



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB0245

Introduced 2/7/2007, by Sen. Jacqueline Y. Collins

SYNOPSIS AS INTRODUCED:

20 ILCS 1605/2	from Ch. 120, par. 1152
20 ILCS 1605/20	from Ch. 120, par. 1170
20 ILCS 1605/21.7 new	
20 ILCS 2310/2310-348 new	
30 ILCS 105/5.675 new	
30 ILCS 105/8h	

Amends the Illinois Lottery Law. Requires the Department of Revenue to offer a special instant scratch-off game with the title of "Quality of Life", to commence on July 1, 2007 and to be discontinued on December 31, 2012. Provides that the net revenue from the game shall be deposited into the Quality of Life Endowment Fund for appropriation by the General Assembly solely to the Department of Public Health, in consultation with the Quality of Life Board, for the purpose of HIV/AIDS-prevention education and for making grants to public or private entities in Illinois for the purpose of funding organizations that serve the highest at-risk categories for contracting HIV or developing AIDS. Amends the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois to create the Quality of Life Board as an advisory board within the Department of Public Health. Amends the State Finance Act to create the Quality of Life Endowment Fund. Sets forth procedures for the appointment of Board members and for the operation of the Board. Effective immediately.

LRB095 10831 BDD 31093 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 Illinois Lottery Law is amended by changing
5 Sections 2 and 20 and by adding Section 21.7 as follows:

6 (20 ILCS 1605/2) (from Ch. 120, par. 1152)

7 Sec. 2. This Act is enacted to implement and establish
8 within the State a lottery to be operated by the State, the
9 entire net proceeds of which are to be used for the support of
10 the State's Common School Fund, except as provided in Sections
11 21.2, and 21.5, and 21.6, and 21.7.

12 (Source: P.A. 94-120, eff. 7-6-05; 94-585, eff. 8-15-05;
13 revised 8-23-05.)

14 (20 ILCS 1605/20) (from Ch. 120, par. 1170)

15 Sec. 20. State Lottery Fund.

16 (a) There is created in the State Treasury a special fund
17 to be known as the "State Lottery Fund". Such fund shall
18 consist of all revenues received from (1) the sale of lottery
19 tickets or shares, (net of commissions, fees representing those
20 expenses that are directly proportionate to the sale of tickets
21 or shares at the agent location, and prizes of less than \$600
22 which have been validly paid at the agent level), (2)

1 application fees, and (3) all other sources including moneys
2 credited or transferred thereto from any other fund or source
3 pursuant to law. Interest earnings of the State Lottery Fund
4 shall be credited to the Common School Fund.

5 (b) The receipt and distribution of moneys under Section
6 21.5 of this Act shall be in accordance with Section 21.5.

7 (c) ~~(b)~~ The receipt and distribution of moneys under
8 Section 21.6 of this Act shall be in accordance with Section
9 21.6.

10 (d) The receipt and distribution of moneys under Section
11 21.7 of this Act shall be in accordance with Section 21.7.

12 (Source: P.A. 94-120, eff. 7-6-05; 94-585, eff. 8-15-05;
13 revised 8-19-05.)

14 (20 ILCS 1605/21.7 new)

15 Sec. 21.7. Quality of Life scratch-off game.

16 (a) The Department shall offer a special instant
17 scratch-off game with the title of "Quality of Life". The game
18 shall commence on July 1, 2007 or as soon thereafter, in the
19 discretion of the Director, as is reasonably practical, and
20 shall be discontinued on December 31, 2012. The operation of
21 the game is governed by this Act and by any rules adopted by
22 the Department. The Department must consult with the Quality of
23 Life Board, which is established under Section 2310-348 of the
24 Department of Public Health Powers and Duties Law of the Civil
25 Administrative Code of Illinois, regarding the design and

1 promotion of the game. If any provision of this Section is
2 inconsistent with any other provision of this Act, then this
3 Section governs.

4 (b) The Quality of Life Endowment Fund is created as a
5 special fund in the State treasury. The net revenue from the
6 Quality of Life special instant scratch-off game must be
7 deposited into the Fund for appropriation by the General
8 Assembly solely to the Department of Public Health for the
9 purpose of HIV/AIDS-prevention education and for making grants
10 to public or private entities in Illinois for the purpose of
11 funding organizations that serve the highest at-risk
12 categories for contracting HIV or developing AIDS. Grants shall
13 be targeted to serve at-risk populations in proportion to the
14 distribution of recent reported Illinois HIV/AIDS cases among
15 risk groups as reported by the Illinois Department of Public
16 Health. The recipient organizations must be engaged in
17 HIV/AIDS-prevention education and HIV/AIDS healthcare
18 treatment. The Department must, before grants are awarded,
19 provide copies of all grant applications to the Quality of Life
20 Board, receive and review the Board's recommendations and
21 comments, and consult with the Board regarding the grants.
22 Organizational size will determine an organization's
23 competitive slot in the "Request for Proposal" process.
24 Organizations with an annual budget of \$300,000 or less will
25 compete with like size organizations for 50% of the Quality of
26 Life annual fund. Organizations with an annual budget of

1 \$300,001 to \$700,000 will compete with like organizations for
2 25% of the Quality of Life annual fund, and organizations with
3 an annual budget of \$700,001 and upward will compete with like
4 organizations for 25% of the Quality of Life annual fund. The
5 lottery may designate a percentage of proceeds for marketing
6 purpose. The grant funds may not be used for institutional,
7 organizational, or community-based overhead costs, indirect
8 costs, or levies.

9 Moneys received for the purposes of this Section,
10 including, without limitation, net revenue from the special
11 instant scratch-off game and gifts, grants, and awards from any
12 public or private entity, must be deposited into the Fund. Any
13 interest earned on moneys in the Fund must be deposited into
14 the Fund.

15 For purposes of this subsection, "net revenue" means the
16 total amount for which tickets have been sold less the sum of
17 the amount paid out in prizes and the actual administrative
18 expenses of the Department solely related to the Quality of
19 Life game.

20 (c) During the time that tickets are sold for the Quality
21 of Life game, the Department shall not unreasonably diminish
22 the efforts devoted to marketing any other instant scratch-off
23 lottery game.

24 (d) The Department may adopt any rules necessary to
25 implement and administer the provisions of this Section in
26 consultation with the Quality of Life Board.

1 Section 10. The Department of Public Health Powers and
2 Duties Law of the Civil Administrative Code of Illinois is
3 amended by adding Section 2310-348 as follows:

4 (20 ILCS 2310/2310-348 new)

5 Sec. 2310-348. The Quality of Life Board.

6 (a) The Quality of Life Board is created as an advisory
7 board within the Department. The Board shall consist of 11
8 members as follows: 2 members appointed by the President of the
9 Senate; one member appointed by the Minority Leader of the
10 Senate; 2 members appointed by the Speaker of the House of
11 Representatives; one members appointed by the Minority Leader
12 of the House of Representatives; 2 members appointed by the
13 Governor, one of whom shall be designated as chair of the Board
14 at the time of appointment; and 3 members appointed by the
15 Director who represent organizations that advocate for the
16 healthcare needs of the first and second highest HIV/AIDS risk
17 groups, one each from the northern Illinois region, the central
18 Illinois region, and the southern Illinois region.

19 The Board members shall serve one 2-year term. If a vacancy
20 occurs in the Board membership, the vacancy shall be filled in
21 the same manner as the initial appointment.

22 (b) Board members shall serve without compensation but may
23 be reimbursed for their reasonable travel expenses from funds
24 appropriated for that purpose. The Department shall provide

1 staff and administrative support services to the Board.

2 (c) The Board must:

3 (i) consult with the Department of Revenue in designing
4 and promoting the Quality of Life special instant
5 scratch-off lottery game; and

6 (ii) review grant applications, make recommendations
7 and comments, and consult with the Department of Public
8 Health in making grants, from amounts appropriated from the
9 Quality of Life Endowment Fund, to public or private
10 entities in Illinois for the purpose of
11 HIV/AIDS-prevention education and for making grants to
12 public or private entities in Illinois for the purpose of
13 funding organizations that serve the highest at-risk
14 categories for contracting HIV or developing AIDS in
15 accordance with Section 21.7 of the Illinois Lottery Law.

16 (d) The Board is discontinued on June 30, 2013.

17 Section 15. The State Finance Act is amended by changing
18 Section 8h and by adding Section 5.675 as follows:

19 (30 ILCS 105/5.675 new)

20 Sec. 5.675. The Quality of Life Endowment Fund.

21 (30 ILCS 105/8h)

22 Sec. 8h. Transfers to General Revenue Fund.

23 (a) Except as otherwise provided in this Section and

1 Section 8n of this Act, and ~~(e), (d), or (e)~~, notwithstanding
2 any other State law to the contrary, the Governor may, through
3 June 30, 2007, from time to time direct the State Treasurer and
4 Comptroller to transfer a specified sum from any fund held by
5 the State Treasurer to the General Revenue Fund in order to
6 help defray the State's operating costs for the fiscal year.
7 The total transfer under this Section from any fund in any
8 fiscal year shall not exceed the lesser of (i) 8% of the
9 revenues to be deposited into the fund during that fiscal year
10 or (ii) an amount that leaves a remaining fund balance of 25%
11 of the July 1 fund balance of that fiscal year. In fiscal year
12 2005 only, prior to calculating the July 1, 2004 final
13 balances, the Governor may calculate and direct the State
14 Treasurer with the Comptroller to transfer additional amounts
15 determined by applying the formula authorized in Public Act
16 93-839 to the funds balances on July 1, 2003. No transfer may
17 be made from a fund under this Section that would have the
18 effect of reducing the available balance in the fund to an
19 amount less than the amount remaining unexpended and unreserved
20 from the total appropriation from that fund estimated to be
21 expended for that fiscal year. This Section does not apply to
22 any funds that are restricted by federal law to a specific use,
23 to any funds in the Motor Fuel Tax Fund, the Intercity
24 Passenger Rail Fund, the Hospital Provider Fund, the Medicaid
25 Provider Relief Fund, the Teacher Health Insurance Security
26 Fund, the Reviewing Court Alternative Dispute Resolution Fund,

1 the Voters' Guide Fund, the Foreign Language Interpreter Fund,
2 the Lawyers' Assistance Program Fund, the Supreme Court Federal
3 Projects Fund, the Supreme Court Special State Projects Fund,
4 the Supplemental Low-Income Energy Assistance Fund, the Good
5 Samaritan Energy Trust Fund, the Low-Level Radioactive Waste
6 Facility Development and Operation Fund, the Horse Racing
7 Equity Trust Fund, or the Hospital Basic Services Preservation
8 Fund, or to any funds to which subsection (f) of Section 20-40
9 of the Nursing and Advanced Practice Nursing Act applies. No
10 transfers may be made under this Section from the Pet
11 Population Control Fund. Notwithstanding any other provision
12 of this Section, for fiscal year 2004, the total transfer under
13 this Section from the Road Fund or the State Construction
14 Account Fund shall not exceed the lesser of (i) 5% of the
15 revenues to be deposited into the fund during that fiscal year
16 or (ii) 25% of the beginning balance in the fund. For fiscal
17 year 2005 through fiscal year 2007, no amounts may be
18 transferred under this Section from the Road Fund, the State
19 Construction Account Fund, the Criminal Justice Information
20 Systems Trust Fund, the Wireless Service Emergency Fund, or the
21 Mandatory Arbitration Fund.

22 In determining the available balance in a fund, the
23 Governor may include receipts, transfers into the fund, and
24 other resources anticipated to be available in the fund in that
25 fiscal year.

26 The State Treasurer and Comptroller shall transfer the

1 amounts designated under this Section as soon as may be
2 practicable after receiving the direction to transfer from the
3 Governor.

4 (a-5) Transfers directed to be made under this Section on
5 or before February 28, 2006 that are still pending on May 19,
6 2006 (the effective date of Public Act 94-774) ~~this amendatory~~
7 ~~Act of the 94th General Assembly~~ shall be redirected as
8 provided in Section 8n of this Act.

9 (b) This Section does not apply to: (i) the Ticket For The
10 Cure Fund; (ii) any fund established under the Community Senior
11 Services and Resources Act; or (iii) on or after January 1,
12 2006 (the effective date of Public Act 94-511), the Child Labor
13 and Day and Temporary Labor Enforcement Fund.

14 (c) This Section does not apply to the Demutualization
15 Trust Fund established under the Uniform Disposition of
16 Unclaimed Property Act.

17 (d) This Section does not apply to moneys set aside in the
18 Illinois State Podiatric Disciplinary Fund for podiatric
19 scholarships and residency programs under the Podiatric
20 Scholarship and Residency Act.

21 (e) Subsection (a) does not apply to, and no transfer may
22 be made under this Section from, the Pension Stabilization
23 Fund.

24 (f) This Section does not apply to the Quality of Life
25 Endowment Fund.

26 (Source: P.A. 93-32, eff. 6-20-03; 93-659, eff. 2-3-04; 93-674,

1 eff. 6-10-04; 93-714, eff. 7-12-04; 93-801, eff. 7-22-04;
2 93-839, eff. 7-30-04; 93-1054, eff. 11-18-04; 93-1067, eff.
3 1-15-05; 94-91, eff. 7-1-05; 94-120, eff. 7-6-05; 94-511, eff.
4 1-1-06; 94-535, eff. 8-10-05; 94-639, eff. 8-22-05; 94-645,
5 eff. 8-22-05; 94-648, eff. 1-1-06; 94-686, eff. 11-2-05;
6 94-691, eff. 11-2-05; 94-726, eff. 1-20-06; 94-773, eff.
7 5-18-06; 94-774, eff. 5-19-06; 94-804, eff. 5-26-06; 94-839,
8 eff. 6-6-06; revised 6-19-06.)

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.