professionals, nurses, and non-administrative support staff.  
13 The Department shall adopt rules, including emergency rules  
14 under subsection (bb) of Section 5-45 of the Illinois  
15 Administrative Procedure Act, to implement the provisions of  
16 this paragraph.

17 For facilities licensed by the Department of Public Health  
18 under the Nursing Home Care Act as Intermediate Care for the  
19 Developmentally Disabled facilities or Long Term Care for  
20 Under Age 22 facilities, the rates taking effect on July 1,  
21 1999 shall include an increase of 1.6% plus \$3.00 per  
22 resident-day, as defined by the Department. For facilities  
23 licensed by the Department of Public Health under the Nursing  
24 Home Care Act as Skilled Nursing facilities or Intermediate  
25 Care facilities, the rates taking effect on July 1, 1999 shall  
26 include an increase of 1.6% and, for services provided on or



1 after October 1, 1999, shall be increased by \$4.00 per  
2 resident-day, as defined by the Department.

3 For facilities licensed by the Department of Public Health  
4 under the Nursing Home Care Act as Intermediate Care for the  
5 Developmentally Disabled facilities or Long Term Care for  
6 Under Age 22 facilities, the rates taking effect on July 1,  
7 2000 shall include an increase of 2.5% per resident-day, as  
8 defined by the Department. For facilities licensed by the  
9 Department of Public Health under the Nursing Home Care Act as  
10 Skilled Nursing facilities or Intermediate Care facilities,  
11 the rates taking effect on July 1, 2000 shall include an  
12 increase of 2.5% per resident-day, as defined by the  
13 Department.

14 For facilities licensed by the Department of Public Health  
15 under the Nursing Home Care Act as skilled nursing facilities  
16 or intermediate care facilities, a new payment methodology  
17 must be implemented for the nursing component of the rate  
18 effective July 1, 2003. The Department of Public Aid (now  
19 Healthcare and Family Services) shall develop the new payment  
20 methodology using the Minimum Data Set (MDS) as the instrument  
21 to collect information concerning nursing home resident  
22 condition necessary to compute the rate. The Department shall  
23 develop the new payment methodology to meet the unique needs  
24 of Illinois nursing home residents while remaining subject to  
25 the appropriations provided by the General Assembly. A  
26 transition period from the payment methodology in effect on

1 June 30, 2003 to the payment methodology in effect on July 1,  
2 2003 shall be provided for a period not exceeding 3 years and  
3 184 days after implementation of the new payment methodology  
4 as follows:

5 (A) For a facility that would receive a lower nursing  
6 component rate per patient day under the new system than  
7 the facility received effective on the date immediately  
8 preceding the date that the Department implements the new  
9 payment methodology, the nursing component rate per  
10 patient day for the facility shall be held at the level in  
11 effect on the date immediately preceding the date that the  
12 Department implements the new payment methodology until a  
13 higher nursing component rate of reimbursement is achieved  
14 by that facility.

15 (B) For a facility that would receive a higher nursing  
16 component rate per patient day under the payment  
17 methodology in effect on July 1, 2003 than the facility  
18 received effective on the date immediately preceding the  
19 date that the Department implements the new payment  
20 methodology, the nursing component rate per patient day  
21 for the facility shall be adjusted.

22 (C) Notwithstanding paragraphs (A) and (B), the  
23 nursing component rate per patient day for the facility  
24 shall be adjusted subject to appropriations provided by  
25 the General Assembly.

26 For facilities licensed by the Department of Public Health

1 under the Nursing Home Care Act as Intermediate Care for the  
2 Developmentally Disabled facilities or Long Term Care for  
3 Under Age 22 facilities, the rates taking effect on March 1,  
4 2001 shall include a statewide increase of 7.85%, as defined  
5 by the Department.

6 Notwithstanding any other provision of this Section, for  
7 facilities licensed by the Department of Public Health under  
8 the Nursing Home Care Act as skilled nursing facilities or  
9 intermediate care facilities, except facilities participating  
10 in the Department's demonstration program pursuant to the  
11 provisions of Title 77, Part 300, Subpart T of the Illinois  
12 Administrative Code, the numerator of the ratio used by the  
13 Department of Healthcare and Family Services to compute the  
14 rate payable under this Section using the Minimum Data Set  
15 (MDS) methodology shall incorporate the following annual  
16 amounts as the additional funds appropriated to the Department  
17 specifically to pay for rates based on the MDS nursing  
18 component methodology in excess of the funding in effect on  
19 December 31, 2006:

20 (i) For rates taking effect January 1, 2007,  
21 \$60,000,000.

22 (ii) For rates taking effect January 1, 2008,  
23 \$110,000,000.

24 (iii) For rates taking effect January 1, 2009,  
25 \$194,000,000.

26 (iv) For rates taking effect April 1, 2011, or the

1 first day of the month that begins at least 45 days after  
2 the effective date of this amendatory Act of the 96th  
3 General Assembly, \$416,500,000 or an amount as may be  
4 necessary to complete the transition to the MDS  
5 methodology for the nursing component of the rate.  
6 Increased payments under this item (iv) are not due and  
7 payable, however, until (i) the methodologies described in  
8 this paragraph are approved by the federal government in  
9 an appropriate State Plan amendment and (ii) the  
10 assessment imposed by Section 5B-2 of this Code is  
11 determined to be a permissible tax under Title XIX of the  
12 Social Security Act.

13 Notwithstanding any other provision of this Section, for  
14 facilities licensed by the Department of Public Health under  
15 the Nursing Home Care Act as skilled nursing facilities or  
16 intermediate care facilities, the support component of the  
17 rates taking effect on January 1, 2008 shall be computed using  
18 the most recent cost reports on file with the Department of  
19 Healthcare and Family Services no later than April 1, 2005,  
20 updated for inflation to January 1, 2006.

21 For facilities licensed by the Department of Public Health  
22 under the Nursing Home Care Act as Intermediate Care for the  
23 Developmentally Disabled facilities or Long Term Care for  
24 Under Age 22 facilities, the rates taking effect on April 1,  
25 2002 shall include a statewide increase of 2.0%, as defined by  
26 the Department. This increase terminates on July 1, 2002;

1 beginning July 1, 2002 these rates are reduced to the level of  
2 the rates in effect on March 31, 2002, as defined by the  
3 Department.

4 For facilities licensed by the Department of Public Health  
5 under the Nursing Home Care Act as skilled nursing facilities  
6 or intermediate care facilities, the rates taking effect on  
7 July 1, 2001 shall be computed using the most recent cost  
8 reports on file with the Department of Public Aid no later than  
9 April 1, 2000, updated for inflation to January 1, 2001. For  
10 rates effective July 1, 2001 only, rates shall be the greater  
11 of the rate computed for July 1, 2001 or the rate effective on  
12 June 30, 2001.

13 Notwithstanding any other provision of this Section, for  
14 facilities licensed by the Department of Public Health under  
15 the Nursing Home Care Act as skilled nursing facilities or  
16 intermediate care facilities, the Illinois Department shall  
17 determine by rule the rates taking effect on July 1, 2002,  
18 which shall be 5.9% less than the rates in effect on June 30,  
19 2002.

20 Notwithstanding any other provision of this Section, for  
21 facilities licensed by the Department of Public Health under  
22 the Nursing Home Care Act as skilled nursing facilities or  
23 intermediate care facilities, if the payment methodologies  
24 required under Section 5A-12 and the waiver granted under 42  
25 CFR 433.68 are approved by the United States Centers for  
26 Medicare and Medicaid Services, the rates taking effect on

1 July 1, 2004 shall be 3.0% greater than the rates in effect on  
2 June 30, 2004. These rates shall take effect only upon  
3 approval and implementation of the payment methodologies  
4 required under Section 5A-12.

5 Notwithstanding any other provisions of this Section, for  
6 facilities licensed by the Department of Public Health under  
7 the Nursing Home Care Act as skilled nursing facilities or  
8 intermediate care facilities, the rates taking effect on  
9 January 1, 2005 shall be 3% more than the rates in effect on  
10 December 31, 2004.

11 Notwithstanding any other provision of this Section, for  
12 facilities licensed by the Department of Public Health under  
13 the Nursing Home Care Act as skilled nursing facilities or  
14 intermediate care facilities, effective January 1, 2009, the  
15 per diem support component of the rates effective on January  
16 1, 2008, computed using the most recent cost reports on file  
17 with the Department of Healthcare and Family Services no later  
18 than April 1, 2005, updated for inflation to January 1, 2006,  
19 shall be increased to the amount that would have been derived  
20 using standard Department of Healthcare and Family Services  
21 methods, procedures, and inflators.

22 Notwithstanding any other provisions of this Section, for  
23 facilities licensed by the Department of Public Health under  
24 the Nursing Home Care Act as intermediate care facilities that  
25 are federally defined as Institutions for Mental Disease, or  
26 facilities licensed by the Department of Public Health under

1 the Specialized Mental Health Rehabilitation Act of 2013, a  
2 socio-development component rate equal to 6.6% of the  
3 facility's nursing component rate as of January 1, 2006 shall  
4 be established and paid effective July 1, 2006. The  
5 socio-development component of the rate shall be increased by  
6 a factor of 2.53 on the first day of the month that begins at  
7 least 45 days after January 11, 2008 (the effective date of  
8 Public Act 95-707). As of August 1, 2008, the  
9 socio-development component rate shall be equal to 6.6% of the  
10 facility's nursing component rate as of January 1, 2006,  
11 multiplied by a factor of 3.53. For services provided on or  
12 after April 1, 2011, or the first day of the month that begins  
13 at least 45 days after the effective date of this amendatory  
14 Act of the 96th General Assembly, whichever is later, the  
15 Illinois Department may by rule adjust these socio-development  
16 component rates, and may use different adjustment  
17 methodologies for those facilities participating, and those  
18 not participating, in the Illinois Department's demonstration  
19 program pursuant to the provisions of Title 77, Part 300,  
20 Subpart T of the Illinois Administrative Code, but in no case  
21 may such rates be diminished below those in effect on August 1,  
22 2008.

23 For facilities licensed by the Department of Public Health  
24 under the Nursing Home Care Act as Intermediate Care for the  
25 Developmentally Disabled facilities or as long-term care  
26 facilities for residents under 22 years of age, the rates

1 taking effect on July 1, 2003 shall include a statewide  
2 increase of 4%, as defined by the Department.

3 For facilities licensed by the Department of Public Health  
4 under the Nursing Home Care Act as Intermediate Care for the  
5 Developmentally Disabled facilities or Long Term Care for  
6 Under Age 22 facilities, the rates taking effect on the first  
7 day of the month that begins at least 45 days after the  
8 effective date of this amendatory Act of the 95th General  
9 Assembly shall include a statewide increase of 2.5%, as  
10 defined by the Department.

11 Notwithstanding any other provision of this Section, for  
12 facilities licensed by the Department of Public Health under  
13 the Nursing Home Care Act as skilled nursing facilities or  
14 intermediate care facilities, effective January 1, 2005,  
15 facility rates shall be increased by the difference between  
16 (i) a facility's per diem property, liability, and malpractice  
17 insurance costs as reported in the cost report filed with the  
18 Department of Public Aid and used to establish rates effective  
19 July 1, 2001 and (ii) those same costs as reported in the  
20 facility's 2002 cost report. These costs shall be passed  
21 through to the facility without caps or limitations, except  
22 for adjustments required under normal auditing procedures.

23 Rates established effective each July 1 shall govern  
24 payment for services rendered throughout that fiscal year,  
25 except that rates established on July 1, 1996 shall be  
26 increased by 6.8% for services provided on or after January 1,



1 1997. Such rates will be based upon the rates calculated for  
2 the year beginning July 1, 1990, and for subsequent years  
3 thereafter until June 30, 2001 shall be based on the facility  
4 cost reports for the facility fiscal year ending at any point  
5 in time during the previous calendar year, updated to the  
6 midpoint of the rate year. The cost report shall be on file  
7 with the Department no later than April 1 of the current rate  
8 year. Should the cost report not be on file by April 1, the  
9 Department shall base the rate on the latest cost report filed  
10 by each skilled care facility and intermediate care facility,  
11 updated to the midpoint of the current rate year. In  
12 determining rates for services rendered on and after July 1,  
13 1985, fixed time shall not be computed at less than zero. The  
14 Department shall not make any alterations of regulations which  
15 would reduce any component of the Medicaid rate to a level  
16 below what that component would have been utilizing in the  
17 rate effective on July 1, 1984.

18 (2) Shall take into account the actual costs incurred by  
19 facilities in providing services for recipients of skilled  
20 nursing and intermediate care services under the medical  
21 assistance program.

22 (3) Shall take into account the medical and psycho-social  
23 characteristics and needs of the patients.

24 (4) Shall take into account the actual costs incurred by  
25 facilities in meeting licensing and certification standards  
26 imposed and prescribed by the State of Illinois, any of its

1 political subdivisions or municipalities and by the U.S.  
2 Department of Health and Human Services pursuant to Title XIX  
3 of the Social Security Act.

4 The Department of Healthcare and Family Services shall  
5 develop precise standards for payments to reimburse nursing  
6 facilities for any utilization of appropriate rehabilitative  
7 personnel for the provision of rehabilitative services which  
8 is authorized by federal regulations, including reimbursement  
9 for services provided by qualified therapists or qualified  
10 assistants, and which is in accordance with accepted  
11 professional practices. Reimbursement also may be made for  
12 utilization of other supportive personnel under appropriate  
13 supervision.

14 The Department shall develop enhanced payments to offset  
15 the additional costs incurred by a facility serving  
16 exceptional need residents and shall allocate at least  
17 \$4,000,000 of the funds collected from the assessment  
18 established by Section 5B-2 of this Code for such payments.  
19 For the purpose of this Section, "exceptional needs" means,  
20 but need not be limited to, ventilator care and traumatic  
21 brain injury care. The enhanced payments for exceptional need  
22 residents under this paragraph are not due and payable,  
23 however, until (i) the methodologies described in this  
24 paragraph are approved by the federal government in an  
25 appropriate State Plan amendment and (ii) the assessment  
26 imposed by Section 5B-2 of this Code is determined to be a

1 permissible tax under Title XIX of the Social Security Act.

2 Beginning January 1, 2014 the methodologies for  
3 reimbursement of nursing facility services as provided under  
4 this Section 5-5.4 shall no longer be applicable for services  
5 provided on or after January 1, 2014.

6 No payment increase under this Section for the MDS  
7 methodology, exceptional care residents, or the  
8 socio-development component rate established by Public Act  
9 96-1530 of the 96th General Assembly and funded by the  
10 assessment imposed under Section 5B-2 of this Code shall be  
11 due and payable until after the Department notifies the  
12 long-term care providers, in writing, that the payment  
13 methodologies to long-term care providers required under this  
14 Section have been approved by the Centers for Medicare and  
15 Medicaid Services of the U.S. Department of Health and Human  
16 Services and the waivers under 42 CFR 433.68 for the  
17 assessment imposed by this Section, if necessary, have been  
18 granted by the Centers for Medicare and Medicaid Services of  
19 the U.S. Department of Health and Human Services. Upon  
20 notification to the Department of approval of the payment  
21 methodologies required under this Section and the waivers  
22 granted under 42 CFR 433.68, all increased payments otherwise  
23 due under this Section prior to the date of notification shall  
24 be due and payable within 90 days of the date federal approval  
25 is received.

26 On and after July 1, 2012, the Department shall reduce any

1 rate of reimbursement for services or other payments or alter  
2 any methodologies authorized by this Code to reduce any rate  
3 of reimbursement for services or other payments in accordance  
4 with Section 5-5e.

5 For facilities licensed by the Department of Public Health  
6 under the ID/DD Community Care Act as ID/DD Facilities and  
7 under the MC/DD Act as MC/DD Facilities, subject to federal  
8 approval, the rates taking effect for services delivered on or  
9 after August 1, 2019 shall be increased by 3.5% over the rates  
10 in effect on June 30, 2019. The Department shall adopt rules,  
11 including emergency rules under subsection (ii) of Section  
12 5-45 of the Illinois Administrative Procedure Act, to  
13 implement the provisions of this Section, including wage  
14 increases for direct care staff.

15 For facilities licensed by the Department of Public Health  
16 under the ID/DD Community Care Act as ID/DD Facilities and  
17 under the MC/DD Act as MC/DD Facilities, subject to federal  
18 approval, the rates taking effect on the latter of the  
19 approval date of the State Plan Amendment for these facilities  
20 or the Waiver Amendment for the home and community-based  
21 services settings shall include an increase sufficient to  
22 provide a \$0.26 per hour wage increase to the base wage for  
23 non-executive staff. The Department shall adopt rules,  
24 including emergency rules as authorized by Section 5-45 of the  
25 Illinois Administrative Procedure Act, to implement the  
26 provisions of this Section, including wage increases for

1 direct care staff.

2 For facilities licensed by the Department of Public Health  
3 under the ID/DD Community Care Act as ID/DD Facilities and  
4 under the MC/DD Act as MC/DD Facilities, subject to federal  
5 approval of the State Plan Amendment and the Waiver Amendment  
6 for the home and community-based services settings, the rates  
7 taking effect for the services delivered on or after July 1,  
8 2020 shall include an increase sufficient to provide a \$1.00  
9 per hour wage increase for non-executive staff. For services  
10 delivered on or after January 1, 2021, subject to federal  
11 approval of the State Plan Amendment and the Waiver Amendment  
12 for the home and community-based services settings, shall  
13 include an increase sufficient to provide a \$0.50 per hour  
14 increase for non-executive staff. The Department shall adopt  
15 rules, including emergency rules as authorized by Section 5-45  
16 of the Illinois Administrative Procedure Act, to implement the  
17 provisions of this Section, including wage increases for  
18 direct care staff.

19 For facilities licensed by the Department of Public Health  
20 under the ID/DD Community Care Act as ID/DD Facilities and  
21 under the MC/DD Act as MC/DD Facilities, subject to federal  
22 approval of the State Plan Amendment, the rates taking effect  
23 for the residential services delivered on or after July 1,  
24 2021, shall include an increase sufficient to provide a \$0.50  
25 per hour increase for aides in the rate methodology. For  
26 facilities licensed by the Department of Public Health under

1 the ID/DD Community Care Act as ID/DD Facilities and under the  
2 MC/DD Act as MC/DD Facilities, subject to federal approval of  
3 the State Plan Amendment, the rates taking effect for the  
4 residential services delivered on or after January 1, 2022  
5 shall include an increase sufficient to provide a \$1.00 per  
6 hour increase for aides in the rate methodology. In addition,  
7 for residential services delivered on or after January 1, 2022  
8 such rates shall include an increase sufficient to provide  
9 wages for all residential non-executive direct care staff,  
10 excluding aides, at the federal Department of Labor, Bureau of  
11 Labor Statistics' average wage as defined in rule by the  
12 Department. The Department shall adopt rules, including  
13 emergency rules as authorized by Section 5-45 of the Illinois  
14 Administrative Procedure Act, to implement the provisions of  
15 this Section.

16 For facilities licensed by the Department of Public Health  
17 under the ID/DD Community Care Act as ID/DD facilities and  
18 under the MC/DD Act as MC/DD facilities, subject to federal  
19 approval of the State Plan Amendment, the rates taking effect  
20 for services delivered on or after January 1, 2023, shall  
21 include a \$1.00 per hour wage increase for all direct support  
22 personnel and all other frontline personnel who are not  
23 subject to the Bureau of Labor Statistics' average wage  
24 increases, who work in residential and community day services  
25 settings, with at least \$0.50 of those funds to be provided as  
26 a direct increase to all aide base wages, with the remaining

1 \$0.50 to be used flexibly for base wage increases to the rate  
2 methodology for aides. In addition, for residential services  
3 delivered on or after January 1, 2023 the rates shall include  
4 an increase sufficient to provide wages for all residential  
5 non-executive direct care staff, excluding aides, at the  
6 federal Department of Labor, Bureau of Labor Statistics'  
7 average wage as determined by the Department. Also, for  
8 services delivered on or after January 1, 2023, the rates will  
9 include adjustments to employment-related expenses as defined  
10 in rule by the Department. The Department shall adopt rules,  
11 including emergency rules as authorized by Section 5-45 of the  
12 Illinois Administrative Procedure Act, to implement the  
13 provisions of this Section.

14 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;  
15 102-16, eff. 6-17-21.)

16 ARTICLE 15.

17 Section 15-2. The Counties Code is amended by adding  
18 Section 3-6007.5 as follows:

19 (55 ILCS 5/3-6007.5 new)

20 Sec. 3-6007.5. Sheriff's salary.

21 (a) As used in this Section, "salary" is exclusive of any  
22 other compensation or benefits.

23 (b) The salary of a sheriff elected or appointed after the

1 effective date of this amendatory Act of the 102nd General  
2 Assembly in a non-home rule county shall not be less than 80%  
3 of the salary set for the State's Attorney under Section  
4 4-2001 for the county in which the sheriff is elected or  
5 appointed.

6 (c) The State shall furnish 66 2/3% of the total annual  
7 salary to be paid to a sheriff. Said amounts furnished by the  
8 State shall be payable monthly by the Department of Revenue  
9 out of the Personal Property Tax Replacement Fund or the  
10 General Revenue Fund to the county in which the sheriff is  
11 elected or appointed. The county shall furnish 33 1/3% of the  
12 total annual salary.

13 Section 15-5. The School Code is amended by changing  
14 Section 10-22.36 and by adding Section 13-44.6 as follows:

15 (105 ILCS 5/10-22.36) (from Ch. 122, par. 10-22.36)

16 Sec. 10-22.36. Buildings for school purposes.

17 (a) To build or purchase a building for school classroom  
18 or instructional purposes upon the approval of a majority of  
19 the voters upon the proposition at a referendum held for such  
20 purpose or in accordance with Section 17-2.11, 19-3.5, or  
21 19-3.10. The board may initiate such referendum by resolution.  
22 The board shall certify the resolution and proposition to the  
23 proper election authority for submission in accordance with  
24 the general election law.



1           The questions of building one or more new buildings for  
2 school purposes or office facilities, and issuing bonds for  
3 the purpose of borrowing money to purchase one or more  
4 buildings or sites for such buildings or office sites, to  
5 build one or more new buildings for school purposes or office  
6 facilities or to make additions and improvements to existing  
7 school buildings, may be combined into one or more  
8 propositions on the ballot.

9           Before erecting, or purchasing or remodeling such a  
10 building the board shall submit the plans and specifications  
11 respecting heating, ventilating, lighting, seating, water  
12 supply, toilets and safety against fire to the regional  
13 superintendent of schools having supervision and control over  
14 the district, for approval in accordance with Section 2-3.12.

15           Notwithstanding any of the foregoing, no referendum shall  
16 be required if the purchase, construction, or building of any  
17 such building (1) occurs while the building is being leased by  
18 the school district or (2) is paid with (A) funds derived from  
19 the sale or disposition of other buildings, land, or  
20 structures of the school district or (B) funds received (i) as  
21 a grant under the School Construction Law or (ii) as gifts or  
22 donations, provided that no funds to purchase, construct, or  
23 build such building, other than lease payments, are derived  
24 from the district's bonded indebtedness or the tax levy of the  
25 district.

26           Notwithstanding any of the foregoing, no referendum shall

1 be required if the purchase, construction, or building of any  
2 such building is paid with funds received from the County  
3 School Facility and Resources Occupation Tax Law under Section  
4 5-1006.7 of the Counties Code or from the proceeds of bonds or  
5 other debt obligations secured by revenues obtained from that  
6 Law.

7 Notwithstanding any of the foregoing, for Decatur School  
8 District Number 61, no referendum shall be required if at  
9 least 50% of the cost of the purchase, construction, or  
10 building of any such building is paid, or will be paid, with  
11 funds received or expected to be received as part of, or  
12 otherwise derived from, any COVID-19 pandemic relief program  
13 or funding source, including, but not limited to, Elementary  
14 and Secondary School Emergency Relief Fund grant proceeds.

15 (b) Notwithstanding the provisions of subsection (a), for  
16 any school district: (i) that is a tier 1 school, (ii) that has  
17 a population of less than 50,000 inhabitants, (iii) whose  
18 student population is between 5,800 and 6,300, (iv) in which  
19 57% to 62% of students are low-income, and (v) whose average  
20 district spending is between \$10,000 to \$12,000 per pupil,  
21 until July 1, 2025, no referendum shall be required if at least  
22 50% ~~70%~~ of the cost of the purchase, construction, or building  
23 of any such building is paid, or will be paid, with funds  
24 received or expected to be received as part of, or otherwise  
25 derived from, the federal Consolidated Appropriations Act and  
26 the federal American Rescue Plan Act of 2021.

1           For this subsection (b), the school board must hold at  
2           least 2 public hearings, the sole purpose of which shall be to  
3           discuss the decision to construct a school building and to  
4           receive input from the community. The notice of each public  
5           hearing that sets forth the time, date, place, and name or  
6           description of the school building that the school board is  
7           considering constructing must be provided at least 10 days  
8           prior to the hearing by publication on the school board's  
9           Internet website.

10          (Source: P.A. 101-455, eff. 8-23-19; 102-16, eff. 6-17-21.)

11           (105 ILCS 5/13-44.6 new)

12           Sec. 13-44.6. Department of Juvenile Justice Reimbursement  
13           and Education Fund; budget. Beginning July 1, 2022, all moneys  
14           received by the Department of Juvenile Justice from the Common  
15           School Fund, federal aid and grants, vocational and  
16           educational funds and grants, and gifts and grants by  
17           individuals, foundations and corporations for educational  
18           purposes shall be deposited into the Department of Juvenile  
19           Justice Reimbursement and Education Fund in the State  
20           Treasury. Moneys in the Department of Juvenile Justice  
21           Reimbursement and Education Fund may be used, subject to  
22           appropriation, to pay the expense of the schools and school  
23           district of the Department of Juvenile Justice together with  
24           and supplemental to regular appropriations to the Department  
25           for educational purposes, including, but not limited to, the

1 cost of teacher salaries, supplies and materials, building  
2 upkeep and costs, transportation, scholarships, non-academic  
3 salaries, contractual services, equipment, and other school  
4 costs.

5 Section 15-10. The Unified Code of Corrections is amended  
6 by changing Section 3-4-1 as follows:

7 (730 ILCS 5/3-4-1) (from Ch. 38, par. 1003-4-1)

8 Sec. 3-4-1. Gifts and Grants; Special Trusts Funds;  
9 Department of Corrections Reimbursement and Education Fund.

10 (a) The Department may accept, receive and use, for and in  
11 behalf of the State, any moneys, goods or services given for  
12 general purposes of this Code by the federal government or  
13 from any other source, public or private, including  
14 collections from inmates, reimbursement of payments under the  
15 Workers' Compensation Act, and commissions from inmate collect  
16 call telephone systems under an agreement with the Department  
17 of Central Management Services. For these purposes the  
18 Department may comply with such conditions and enter into such  
19 agreements upon such covenants, terms, and conditions as the  
20 Department may deem necessary or desirable, if the agreement  
21 is not in conflict with State law.

22 (a-5) Beginning January 1, 2018, the Department of Central  
23 Management Services shall contract with the qualified vendor  
24 who proposes the lowest per minute rate not exceeding 7 cents

1 per minute for debit, prepaid, collect calls and who does not  
2 bill to any party any tax, service charge, or additional fee  
3 exceeding the per minute rate, including, but not limited to,  
4 any per call surcharge, account set up fee, bill statement  
5 fee, monthly account maintenance charge, or refund fee as  
6 established by the Federal Communications Commission Order for  
7 state prisons in the Matter of Rates for Interstate Inmate  
8 Calling Services, Second Report and Order, WC Docket 12-375,  
9 FCC 15-136 (adopted Oct. 22, 2015). Telephone services made  
10 available through a prepaid or collect call system shall  
11 include international calls; those calls shall be made  
12 available at reasonable rates subject to Federal  
13 Communications Commission rules and regulations, but not to  
14 exceed 23 cents per minute. Public Act 99-878 ~~This amendatory~~  
15 ~~Act of the 99th General Assembly~~ applies to any new or renewal  
16 contract for inmate calling services.

17 (b) On July 1, 1998, the Department of Corrections  
18 Reimbursement Fund and the Department of Corrections Education  
19 Fund shall be combined into a single fund to be known as the  
20 Department of Corrections Reimbursement and Education Fund,  
21 which is hereby created as a special fund in the State  
22 Treasury. The moneys deposited into the Department of  
23 Corrections Reimbursement and Education Fund shall be  
24 appropriated to the Department of Corrections for the expenses  
25 of the Department.

26 The following shall be deposited into the Department of

1 Corrections Reimbursement and Education Fund:

2 (i) Moneys received or recovered by the Department of  
3 Corrections as reimbursement for expenses incurred for the  
4 incarceration of committed persons.

5 (ii) Moneys received or recovered by the Department as  
6 reimbursement of payments made under the Workers'  
7 Compensation Act.

8 (iii) Moneys received by the Department as commissions  
9 from inmate collect call telephone systems.

10 (iv) Moneys received or recovered by the Department as  
11 reimbursement for expenses incurred by the employment of  
12 persons referred to the Department as participants in the  
13 federal Job Training Partnership Act programs.

14 (v) Federal moneys, including reimbursement and  
15 advances for services rendered or to be rendered and  
16 moneys for other than educational purposes, under grant or  
17 contract.

18 (vi) Moneys identified for deposit into the Fund under  
19 Section 13-44.4 of the School Code.

20 (vii) Moneys in the Department of Corrections  
21 Reimbursement Fund and the Department of Corrections  
22 Education Fund at the close of business on June 30, 1998.

23 (c) The Department of Juvenile Justice Reimbursement and  
24 Education Fund is created as a special fund in the State  
25 Treasury. The moneys deposited into the Department of Juvenile  
26 Justice Reimbursement Fund and Education shall be appropriated

1 to the Department of Juvenile Justice for the expenses of the  
2 Department. The following moneys shall be deposited into the  
3 Department of Juvenile Justice Reimbursement Fund and  
4 Education Fund:

5 (i) received or recovered by the Department of  
6 Juvenile Justice as reimbursement for expenses incurred  
7 for the incarceration of committed youth;

8 (ii) received or recovered by the Department as  
9 reimbursement of payments made under the Workers'  
10 Compensation Act;

11 (iii) received or recovered by the Department as  
12 reimbursement for expenses incurred by the employment of  
13 persons referred to the Department as participants in the  
14 federal Job Training Partnership Act programs;

15 (iv) federal moneys, including reimbursement and  
16 advances for services rendered or to be rendered and  
17 moneys for other than educational purposes, under grant or  
18 contract; and

19 (v) moneys identified for deposit into the Fund under  
20 Section 13-44.6 ~~13-44.4~~ of the School Code.

21 (Source: P.A. 102-350, eff. 8-13-21.)

22 Article 20.

23 Section 20-1. Short title. This Article may be cited as  
24 the Rebuild Illinois Mental Health Workforce Act. References

1 in this Article to "this Act" mean this Article.

2 Section 20-5. Purpose. The purpose of this Act is to  
3 preserve and expand access to Medicaid community mental health  
4 care in Illinois to prevent unnecessary hospitalizations and  
5 avoid the criminalization of mental health conditions.

6 Section 20-10. Medicaid funding for community mental  
7 health services. Medicaid funding for the specific community  
8 mental health services listed in this Act shall be adjusted  
9 and paid as set forth in this Act. Such payments shall be paid  
10 in addition to the base Medicaid reimbursement rate and add-on  
11 payment rates per service unit. The payment adjustments shall  
12 begin on July 1, 2022 for State Fiscal Year 2023 and shall  
13 continue for every State fiscal year thereafter.

14 (1) Individual Therapy Medicaid Payment rate for  
15 services provided under the H0004 Code:

16 (A) The Medicaid total payment rate for individual  
17 therapy provided by a qualified mental health  
18 professional shall be increased by no less than \$9 per  
19 service unit.

20 (B) The Medicaid total payment rate for individual  
21 therapy provided by a mental health professional shall  
22 be increased by no less than \$9 per service unit.

23 (2) Community Support - Individual Medicaid Payment  
24 rate for services provided under the H2015 Code: All



1 community support - individual services shall be increased  
2 by no less than \$15 per service unit.

3 (3) Case Management Medicaid Add-on Payment for  
4 services provided under the T1016 code: All case  
5 management services rates shall be increased by no less  
6 than \$15 per service unit.

7 (4) Assertive Community Treatment Medicaid Add-on  
8 Payment for services provided under the H0039 code: The  
9 Medicaid total payment rate for assertive community  
10 treatment services shall increase by no less than \$8 per  
11 service unit.

12 (5) Medicaid user-based directed payments.

13 (A) For each State fiscal year, a monthly directed  
14 payment shall be paid to a community mental health  
15 provider of community support team services based on  
16 the number of Medicaid users of community support team  
17 services documented by Medicaid fee-for-service and  
18 managed care encounter claims delivered by that  
19 provider in the base year. The Department of  
20 Healthcare and Family Services shall make the monthly  
21 directed payment to each provider entitled to directed  
22 payments under this Act by no later than the last day  
23 of each month throughout each State fiscal year.

24 (i) The monthly directed payment for a  
25 community support team provider shall be  
26 calculated as follows: The sum total number of

1 individual Medicaid users of community support  
2 team services delivered by that provider  
3 throughout the base year, multiplied by \$4,200 per  
4 Medicaid user, divided into 12 equal monthly  
5 payments for the State fiscal year.

6 (ii) As used in this subparagraph, "user"  
7 means an individual who received at least 200  
8 units of community support team services (H2016)  
9 during the base year.

10 (B) For each State fiscal year, a monthly directed  
11 payment shall be paid to each community mental health  
12 provider of assertive community treatment services  
13 based on the number of Medicaid users of assertive  
14 community treatment services documented by Medicaid  
15 fee-for-service and managed care encounter claims  
16 delivered by the provider in the base year.

17 (i) The monthly direct payment for an  
18 assertive community treatment provider shall be  
19 calculated as follows: The sum total number of  
20 Medicaid users of assertive community treatment  
21 services provided by that provider throughout the  
22 base year, multiplied by \$6,000 per Medicaid user,  
23 divided into 12 equal monthly payments for that  
24 State fiscal year.

25 (ii) As used in this subparagraph, "user"  
26 means an individual that received at least 300

1 units of assertive community treatment services  
2 during the base year.

3 (C) The base year for directed payments under this  
4 Section shall be calendar year 2019 for State Fiscal  
5 Year 2023 and State Fiscal Year 2024. For the State  
6 fiscal year beginning on July 1, 2024, and for every  
7 State fiscal year thereafter, the base year shall be  
8 the calendar year that ended 18 months prior to the  
9 start of the State fiscal year in which payments are  
10 made.

11 Section 20-15. Applicable Medicaid services. The payments  
12 listed in Section 20-10 shall apply to Medicaid services  
13 provided through contracts with any Medicaid managed care  
14 organization or entity and for Medicaid services paid for  
15 directly by the Department of Healthcare and Family Services.

16 Section 20-20. Base Medicaid rates or add-on payments. No  
17 base Medicaid rate or Medicaid rate add-on payment or any  
18 other payment for the provision of Medicaid community mental  
19 health services in place on July 1, 2021 shall be diminished or  
20 changed to make the reimbursement changes required by this  
21 Act. Any payments required under this Act that are delayed due  
22 to implementation challenges or federal approval shall be made  
23 retroactive to July 1, 2022 for the full amount required by  
24 this Act regardless of the amount a provider bills Illinois'

1 Medical Assistance Program (via a Medicaid managed care  
2 organization or the Department of Healthcare and Family  
3 Services directly) for such services.

4 Section 20-25. Federal approval and Medicaid federal  
5 financial participation. The Department of Healthcare and  
6 Family Services shall submit any necessary application to the  
7 federal Centers for Medicare and Medicaid Services immediately  
8 following the effective date of this Act for purposes of  
9 implementation of this Act. The payments required under this  
10 Act shall only be required as long as Illinois receives  
11 federal financial participation for such payments.

12 Article 25.

13 Section 25-1. Short title. This Article may be cited as  
14 the Substance Use Disorder Rate Equity Act.

15 Section 25-5. Funding for licensed or certified  
16 community-based substance use disorder treatment providers and  
17 services. Beginning in State Fiscal Year 2023, and every State  
18 fiscal year thereafter, the General Assembly shall appropriate  
19 sufficient funds to the Department of Human Services for  
20 reimbursement rates for licensed or certified community-based  
21 substance use disorder treatment providers and services under  
22 community service grant programs for persons with substance

1 use disorders, including, but not limited to, all of the  
2 following services:

3 (1) Admission and Discharge Assessment.

4 (2) Level 1 (Individual).

5 (3) Level 1 (Group).

6 (4) Level 2 (Individual).

7 (5) Level 2 (Group).

8 (6) Case Management.

9 (7) Psychiatric Evaluation.

10 (8) Medication Assisted Recovery.

11 (9) Community Intervention.

12 (10) Early Intervention (Individual).

13 (11) Early Intervention (Group).

14 Reimbursement rates for such services shall be adjusted  
15 upward by an amount equal to the Consumer Price Index-U from  
16 the previous year, not to exceed 2% in any State fiscal year.  
17 If there is a decrease in the Consumer Price Index-U, rates  
18 shall remain unchanged for that State fiscal year. The  
19 Department shall adopt rules, including emergency rules in  
20 accordance with the Illinois Administrative Procedure Act, to  
21 implement the provisions of this Section.

22 For the purposes of this Section, "consumer price index-u"  
23 means the index published by the Bureau of Labor Statistics of  
24 the United States Department of Labor that measures the  
25 average change in prices of goods and services purchased by  
26 all urban consumers, United States city average, all items,

1 1982-84 = 100.

2 Article 26.

3 Section 26-5. The Illinois Administrative Procedure Act is  
4 amended by adding Section 5-45.24 as follows:

5 (5 ILCS 100/5-45.24 new)

6 Sec. 5-45.24. Emergency rulemaking; Departments of  
7 Healthcare and Family Services and Human Services. To provide  
8 for the expeditious and timely implementation of the Substance  
9 Use Disorder Rate Equity Act, Section 55-30 of the Substance  
10 Use Disorder Act, and Section 5-5.05a of the Illinois Public  
11 Aid Code, emergency rules implementing the Substance Use  
12 Disorder Rate Equity Act and changes made to Section 55-30 of  
13 the Substance Use Disorder Act and Section 5-5.05a of the  
14 Illinois Public Aid Code may be adopted in accordance with  
15 Section 5-45 by the respective Department. The adoption of  
16 emergency rules authorized by Section 5-45 and this Section is  
17 deemed to be necessary for the public interest, safety, and  
18 welfare.

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

21 Section 26-10. The Substance Use Disorder Act is amended  
22 by changing Section 55-30 as follows:

1 (20 ILCS 301/55-30)

2 Sec. 55-30. Rate increase.

3 (a) The Department shall by rule develop the increased  
4 rate methodology and annualize the increased rate beginning  
5 with State fiscal year 2018 contracts to licensed providers of  
6 community-based substance use disorder intervention or  
7 treatment, based on the additional amounts appropriated for  
8 the purpose of providing a rate increase to licensed  
9 providers. The Department shall adopt rules, including  
10 emergency rules under subsection (y) of Section 5-45 of the  
11 Illinois Administrative Procedure Act, to implement the  
12 provisions of this Section.

13 (b) (Blank). ~~Within 30 days after June 4, 2018 (the~~  
14 ~~effective date of Public Act 100-587), the Division of~~  
15 ~~Substance Use Prevention and Recovery shall apply an increase~~  
16 ~~in rates of 3% above the rate paid on June 30, 2017 to all~~  
17 ~~Medicaid and non-Medicaid reimbursable service rates. The~~  
18 ~~Department shall adopt rules, including emergency rules under~~  
19 ~~subsection (bb) of Section 5-45 of the Illinois Administrative~~  
20 ~~Procedure Act, to implement the provisions of this subsection~~  
21 ~~(b).~~

22 (c) Beginning on July 1, 2022, the Division of Substance  
23 Use Prevention and Recovery shall increase reimbursement rates  
24 for all community-based substance use disorder treatment and  
25 intervention services by 47%, including, but not limited to,

1 all of the following:

2 (1) Admission and Discharge Assessment.

3 (2) Level 1 (Individual).

4 (3) Level 1 (Group).

5 (4) Level 2 (Individual).

6 (5) Level 2 (Group).

7 (6) Case Management.

8 (7) Psychiatric Evaluation.

9 (8) Medication Assisted Recovery.

10 (9) Community Intervention.

11 (10) Early Intervention (Individual).

12 (11) Early Intervention (Group).

13 Beginning in State Fiscal Year 2023, and every State  
14 fiscal year thereafter, reimbursement rates for those  
15 community-based substance use disorder treatment and  
16 intervention services shall be adjusted upward by an amount  
17 equal to the Consumer Price Index-U from the previous year,  
18 not to exceed 2% in any State fiscal year. If there is a  
19 decrease in the Consumer Price Index-U, rates shall remain  
20 unchanged for that State fiscal year. The Department shall  
21 adopt rules, including emergency rules in accordance with the  
22 Illinois Administrative Procedure Act, to implement the  
23 provisions of this Section.

24 As used in this subsection, "consumer price index-u" means  
25 the index published by the Bureau of Labor Statistics of the  
26 United States Department of Labor that measures the average



1 change in prices of goods and services purchased by all urban  
2 consumers, United States city average, all items, 1982-84 =  
3 100.

4 (Source: P.A. 100-23, eff. 7-6-17; 100-587, eff. 6-4-18;  
5 100-759, eff. 1-1-19; 101-81, eff. 7-12-19.)

6 Section 26-15. Illinois Public Aid Code is amended by  
7 adding Section 5-45 as follows:

8 (305 ILCS 5/5-45 new)

9 Sec. 5-45. Reimbursement rates; substance use disorder  
10 treatment providers and facilities. Beginning on July 1, 2022,  
11 the Department of Human Services' Division of Substance Use  
12 Prevention and Recovery in conjunction with the Department of  
13 Healthcare and Family Services, shall provide for an increase  
14 in reimbursement rates by way of an increase to existing rates  
15 of 47% for all community-based substance use disorder  
16 treatment services, including, but not limited to, all of the  
17 following:

- 18 (1) Admission and Discharge Assessment.  
19 (2) Level 1 (Individual).  
20 (3) Level 1 (Group).  
21 (4) Level 2 (Individual).  
22 (5) Level 2 (Group).  
23 (6) Psychiatric/Diagnostic.  
24 (7) Medication Monitoring (Individual).

1           (8) Methadone as an Adjunct to Treatment.

2           No existing or future reimbursement rates or add-ons shall  
3 be reduced or changed to address the rate increase proposed  
4 under this Section. The Department of Healthcare and Family  
5 Services shall immediately, no later than 3 months following  
6 the effective date of this amendatory Act of the 102nd General  
7 Assembly, submit any necessary application to the federal  
8 Centers for Medicare and Medicaid Services for a waiver or  
9 State Plan amendment to implement the requirements of this  
10 Section. Beginning in State Fiscal year 2023, and every State  
11 fiscal year thereafter, reimbursement rates for those  
12 community-based substance use disorder treatment services  
13 shall be adjusted upward by an amount equal to the Consumer  
14 Price Index-U from the previous year, not to exceed 2% in any  
15 State fiscal year. If there is a decrease in the Consumer Price  
16 Index-U, rates shall remain unchanged for that State fiscal  
17 year. The Department of Human Services shall adopt rules,  
18 including emergency rules under Section 5-45.1 of the Illinois  
19 Administrative Procedure Act, to implement the provisions of  
20 this Section.

21           As used in this Section, "consumer price index-u" means  
22 the index published by the Bureau of Labor Statistics of the  
23 United States Department of Labor that measures the average  
24 change in prices of goods and services purchased by all urban  
25 consumers, United States city average, all items, 1982-84 =  
26 100.

1 ARTICLE 30.

2 Section 30-5. The Sexual Assault Survivors Emergency  
3 Treatment Act is amended by changing Sections 7 and 7-1 as  
4 follows:

5 (410 ILCS 70/7) (from Ch. 111 1/2, par. 87-7)

6 Sec. 7. Reimbursement.

7 (a) A hospital, approved pediatric health care facility,  
8 or health care professional furnishing medical forensic  
9 services, an ambulance provider furnishing transportation to a  
10 sexual assault survivor, a hospital, health care professional,  
11 or laboratory providing follow-up healthcare, or a pharmacy  
12 dispensing prescribed medications to any sexual assault  
13 survivor shall furnish such services or medications to that  
14 person without charge and shall seek payment as follows:

15 (1) If a sexual assault survivor is eligible to  
16 receive benefits under the medical assistance program  
17 under Article V of the Illinois Public Aid Code, the  
18 ambulance provider, hospital, approved pediatric health  
19 care facility, health care professional, laboratory, or  
20 pharmacy must submit the bill to the Department of  
21 Healthcare and Family Services or the appropriate Medicaid  
22 managed care organization and accept the amount paid as  
23 full payment.

1           (2) If a sexual assault survivor is covered by one or  
2 more policies of health insurance or is a beneficiary  
3 under a public or private health coverage program, the  
4 ambulance provider, hospital, approved pediatric health  
5 care facility, health care professional, laboratory, or  
6 pharmacy shall bill the insurance company or program. With  
7 respect to such insured patients, applicable deductible,  
8 co-pay, co-insurance, denial of claim, or any other  
9 out-of-pocket insurance-related expense may be submitted  
10 to the Illinois Sexual Assault Emergency Treatment Program  
11 of the Department of Healthcare and Family Services in  
12 accordance with 89 Ill. Adm. Code 148.510 for payment at  
13 the Department of Healthcare and Family Services'  
14 allowable rates under the Illinois Public Aid Code. The  
15 ambulance provider, hospital, approved pediatric health  
16 care facility, health care professional, laboratory, or  
17 pharmacy shall accept the amounts paid by the insurance  
18 company or health coverage program and the Illinois Sexual  
19 Assault Treatment Program as full payment.

20           (3) If a sexual assault survivor is neither eligible  
21 to receive benefits under the medical assistance program  
22 under Article V of the Illinois Public Aid Code nor  
23 covered by a policy of insurance or a public or private  
24 health coverage program, the ambulance provider, hospital,  
25 approved pediatric health care facility, health care  
26 professional, laboratory, or pharmacy shall submit the

1 request for reimbursement to the Illinois Sexual Assault  
2 Emergency Treatment Program under the Department of  
3 Healthcare and Family Services in accordance with 89 Ill.  
4 Adm. Code 148.510 at the Department of Healthcare and  
5 Family Services' allowable rates under the Illinois Public  
6 Aid Code.

7 (4) If a sexual assault survivor presents a sexual  
8 assault services voucher for follow-up healthcare, the  
9 healthcare professional, pediatric health care facility,  
10 or laboratory that provides follow-up healthcare or the  
11 pharmacy that dispenses prescribed medications to a sexual  
12 assault survivor shall submit the request for  
13 reimbursement for follow-up healthcare, pediatric health  
14 care facility, laboratory, or pharmacy services to the  
15 Illinois Sexual Assault Emergency Treatment Program under  
16 the Department of Healthcare and Family Services in  
17 accordance with 89 Ill. Adm. Code 148.510 at the  
18 Department of Healthcare and Family Services' allowable  
19 rates under the Illinois Public Aid Code. Nothing in this  
20 subsection (a) precludes hospitals or approved pediatric  
21 health care facilities from providing follow-up healthcare  
22 and receiving reimbursement under this Section.

23 (b) Nothing in this Section precludes a hospital, health  
24 care provider, ambulance provider, laboratory, or pharmacy  
25 from billing the sexual assault survivor or any applicable  
26 health insurance or coverage for inpatient services.

1       (b-5) Medical forensic services furnished by a person or  
2 entity described under subsection (a) to any sexual assault  
3 survivor on or after July 1, 2022 that are required under this  
4 Act to be reimbursed by the Department of Healthcare and  
5 Family Services, the Illinois Sexual Assault Emergency  
6 Treatment Program under the Department of Healthcare and  
7 Family Services, or the appropriate Medicaid managed care  
8 organization shall be reimbursed at a rate of at least \$1,000.

9       (c) (Blank).

10       (d) (Blank). ~~On and after July 1, 2012, the Department~~  
11 ~~shall reduce any rate of reimbursement for services or other~~  
12 ~~payments or alter any methodologies authorized by this Act or~~  
13 ~~the Illinois Public Aid Code to reduce any rate of~~  
14 ~~reimbursement for services or other payments in accordance~~  
15 ~~with Section 5-5e of the Illinois Public Aid Code.~~

16       (e) The Department of Healthcare and Family Services shall  
17 establish standards, rules, and regulations to implement this  
18 Section.

19       (f) This Section is effective on and after January 1,  
20 2024.

21       (Source: P.A. 101-634, eff. 6-5-20; 102-22, eff. 6-25-21;  
22 102-674, eff. 11-30-21.)

23       (410 ILCS 70/7-1)

24       (Section scheduled to be repealed on December 31, 2023)

25       Sec. 7-1. Reimbursement

1 (a) A hospital, approved pediatric health care facility,  
2 approved federally qualified health center, or health care  
3 professional furnishing medical forensic services, an  
4 ambulance provider furnishing transportation to a sexual  
5 assault survivor, a hospital, health care professional, or  
6 laboratory providing follow-up healthcare, or a pharmacy  
7 dispensing prescribed medications to any sexual assault  
8 survivor shall furnish such services or medications to that  
9 person without charge and shall seek payment as follows:

10 (1) If a sexual assault survivor is eligible to  
11 receive benefits under the medical assistance program  
12 under Article V of the Illinois Public Aid Code, the  
13 ambulance provider, hospital, approved pediatric health  
14 care facility, approved federally qualified health center,  
15 health care professional, laboratory, or pharmacy must  
16 submit the bill to the Department of Healthcare and Family  
17 Services or the appropriate Medicaid managed care  
18 organization and accept the amount paid as full payment.

19 (2) If a sexual assault survivor is covered by one or  
20 more policies of health insurance or is a beneficiary  
21 under a public or private health coverage program, the  
22 ambulance provider, hospital, approved pediatric health  
23 care facility, approved federally qualified health center,  
24 health care professional, laboratory, or pharmacy shall  
25 bill the insurance company or program. With respect to  
26 such insured patients, applicable deductible, co-pay,

1 co-insurance, denial of claim, or any other out-of-pocket  
2 insurance-related expense may be submitted to the Illinois  
3 Sexual Assault Emergency Treatment Program of the  
4 Department of Healthcare and Family Services in accordance  
5 with 89 Ill. Adm. Code 148.510 for payment at the  
6 Department of Healthcare and Family Services' allowable  
7 rates under the Illinois Public Aid Code. The ambulance  
8 provider, hospital, approved pediatric health care  
9 facility, approved federally qualified health center,  
10 health care professional, laboratory, or pharmacy shall  
11 accept the amounts paid by the insurance company or health  
12 coverage program and the Illinois Sexual Assault Treatment  
13 Program as full payment.

14 (3) If a sexual assault survivor is neither eligible  
15 to receive benefits under the medical assistance program  
16 under Article V of the Illinois Public Aid Code nor  
17 covered by a policy of insurance or a public or private  
18 health coverage program, the ambulance provider, hospital,  
19 approved pediatric health care facility, approved  
20 federally qualified health center, health care  
21 professional, laboratory, or pharmacy shall submit the  
22 request for reimbursement to the Illinois Sexual Assault  
23 Emergency Treatment Program under the Department of  
24 Healthcare and Family Services in accordance with 89 Ill.  
25 Adm. Code 148.510 at the Department of Healthcare and  
26 Family Services' allowable rates under the Illinois Public



1 Aid Code.

2 (4) If a sexual assault survivor presents a sexual  
3 assault services voucher for follow-up healthcare, the  
4 healthcare professional, pediatric health care facility,  
5 federally qualified health center, or laboratory that  
6 provides follow-up healthcare or the pharmacy that  
7 dispenses prescribed medications to a sexual assault  
8 survivor shall submit the request for reimbursement for  
9 follow-up healthcare, pediatric health care facility,  
10 laboratory, or pharmacy services to the Illinois Sexual  
11 Assault Emergency Treatment Program under the Department  
12 of Healthcare and Family Services in accordance with 89  
13 Ill. Adm. Code 148.510 at the Department of Healthcare and  
14 Family Services' allowable rates under the Illinois Public  
15 Aid Code. Nothing in this subsection (a) precludes  
16 hospitals, or approved pediatric health care facilities or  
17 approved federally qualified health centers from providing  
18 follow-up healthcare and receiving reimbursement under  
19 this Section.

20 (b) Nothing in this Section precludes a hospital, health  
21 care provider, ambulance provider, laboratory, or pharmacy  
22 from billing the sexual assault survivor or any applicable  
23 health insurance or coverage for inpatient services.

24 (b-5) Medical forensic services furnished by a person or  
25 entity described under subsection (a) to any sexual assault  
26 survivor on or after July 1, 2022 that are required under this

1 Act to be reimbursed by the Department of Healthcare and  
2 Family Services, the Illinois Sexual Assault Emergency  
3 Treatment Program under the Department of Healthcare and  
4 Family Services, or the appropriate Medicaid managed care  
5 organization shall be reimbursed at a rate of at least \$1,000.

6 (c) (Blank).

7 (d) (Blank). ~~On and after July 1, 2012, the Department~~  
8 ~~shall reduce any rate of reimbursement for services or other~~  
9 ~~payments or alter any methodologies authorized by this Act or~~  
10 ~~the Illinois Public Aid Code to reduce any rate of~~  
11 ~~reimbursement for services or other payments in accordance~~  
12 ~~with Section 5-5e of the Illinois Public Aid Code.~~

13 (e) The Department of Healthcare and Family Services shall  
14 establish standards, rules, and regulations to implement this  
15 Section.

16 (f) This Section is repealed on December 31, 2023.

17 (Source: P.A. 101-634, eff. 6-5-20; 102-22, eff. 6-25-21;  
18 102-674, eff. 11-30-21.)

19 ARTICLE 35.

20 Section 35-5. If and only if Senate Bill 3023 of the 102nd  
21 General Assembly becomes law, then the Sexual Assault  
22 Survivors Emergency Treatment Act is amended by changing  
23 Sections 7 and 7-1 as follows:

1 (410 ILCS 70/7) (from Ch. 111 1/2, par. 87-7)

2 Sec. 7. Reimbursement.

3 (a) A hospital, approved pediatric health care facility,  
4 or health care professional furnishing medical forensic  
5 services, an ambulance provider furnishing transportation to a  
6 sexual assault survivor, a hospital, health care professional,  
7 or laboratory providing follow-up healthcare, or a pharmacy  
8 dispensing prescribed medications to any sexual assault  
9 survivor shall furnish such services or medications to that  
10 person without charge and shall seek payment as follows:

11 (1) If a sexual assault survivor is eligible to  
12 receive benefits under the medical assistance program  
13 under Article V of the Illinois Public Aid Code, the  
14 ambulance provider, hospital, approved pediatric health  
15 care facility, health care professional, laboratory, or  
16 pharmacy must submit the bill to the Department of  
17 Healthcare and Family Services or the appropriate Medicaid  
18 managed care organization and accept the amount paid as  
19 full payment.

20 (2) If a sexual assault survivor is covered by one or  
21 more policies of health insurance or is a beneficiary  
22 under a public or private health coverage program, the  
23 ambulance provider, hospital, approved pediatric health  
24 care facility, health care professional, laboratory, or  
25 pharmacy shall bill the insurance company or program. With  
26 respect to such insured patients, applicable deductible,

1 co-pay, co-insurance, denial of claim, or any other  
2 out-of-pocket insurance-related expense may be submitted  
3 to the Illinois Sexual Assault Emergency Treatment Program  
4 of the Department of Healthcare and Family Services in  
5 accordance with 89 Ill. Adm. Code 148.510 for payment at  
6 the Department of Healthcare and Family Services'  
7 allowable rates under the Illinois Public Aid Code. The  
8 ambulance provider, hospital, approved pediatric health  
9 care facility, health care professional, laboratory, or  
10 pharmacy shall accept the amounts paid by the insurance  
11 company or health coverage program and the Illinois Sexual  
12 Assault Treatment Program as full payment.

13 (3) If a sexual assault survivor (i) is neither  
14 eligible to receive benefits under the medical assistance  
15 program under Article V of the Illinois Public Aid Code  
16 nor covered by a policy of insurance or a public or private  
17 health coverage program or (ii) opts out of billing a  
18 private insurance provider, as permitted under subsection  
19 (a-5) of Section 7.5, the ambulance provider, hospital,  
20 approved pediatric health care facility, health care  
21 professional, laboratory, or pharmacy shall submit the  
22 request for reimbursement to the Illinois Sexual Assault  
23 Emergency Treatment Program under the Department of  
24 Healthcare and Family Services in accordance with 89 Ill.  
25 Adm. Code 148.510 at the Department of Healthcare and  
26 Family Services' allowable rates under the Illinois Public

1 Aid Code.

2 (4) If a sexual assault survivor presents a sexual  
3 assault services voucher for follow-up healthcare, the  
4 healthcare professional, pediatric health care facility,  
5 or laboratory that provides follow-up healthcare or the  
6 pharmacy that dispenses prescribed medications to a sexual  
7 assault survivor shall submit the request for  
8 reimbursement for follow-up healthcare, pediatric health  
9 care facility, laboratory, or pharmacy services to the  
10 Illinois Sexual Assault Emergency Treatment Program under  
11 the Department of Healthcare and Family Services in  
12 accordance with 89 Ill. Adm. Code 148.510 at the  
13 Department of Healthcare and Family Services' allowable  
14 rates under the Illinois Public Aid Code. Nothing in this  
15 subsection (a) precludes hospitals or approved pediatric  
16 health care facilities from providing follow-up healthcare  
17 and receiving reimbursement under this Section.

18 (b) Nothing in this Section precludes a hospital, health  
19 care provider, ambulance provider, laboratory, or pharmacy  
20 from billing the sexual assault survivor or any applicable  
21 health insurance or coverage for inpatient services.

22 (c) (Blank).

23 (d) On and after July 1, 2012, the Department shall reduce  
24 any rate of reimbursement for services or other payments or  
25 alter any methodologies authorized by this Act or the Illinois  
26 Public Aid Code to reduce any rate of reimbursement for

1 services or other payments in accordance with Section 5-5e of  
2 the Illinois Public Aid Code.

3 (e) The Department of Healthcare and Family Services shall  
4 establish standards, rules, and regulations to implement this  
5 Section.

6 (f) This Section is effective on and after January 1,  
7 2024.

8 (Source: P.A. 101-634, eff. 6-5-20; 102-22, eff. 6-25-21;  
9 102-674, eff. 11-30-21.)

10 (410 ILCS 70/7-1)

11 (Section scheduled to be repealed on December 31, 2023)

12 Sec. 7-1. Reimbursement

13 (a) A hospital, approved pediatric health care facility,  
14 approved federally qualified health center, or health care  
15 professional furnishing medical forensic services, an  
16 ambulance provider furnishing transportation to a sexual  
17 assault survivor, a hospital, health care professional, or  
18 laboratory providing follow-up healthcare, or a pharmacy  
19 dispensing prescribed medications to any sexual assault  
20 survivor shall furnish such services or medications to that  
21 person without charge and shall seek payment as follows:

22 (1) If a sexual assault survivor is eligible to  
23 receive benefits under the medical assistance program  
24 under Article V of the Illinois Public Aid Code, the  
25 ambulance provider, hospital, approved pediatric health

1 care facility, approved federally qualified health center,  
2 health care professional, laboratory, or pharmacy must  
3 submit the bill to the Department of Healthcare and Family  
4 Services or the appropriate Medicaid managed care  
5 organization and accept the amount paid as full payment.

6 (2) If a sexual assault survivor is covered by one or  
7 more policies of health insurance or is a beneficiary  
8 under a public or private health coverage program, the  
9 ambulance provider, hospital, approved pediatric health  
10 care facility, approved federally qualified health center,  
11 health care professional, laboratory, or pharmacy shall  
12 bill the insurance company or program. With respect to  
13 such insured patients, applicable deductible, co-pay,  
14 co-insurance, denial of claim, or any other out-of-pocket  
15 insurance-related expense may be submitted to the Illinois  
16 Sexual Assault Emergency Treatment Program of the  
17 Department of Healthcare and Family Services in accordance  
18 with 89 Ill. Adm. Code 148.510 for payment at the  
19 Department of Healthcare and Family Services' allowable  
20 rates under the Illinois Public Aid Code. The ambulance  
21 provider, hospital, approved pediatric health care  
22 facility, approved federally qualified health center,  
23 health care professional, laboratory, or pharmacy shall  
24 accept the amounts paid by the insurance company or health  
25 coverage program and the Illinois Sexual Assault Treatment  
26 Program as full payment.

1           (3) If a sexual assault survivor (i) is neither  
2 eligible to receive benefits under the medical assistance  
3 program under Article V of the Illinois Public Aid Code  
4 nor covered by a policy of insurance or a public or private  
5 health coverage program or (ii) opts out of billing a  
6 private insurance provider, as permitted under subsection  
7 (a-5) of Section 7.5, the ambulance provider, hospital,  
8 approved pediatric health care facility, approved  
9 federally qualified health center, health care  
10 professional, laboratory, or pharmacy shall submit the  
11 request for reimbursement to the Illinois Sexual Assault  
12 Emergency Treatment Program under the Department of  
13 Healthcare and Family Services in accordance with 89 Ill.  
14 Adm. Code 148.510 at the Department of Healthcare and  
15 Family Services' allowable rates under the Illinois Public  
16 Aid Code.

17           (4) If a sexual assault survivor presents a sexual  
18 assault services voucher for follow-up healthcare, the  
19 healthcare professional, pediatric health care facility,  
20 federally qualified health center, or laboratory that  
21 provides follow-up healthcare or the pharmacy that  
22 dispenses prescribed medications to a sexual assault  
23 survivor shall submit the request for reimbursement for  
24 follow-up healthcare, pediatric health care facility,  
25 laboratory, or pharmacy services to the Illinois Sexual  
26 Assault Emergency Treatment Program under the Department



1 of Healthcare and Family Services in accordance with 89  
2 Ill. Adm. Code 148.510 at the Department of Healthcare and  
3 Family Services' allowable rates under the Illinois Public  
4 Aid Code. Nothing in this subsection (a) precludes  
5 hospitals, or approved pediatric health care facilities or  
6 approved federally qualified health centers from providing  
7 follow-up healthcare and receiving reimbursement under  
8 this Section.

9 (b) Nothing in this Section precludes a hospital, health  
10 care provider, ambulance provider, laboratory, or pharmacy  
11 from billing the sexual assault survivor or any applicable  
12 health insurance or coverage for inpatient services.

13 (c) (Blank).

14 (d) On and after July 1, 2012, the Department shall reduce  
15 any rate of reimbursement for services or other payments or  
16 alter any methodologies authorized by this Act or the Illinois  
17 Public Aid Code to reduce any rate of reimbursement for  
18 services or other payments in accordance with Section 5-5e of  
19 the Illinois Public Aid Code.

20 (e) The Department of Healthcare and Family Services shall  
21 establish standards, rules, and regulations to implement this  
22 Section.

23 (f) This Section is repealed on December 31, 2023.

24 (Source: P.A. 101-634, eff. 6-5-20; 102-22, eff. 6-25-21;  
25 102-674, eff. 11-30-21.)

## 1 ARTICLE 40.

2 Section 40-1. Short title. This Article may be cited as  
3 the Illinois Creative Recovery Grant Program Act. References  
4 in this Article to "this Act" mean this Article.

5 Section 40-5. Grant program. The Department may receive  
6 State funds and, directly or indirectly, federal funds under  
7 the authority of legislation passed in response to the  
8 Coronavirus epidemic including, but not limited to, the  
9 American Rescue Plan Act of 2021, P.L. 117-2 (the "ARPA Act");  
10 such funds shall be used in accordance with the ARPA Act  
11 legislation and published guidance. Upon receipt or  
12 availability of such State or federal funds, and subject to  
13 appropriations for their use, the Department shall administer  
14 a program to provide financial assistance to qualifying  
15 businesses that have experienced interruption of business,  
16 incurred debt, or experienced other adverse conditions as a  
17 result of the COVID-19 public health emergency. Support may be  
18 provided directly by the Department to businesses and  
19 organizations or in cooperation with a qualified partner.  
20 Financial assistance may include, but is not limited to  
21 grants, expense reimbursements, or subsidies.

22 From appropriations for the program, the Department shall  
23 provide financial assistance through grants, expense  
24 reimbursements, or subsidies to qualifying businesses or a

1 qualified partner to cover expenses, debt, or losses incurred  
2 due to the COVID-19 public health emergency. The program shall  
3 reimburse costs, debt, or losses incurred by qualifying  
4 businesses due to business interruption or other adverse  
5 conditions caused by closures, loss of revenues, or efforts to  
6 contain the pandemic.

7 The Department may establish by rule administrative  
8 procedures for the grant program, including any application  
9 procedures, grant agreements, certifications, payment  
10 methodologies, and other accountability measures that may be  
11 imposed upon participants in the program. The emergency  
12 rulemaking process may be used to promulgate the initial rules  
13 of the grant program.

14 Section 40-10. Definitions. As used in this Act:

15 "COVID-19" means the novel coronavirus disease deemed  
16 COVID-19 by the World Health Organization on February 11,  
17 2020.

18 "Department" means the Department of Commerce and Economic  
19 Opportunity.

20 "Qualifying Business" means a business or organization,  
21 either for-profit or non-profit, that is experiencing or has  
22 experienced business interruption due to the COVID-19 public  
23 health emergency and that is:

- 24 (1) an independent live venue operator;  
25 (2) a performing or presenting arts organization;

1 (3) an arts education organization;

2 (4) a museum; or

3 (5) a cultural heritage organization.

4 "Independent live venue operator" means a business or  
5 organization that is not a publicly traded corporation listed  
6 on a stock exchange and that is a destination for live  
7 entertainment consumers and that has its artistic programming  
8 as a main driver of its attendance, as indicated by meeting the  
9 following criteria:

10 (1) the venue clearly enables performers to receive  
11 payment for work by percentage of sales (bar or door  
12 cover); a guarantee (in writing or standard contract); or  
13 another mutually beneficial formal agreement; and

14 (2) The venue has at least 4 of the following  
15 characteristics:

16 (A) Defined performance and audience space.

17 (B) Mixing equipment or a public address system.

18 (C) Back line.

19 (D) Engages one or more individuals to carry out  
20 at least 2 of the following roles:

21 (i) Sound engineer.

22 (ii) Booker.

23 (iii) Promoter.

24 (iv) Stage manager.

25 (v) Security personnel.

26 (vi) Box office manager.

1 (E) There is a paid ticket or cover charge to  
2 attend some performances through ticketing or door  
3 entrance fee.

4 (F) Performances are marketed through listings in  
5 printed or electronic publications, on websites,  
6 visible calendar of events, or on social media.

7 "Performing or presenting arts organization" means a  
8 business or organization that has as its primary mission or  
9 integral to its primary mission the performance or  
10 presentation of the arts to the public, including the artistic  
11 disciplines of dance, film, literary arts, media arts, music,  
12 theater, and visual arts.

13 "Arts education organization" means a business or  
14 organization that has as its primary mission or integral to  
15 its primary mission the provision of arts learning, or has a  
16 dedicated portion of its business focused on providing arts  
17 education.

18 "Museum" means a business or organization that is an  
19 institution in service to the public, dedicated to the  
20 procurement, care, study, and display of objects, archival  
21 materials, ephemera, or live specimens, of lasting interest or  
22 value.

23 "Cultural heritage organization" means a business or  
24 organization that is a community cultural and arts center; an  
25 ethnic and cultural awareness organization; or a festival  
26 focused on promoting and preserving ethnic, cultural, racial,

1 regional, linguistic, or religious traditions.

2 "Qualified partner" means a financial institution or  
3 nonprofit organization with which the Department has entered  
4 into an agreement or contract to provide or incentivize  
5 assistance to qualifying businesses.

6 Section 40-15. Powers of the Department. The Department  
7 has the power to:

8 (1) provide grants, subsidies and expense  
9 reimbursements to qualified businesses or, on behalf of  
10 qualified businesses, to qualified partners from  
11 appropriations to cover qualified businesses eligible  
12 costs, debt, or losses incurred due to the COVID-19 public  
13 health emergency, including losses caused by business  
14 interruption, closure, or other adverse effects of  
15 COVID-19;

16 (2) enter into agreements, accept funds, issue grants,  
17 and engage in cooperation with agencies of the federal  
18 government, units of local government, financial  
19 institutions, and nonprofit organizations to carry out the  
20 purposes of the program, and to use funds appropriated for  
21 the program;

22 (3) prepare forms for application, notification,  
23 contract, and other matters, and establish procedures,  
24 rules, or regulations deemed necessary and appropriate to  
25 carry out the provisions of this Act;

1 (4) provide staff, administration, and related support  
2 required to manage the program and pay for the staffing,  
3 administration, and related support; and

4 (5) using consistent, data-informed criteria,  
5 determine which qualifying businesses are suffering the  
6 greatest negative economic impact due to the COVID-19  
7 pandemic, which qualifying businesses are facing the  
8 greatest risk of imminent closure due to the COVID-19  
9 pandemic, and which qualifying businesses have the least  
10 access to business interruption grant programs and similar  
11 relief programs.

12 Section 40-20. The Illinois Administrative Procedure Act  
13 is amended by adding Section 5-45.27 as follows:

14 (5 ILCS 100/5-45.27 new)

15 Sec. 5-45.27. Emergency rulemaking. To provide for the  
16 expeditious and timely implementation of the Illinois Creative  
17 Recovery Grant Program Act, emergency rules implementing the  
18 Illinois Creative Recovery Grant Program Act may be adopted in  
19 accordance with Section 5-45 by the Department of Commerce and  
20 Economic Opportunity. The adoption of emergency rules  
21 authorized by Section 5-45 and this Section is deemed to be  
22 necessary for the public interest, safety, and welfare.

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

1

## ARTICLE 99.

2

Section 99-99. Effective date. This Act takes effect upon becoming law, except that Article 15 takes effect on July 1, 2022, and Article 35 takes effect upon becoming law or on the date Senate Bill 3023 of the 102nd General Assembly takes effect, whichever is later."

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