



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4838

Introduced 2/7/2024, by Rep. Laura Faver Dias

SYNOPSIS AS INTRODUCED:

20 ILCS 801/1-25
20 ILCS 801/20-5
20 ILCS 801/20-10
20 ILCS 801/20-15

Makes changes concerning the powers and duties of the Illinois State Museum. Repeals a provision which specifies that the Board of the Illinois State Museum is the governing board for the State Museum. Replaces the Board of the Illinois State Museum with an advisory board. Describes the duties of the advisory board. Repeals a provision which states that the Department of Natural Resources may set, by administrative rule, an entrance fee for visitors to the Illinois State Museum. Effective immediately.

LRB103 36930 JAG 67044 b

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Department of Natural Resources Act is
5 amended by changing Sections 1-25, 20-5, 20-10, and 20-15 as
6 follows:

7 (20 ILCS 801/1-25)

8 Sec. 1-25. ~~Powers of the~~ Illinois State Museum. In
9 addition to its other powers and duties, the Department shall
10 have the following powers and duties which shall be performed
11 by the State Museum:

12 (1) To investigate and study the natural resources and
13 histories of the State and to prepare printed reports and
14 furnish information fundamental to the conservation and
15 development of natural resources, and for that purpose
16 and for the purpose of upholding federal requirements
17 under the Native American Grave Protection and
18 Repatriation Act, the officers and employees thereof may,
19 pursuant to rule adopted by the Department, enter and
20 cross all lands in this State, doing no damage to private
21 property.

22 (2) To cooperate with and advise departments having
23 administrative powers and duties relating to the natural

1 resources of the State, and to cooperate with similar
2 departments in other states, with tribal nations, and with
3 the United States Government.

4 (3) To cooperate with the Illinois State Academy of
5 Science and to publish a suitable number of the results of
6 the investigations and research in the field of natural
7 science to the end that the same may be distributed to the
8 interested public. This cooperation shall not grant any
9 special rights, authority, or privileges to the Academy.

10 (4) To maintain a State Museum, and to collect and
11 preserve objects of scientific, historic, and artistic
12 value, representing past and present fauna and flora, the
13 life and work of humankind ~~man~~, geological history,
14 natural resources, and the manufacturing and fine arts; to
15 welcome visitors of all ages to the State Museum; and to
16 interpret for and educate the public concerning the
17 foregoing. The State Museum shall work with Native
18 Americans to create an interpretation of Native American
19 histories and art directed by tribal partners.

20 (5) At the sole discretion of the Department, the
21 State Museum may ~~to~~ cooperate with the Illinois State
22 Museum Society for the ~~mutual~~ benefit of the State Museum.
23 This cooperation shall not grant any special rights,
24 authority, or privileges to the Society. Upon ~~and the~~
25 ~~Society, with the Museum furnishing necessary space for~~
26 ~~the Society to carry on its functions and keep its~~

1 ~~records, and, upon~~ the recommendation of the State Museum
2 Director with the approval of the ~~Board of State Museum~~
3 ~~Advisors and the~~ Director of the Department, the State
4 Museum may ~~to~~ enter into agreements with the ~~Illinois~~
5 ~~State Museum~~ Society for the operation of a sales counter
6 and other concessions for the ~~mutual~~ benefit of the State
7 Museum and the Society. The State Museum may enter into
8 agreements with the Society for programs at or outside the
9 State Museum. The Society shall be solely responsible for
10 its own budget and the preparation of the budget, its
11 staff, its equipment, its supplies, and its programs.

12 (6) To accept grants of property and to hold property
13 to be administered as part of the State Museum for the
14 purpose of preservation, research of interpretation of
15 significant areas within the State for the purpose of
16 preserving, studying, and interpreting history and
17 archaeological and natural phenomena and for the purpose
18 of upholding Native American Grave Protection and
19 Repatriation Act requirements.

20 (7) To contribute to and support the operations,
21 programs and capital development of public museums in this
22 State. For the purposes of this Section, "public museum"
23 means a facility: (A) that is operating for the purposes
24 of promoting cultural development through special
25 activities or programs or through performing arts that are
26 performed in an indoor setting, and acquiring, conserving,

1 preserving, studying, interpreting, enhancing, and in
2 particular, organizing and continuously exhibiting
3 specimens, artifacts, articles, documents and other things
4 of historical, anthropological, archaeological,
5 industrial, scientific or artistic import, to the public
6 for its instruction and enjoyment, and (B) that either (i)
7 is operated by or located upon land owned by a unit of
8 local government or (ii) is a museum that has an annual
9 attendance of at least 150,000 and offers educational
10 programs to school groups during school hours. A museum is
11 eligible to receive funds for capital development under
12 this subdivision (7) only if it is operated by or located
13 upon land owned by a unit of local government or if it is
14 certified by a unit of local government in which it is
15 located as a public museum meeting the criteria of this
16 Section. Recipients of funds for capital development under
17 this subdivision (7) shall match State funds with local or
18 private funding according to the following:

19 (a) for a public museum with an attendance of
20 300,000 or less during the preceding calendar year, no
21 match is required;

22 (b) for a public museum with an attendance of over
23 300,000 but less than 600,000 during the preceding
24 calendar year, the match must be at a ratio of \$1 from
25 local and private funds for every \$1 in State funds;
26 and

1 (c) for a public museum with an attendance of over
2 600,000 during the preceding calendar year, the match
3 must be at a ratio of \$2 from local and private funds
4 for every \$1 in State funds.

5 The Department shall formulate rules and regulations
6 relating to the allocation of any funds appropriated by
7 the General Assembly for the purpose of contributing to
8 the support of public museums in this State.

9 (8) To perform all other duties and assume all
10 obligations of the former Department of Energy and Natural
11 Resources and the former Department of Registration and
12 Education pertaining to the State Museum.

13 (9) To work in collaboration with the Division of
14 Historic Preservation of the Department in the exercise of
15 all the rights, powers, and duties conferred upon the
16 Department under the Historic Preservation Act.

17 (Source: P.A. 102-1005, eff. 5-27-22.)

18 (20 ILCS 801/20-5)

19 Sec. 20-5. State Museum. The Department of Natural
20 Resources shall have within it the office of the Illinois
21 State Museum. ~~The Board of the Illinois State Museum is~~
22 ~~retained as the governing board for the State Museum.~~

23 (Source: P.A. 95-728, eff. 7-1-08 - See Sec. 999.)

24 (20 ILCS 801/20-10)

1 Sec. 20-10. Advisory Board of the Illinois State Museum.

2 (a) Within the Department there shall be an Advisory ~~a~~
3 Board of the Illinois State Museum. The Advisory Board shall
4 be ~~7~~ composed of 11 persons who shall be appointed by the
5 Governor. Any members appointed before July 1, 2026 shall
6 serve the full term for which they were appointed, unless
7 removed by the Governor. Beginning on July 1, 2026, 9 members
8 shall have at least 5 years of experience practicing or
9 teaching in, ~~one of whom shall be a senior citizen age 60 or~~
10 ~~over. The Board shall be composed of 9 representatives of the~~
11 natural sciences, anthropology, art, history, or ~~and~~ business
12 and shall be from diverse backgrounds and geographical
13 locations across the State and two members shall be
14 representatives of community-based organizations,
15 irrespective of background and experience. Beginning on July
16 1, 2026, the Board shall consist of 6 individuals from a
17 historically marginalized identity, ~~qualified by at least 10~~
18 ~~years of experience in practicing or teaching their several~~
19 ~~professions; one senior citizen; and the Director of Natural~~
20 ~~Resources or the Director's designee. All members appointed~~
21 after January 1, 2025 shall serve for 2-year ~~Members of the~~
22 ~~Board shall be appointed by the Governor with the advice and~~
23 ~~consent of the Senate and shall serve for 2-year terms. The~~
24 Governor shall be entitled to remove any member due to
25 incompetency, dereliction of duty, or malfeasance.

26 The transfer of the Board to the Department under this Act

1 does not terminate or otherwise affect the term of membership
2 of any member of the Board, except that the former Director of
3 Energy and Natural Resources is replaced by the Director of
4 Natural Resources.

5 (b) The Advisory Board shall:

6 (1) advise the Director of the Department, or the
7 Director's designee, in all matters pertaining to the
8 maintenance, the extension and the mission usefulness of
9 the ~~Illinois~~ State Museum, including, but not limited to,
10 the needs for capital development projects, assistance
11 with long-term planning for the State Museum, and other
12 large-scale operational changes, except that these matters
13 shall be determined and shall be defined solely by the
14 State Museum;

15 (2) make recommendations concerning the appointment of
16 a new State Museum ~~museum~~ director whenever a vacancy
17 occurs in that position, except that the Department shall
18 have the sole authority to determine the process used to
19 identify and employ a new State Museum director,
20 including, but not limited to, the authority to determine
21 how and when to involve or employ an individual or
22 business to aid in conducting a search for interested and
23 qualified candidates; to identify qualified candidates; to
24 interview candidates; to make an offer of employment to
25 the selected candidate; and to determine the compensation
26 of the new State Museum Director; and

1 (3) (blank);

2 (4) review the budget of the Illinois State Museum and
3 make recommendations to ~~with reference thereto to the~~
4 ~~Governor through~~ the Director of the Department.

5 (c) (Blank).

6 (Source: P.A. 102-303, eff. 1-1-22; 102-1005, eff. 5-27-22.)

7 (20 ILCS 801/20-15)

8 Sec. 20-15. Monies Collected by the Illinois State Museum
9 ~~Entrance fee. All monies paid to, collected by, or donated to~~
10 the State Museum ~~The Department may set by administrative rule~~
11 ~~an entrance fee for visitors to the Illinois State Museum. The~~
12 ~~fee assessed by this Section~~ shall be deposited into the
13 Illinois State Museum Fund for the Department to use to
14 support the Illinois State Museum. The monies deposited into
15 the Illinois State Museum Fund under this Section shall not be
16 subject to administrative charges or chargebacks unless
17 otherwise authorized by this Act.

18 (Source: P.A. 97-1136, eff. 1-1-13.)

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