



Sen. Dan Kotowski

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LRB097 08743 HLH 73041 a

1 AMENDMENT TO HOUSE BILL 2891

2 AMENDMENT NO. _____. Amend House Bill 2891, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "ARTICLE 1. SHORT TITLE; PURPOSE

6 Section 1-1. Short title. This Act may be cited as the
7 FY2013 Budget Implementation (Supplemental) Act.

8 Section 1-5. Purpose. It is the purpose of this Act to make
9 changes in State programs that are necessary to implement the
10 Governor's fiscal year 2013 budget recommendations.

11 ARTICLE 5. AMENDATORY PROVISIONS

12 Section 5-5. The State Budget Law of the Civil
13 Administrative Code of Illinois is amended by changing Section

1 50-5 as follows:

2 (15 ILCS 20/50-5)

3 Sec. 50-5. Governor to submit State budget.

4 (a) The Governor shall, as soon as possible and not later
5 than the second Wednesday in March in 2010 (March 10, 2010),
6 the third Wednesday in February in 2011, the fourth Wednesday
7 in February in 2012 (February 22, 2012), the first Wednesday in
8 March in 2013 (March 6, 2013), and the third Wednesday in
9 February of each year thereafter, except as otherwise provided
10 in this Section, submit a State budget, embracing therein the
11 amounts recommended by the Governor to be appropriated to the
12 respective departments, offices, and institutions, and for all
13 other public purposes, the estimated revenues from taxation,
14 and the estimated revenues from sources other than taxation.
15 Except with respect to the capital development provisions of
16 the State budget, beginning with the revenue estimates prepared
17 for fiscal year 2012, revenue estimates shall be based solely
18 on: (i) revenue sources (including non-income resources),
19 rates, and levels that exist as of the date of the submission
20 of the State budget for the fiscal year and (ii) revenue
21 sources (including non-income resources), rates, and levels
22 that have been passed by the General Assembly as of the date of
23 the submission of the State budget for the fiscal year and that
24 are authorized to take effect in that fiscal year. Except with
25 respect to the capital development provisions of the State

1 budget, the Governor shall determine available revenue, deduct
2 the cost of essential government services, including, but not
3 limited to, pension payments and debt service, and assign a
4 percentage of the remaining revenue to each statewide
5 prioritized goal, as established in Section 50-25 of this Law,
6 taking into consideration the proposed goals set forth in the
7 report of the Commission established under that Section. The
8 Governor shall also demonstrate how spending priorities for the
9 fiscal year fulfill those statewide goals. The amounts
10 recommended by the Governor for appropriation to the respective
11 departments, offices and institutions shall be formulated
12 according to each department's, office's, and institution's
13 ability to effectively deliver services that meet the
14 established statewide goals. The amounts relating to
15 particular functions and activities shall be further
16 formulated in accordance with the object classification
17 specified in Section 13 of the State Finance Act. In addition,
18 the amounts recommended by the Governor for appropriation shall
19 take into account each State agency's effectiveness in
20 achieving its prioritized goals for the previous fiscal year,
21 as set forth in Section 50-25 of this Law, giving priority to
22 agencies and programs that have demonstrated a focus on the
23 prevention of waste and the maximum yield from resources.

24 Beginning in fiscal year 2011, the Governor shall
25 distribute written quarterly financial reports on operating
26 funds, which may include general, State, or federal funds and

1 may include funds related to agencies that have significant
2 impacts on State operations, and budget statements on all
3 appropriated funds to the General Assembly and the State
4 Comptroller. The reports shall be submitted no later than 45
5 days after the last day of each quarter of the fiscal year and
6 shall be posted on the Governor's Office of Management and
7 Budget's website on the same day. The reports shall be prepared
8 and presented for each State agency and on a statewide level in
9 an executive summary format that may include, for the fiscal
10 year to date, individual itemizations for each significant
11 revenue type as well as itemizations of expenditures and
12 obligations, by agency, with an appropriate level of detail.
13 The reports shall include a calculation of the actual total
14 budget surplus or deficit for the fiscal year to date. The
15 Governor shall also present periodic budget addresses
16 throughout the fiscal year at the invitation of the General
17 Assembly.

18 The Governor shall not propose expenditures and the General
19 Assembly shall not enact appropriations that exceed the
20 resources estimated to be available, as provided in this
21 Section. Appropriations may be adjusted during the fiscal year
22 by means of one or more supplemental appropriation bills if any
23 State agency either fails to meet or exceeds the goals set
24 forth in Section 50-25 of this Law.

25 For the purposes of Article VIII, Section 2 of the 1970
26 Illinois Constitution, the State budget for the following funds

1 shall be prepared on the basis of revenue and expenditure
2 measurement concepts that are in concert with generally
3 accepted accounting principles for governments:

- 4 (1) General Revenue Fund.
- 5 (2) Common School Fund.
- 6 (3) Educational Assistance Fund.
- 7 (4) Road Fund.
- 8 (5) Motor Fuel Tax Fund.
- 9 (6) Agricultural Premium Fund.

10 These funds shall be known as the "budgeted funds". The
11 revenue estimates used in the State budget for the budgeted
12 funds shall include the estimated beginning fund balance, plus
13 revenues estimated to be received during the budgeted year,
14 plus the estimated receipts due the State as of June 30 of the
15 budgeted year that are expected to be collected during the
16 lapse period following the budgeted year, minus the receipts
17 collected during the first 2 months of the budgeted year that
18 became due to the State in the year before the budgeted year.
19 Revenues shall also include estimated federal reimbursements
20 associated with the recognition of Section 25 of the State
21 Finance Act liabilities. For any budgeted fund for which
22 current year revenues are anticipated to exceed expenditures,
23 the surplus shall be considered to be a resource available for
24 expenditure in the budgeted fiscal year.

25 Expenditure estimates for the budgeted funds included in
26 the State budget shall include the costs to be incurred by the

1 State for the budgeted year, to be paid in the next fiscal
2 year, excluding costs paid in the budgeted year which were
3 carried over from the prior year, where the payment is
4 authorized by Section 25 of the State Finance Act. For any
5 budgeted fund for which expenditures are expected to exceed
6 revenues in the current fiscal year, the deficit shall be
7 considered as a use of funds in the budgeted fiscal year.

8 Revenues and expenditures shall also include transfers
9 between funds that are based on revenues received or costs
10 incurred during the budget year.

11 Appropriations for expenditures shall also include all
12 anticipated statutory continuing appropriation obligations
13 that are expected to be incurred during the budgeted fiscal
14 year.

15 By March 15 of each year, the Commission on Government
16 Forecasting and Accountability shall prepare revenue and fund
17 transfer estimates in accordance with the requirements of this
18 Section and report those estimates to the General Assembly and
19 the Governor.

20 For all funds other than the budgeted funds, the proposed
21 expenditures shall not exceed funds estimated to be available
22 for the fiscal year as shown in the budget. Appropriation for a
23 fiscal year shall not exceed funds estimated by the General
24 Assembly to be available during that year.

25 (b) By February 24, 2010, the Governor must file a written
26 report with the Secretary of the Senate and the Clerk of the

1 House of Representatives containing the following:

2 (1) for fiscal year 2010, the revenues for all budgeted
3 funds, both actual to date and estimated for the full
4 fiscal year;

5 (2) for fiscal year 2010, the expenditures for all
6 budgeted funds, both actual to date and estimated for the
7 full fiscal year;

8 (3) for fiscal year 2011, the estimated revenues for
9 all budgeted funds, including without limitation the
10 affordable General Revenue Fund appropriations, for the
11 full fiscal year; and

12 (4) for fiscal year 2011, an estimate of the
13 anticipated liabilities for all budgeted funds, including
14 without limitation the affordable General Revenue Fund
15 appropriations, debt service on bonds issued, and the
16 State's contributions to the pension systems, for the full
17 fiscal year.

18 Between July 1 and August 31 of each fiscal year, the
19 members of the General Assembly and members of the public may
20 make written budget recommendations to the Governor.

21 Beginning with budgets prepared for fiscal year 2013, the
22 budgets submitted by the Governor and appropriations made by
23 the General Assembly for all executive branch State agencies
24 must adhere to a method of budgeting where each priority must
25 be justified each year according to merit rather than according
26 to the amount appropriated for the preceding year.

1 (Source: P.A. 96-1, eff. 2-17-09; 96-320, eff. 1-1-10; 96-881,
2 eff. 2-11-10; 96-958, eff. 7-1-10; 96-1000, eff. 7-2-10;
3 96-1529, eff. 2-16-11; 96-1531, eff. 2-16-11; 97-669, eff.
4 1-13-12; 97-813, eff. 7-13-12.)

5 Section 5-10. The Department of Professional Regulation
6 Law of the Civil Administrative Code of Illinois is amended by
7 changing Section 2105-15 as follows:

8 (20 ILCS 2105/2105-15)

9 Sec. 2105-15. General powers and duties.

10 (a) The Department has, subject to the provisions of the
11 Civil Administrative Code of Illinois, the following powers and
12 duties:

13 (1) To authorize examinations in English to ascertain
14 the qualifications and fitness of applicants to exercise
15 the profession, trade, or occupation for which the
16 examination is held.

17 (2) To prescribe rules and regulations for a fair and
18 wholly impartial method of examination of candidates to
19 exercise the respective professions, trades, or
20 occupations.

21 (3) To pass upon the qualifications of applicants for
22 licenses, certificates, and authorities, whether by
23 examination, by reciprocity, or by endorsement.

24 (4) To prescribe rules and regulations defining, for

1 the respective professions, trades, and occupations, what
2 shall constitute a school, college, or university, or
3 department of a university, or other institution,
4 reputable and in good standing, and to determine the
5 reputability and good standing of a school, college, or
6 university, or department of a university, or other
7 institution, reputable and in good standing, by reference
8 to a compliance with those rules and regulations; provided,
9 that no school, college, or university, or department of a
10 university, or other institution that refuses admittance
11 to applicants solely on account of race, color, creed, sex,
12 or national origin shall be considered reputable and in
13 good standing.

14 (5) To conduct hearings on proceedings to revoke,
15 suspend, refuse to renew, place on probationary status, or
16 take other disciplinary action as authorized in any
17 licensing Act administered by the Department with regard to
18 licenses, certificates, or authorities of persons
19 exercising the respective professions, trades, or
20 occupations and to revoke, suspend, refuse to renew, place
21 on probationary status, or take other disciplinary action
22 as authorized in any licensing Act administered by the
23 Department with regard to those licenses, certificates, or
24 authorities. The Department shall issue a monthly
25 disciplinary report. The Department shall deny any license
26 or renewal authorized by the Civil Administrative Code of

1 Illinois to any person who has defaulted on an educational
2 loan or scholarship provided by or guaranteed by the
3 Illinois Student Assistance Commission or any governmental
4 agency of this State; however, the Department may issue a
5 license or renewal if the aforementioned persons have
6 established a satisfactory repayment record as determined
7 by the Illinois Student Assistance Commission or other
8 appropriate governmental agency of this State.
9 Additionally, beginning June 1, 1996, any license issued by
10 the Department may be suspended or revoked if the
11 Department, after the opportunity for a hearing under the
12 appropriate licensing Act, finds that the licensee has
13 failed to make satisfactory repayment to the Illinois
14 Student Assistance Commission for a delinquent or
15 defaulted loan. For the purposes of this Section,
16 "satisfactory repayment record" shall be defined by rule.
17 The Department shall refuse to issue or renew a license to,
18 or shall suspend or revoke a license of, any person who,
19 after receiving notice, fails to comply with a subpoena or
20 warrant relating to a paternity or child support
21 proceeding. However, the Department may issue a license or
22 renewal upon compliance with the subpoena or warrant.

23 The Department, without further process or hearings,
24 shall revoke, suspend, or deny any license or renewal
25 authorized by the Civil Administrative Code of Illinois to
26 a person who is certified by the Department of Healthcare

1 and Family Services (formerly Illinois Department of
2 Public Aid) as being more than 30 days delinquent in
3 complying with a child support order or who is certified by
4 a court as being in violation of the Non-Support Punishment
5 Act for more than 60 days. The Department may, however,
6 issue a license or renewal if the person has established a
7 satisfactory repayment record as determined by the
8 Department of Healthcare and Family Services (formerly
9 Illinois Department of Public Aid) or if the person is
10 determined by the court to be in compliance with the
11 Non-Support Punishment Act. The Department may implement
12 this paragraph as added by Public Act 89-6 through the use
13 of emergency rules in accordance with Section 5-45 of the
14 Illinois Administrative Procedure Act. For purposes of the
15 Illinois Administrative Procedure Act, the adoption of
16 rules to implement this paragraph shall be considered an
17 emergency and necessary for the public interest, safety,
18 and welfare.

19 (6) To transfer jurisdiction of any realty under the
20 control of the Department to any other department of the
21 State Government or to acquire or accept federal lands when
22 the transfer, acquisition, or acceptance is advantageous
23 to the State and is approved in writing by the Governor.

24 (7) To formulate rules and regulations necessary for
25 the enforcement of any Act administered by the Department.

26 (8) To exchange with the Department of Healthcare and

1 Family Services information that may be necessary for the
2 enforcement of child support orders entered pursuant to the
3 Illinois Public Aid Code, the Illinois Marriage and
4 Dissolution of Marriage Act, the Non-Support of Spouse and
5 Children Act, the Non-Support Punishment Act, the Revised
6 Uniform Reciprocal Enforcement of Support Act, the Uniform
7 Interstate Family Support Act, or the Illinois Parentage
8 Act of 1984. Notwithstanding any provisions in this Code to
9 the contrary, the Department of Professional Regulation
10 shall not be liable under any federal or State law to any
11 person for any disclosure of information to the Department
12 of Healthcare and Family Services (formerly Illinois
13 Department of Public Aid) under this paragraph (8) or for
14 any other action taken in good faith to comply with the
15 requirements of this paragraph (8).

16 (9) To perform other duties prescribed by law.

17 (a-5) Except in cases involving default on an educational
18 loan or scholarship provided by or guaranteed by the Illinois
19 Student Assistance Commission or any governmental agency of
20 this State or in cases involving delinquency in complying with
21 a child support order or violation of the Non-Support
22 Punishment Act, no person or entity whose license, certificate,
23 or authority has been revoked as authorized in any licensing
24 Act administered by the Department may apply for restoration of
25 that license, certification, or authority until 3 years after
26 the effective date of the revocation.

1 (b) The Department may, when a fee is payable to the
2 Department for a wall certificate of registration provided by
3 the Department of Central Management Services, require that
4 portion of the payment for printing and distribution costs be
5 made directly or through the Department to the Department of
6 Central Management Services for deposit into the Paper and
7 Printing Revolving Fund. The remainder shall be deposited into
8 the General Revenue Fund.

9 (c) For the purpose of securing and preparing evidence, and
10 for the purchase of controlled substances, professional
11 services, and equipment necessary for enforcement activities,
12 recoupment of investigative costs, and other activities
13 directed at suppressing the misuse and abuse of controlled
14 substances, including those activities set forth in Sections
15 504 and 508 of the Illinois Controlled Substances Act, the
16 Director and agents appointed and authorized by the Director
17 may expend sums from the Professional Regulation Evidence Fund
18 that the Director deems necessary from the amounts appropriated
19 for that purpose. Those sums may be advanced to the agent when
20 the Director deems that procedure to be in the public interest.
21 Sums for the purchase of controlled substances, professional
22 services, and equipment necessary for enforcement activities
23 and other activities as set forth in this Section shall be
24 advanced to the agent who is to make the purchase from the
25 Professional Regulation Evidence Fund on vouchers signed by the
26 Director. The Director and those agents are authorized to

1 maintain one or more commercial checking accounts with any
2 State banking corporation or corporations organized under or
3 subject to the Illinois Banking Act for the deposit and
4 withdrawal of moneys to be used for the purposes set forth in
5 this Section; provided, that no check may be written nor any
6 withdrawal made from any such account except upon the written
7 signatures of 2 persons designated by the Director to write
8 those checks and make those withdrawals. Vouchers for those
9 expenditures must be signed by the Director. All such
10 expenditures shall be audited by the Director, and the audit
11 shall be submitted to the Department of Central Management
12 Services for approval.

13 (d) Whenever the Department is authorized or required by
14 law to consider some aspect of criminal history record
15 information for the purpose of carrying out its statutory
16 powers and responsibilities, then, upon request and payment of
17 fees in conformance with the requirements of Section 2605-400
18 of the Department of State Police Law (20 ILCS 2605/2605-400),
19 the Department of State Police is authorized to furnish,
20 pursuant to positive identification, the information contained
21 in State files that is necessary to fulfill the request.

22 (e) The provisions of this Section do not apply to private
23 business and vocational schools as defined by Section 15 of the
24 Private Business and Vocational Schools Act of 2012.

25 (f) Beginning July 1, 1995, this Section does not apply to
26 those professions, trades, and occupations licensed under the

1 Real Estate License Act of 2000, nor does it apply to any
2 permits, certificates, or other authorizations to do business
3 provided for in the Land Sales Registration Act of 1989 or the
4 Illinois Real Estate Time-Share Act.

5 (g) Notwithstanding anything that may appear in any
6 individual licensing statute or administrative rule, the
7 Department shall deny any license application or renewal
8 authorized under any licensing Act administered by the
9 Department to any person who has failed to file a return, or to
10 pay the tax, penalty, or interest shown in a filed return, or
11 to pay any final assessment of tax, penalty, or interest, as
12 required by any tax Act administered by the Illinois Department
13 of Revenue, until such time as the requirement of any such tax
14 Act are satisfied; however, the Department may issue a license
15 or renewal if the person has established a satisfactory
16 repayment record as determined by the Illinois Department of
17 Revenue. For the purpose of this Section, "satisfactory
18 repayment record" shall be defined by rule.

19 In addition, a complaint filed with the Department by the
20 Illinois Department of Revenue that includes a certification,
21 signed by its Director or designee, attesting to the amount of
22 the unpaid tax liability or the years for which a return was
23 not filed, or both, is prima facia evidence of the licensee's
24 failure to comply with the tax laws administered by the
25 Illinois Department of Revenue. Upon receipt of that
26 certification, the Department shall, without a hearing,

1 immediately suspend all licenses held by the licensee.
2 Enforcement of the Department's order shall be stayed for 60
3 days. The Department shall provide notice of the suspension to
4 the licensee by mailing a copy of the Department's order by
5 certified and regular mail to the licensee's last known address
6 as registered with the Department. The notice shall advise the
7 licensee that the suspension shall be effective 60 days after
8 the issuance of the Department's order unless the Department
9 receives, from the licensee, a request for a hearing before the
10 Department to dispute the matters contained in the order.

11 Any suspension imposed under this subsection (g) shall be
12 terminated by the Department upon notification from the
13 Illinois Department of Revenue that the licensee is in
14 compliance with all tax laws administered by the Illinois
15 Department of Revenue.

16 The Department shall promulgate rules for the
17 administration of this subsection (g).

18 (h) The Department may grant the title "Retired", to be
19 used immediately adjacent to the title of a profession
20 regulated by the Department, to eligible retirees. The use of
21 the title "Retired" shall not constitute representation of
22 current licensure, registration, or certification. Any person
23 without an active license, registration, or certificate in a
24 profession that requires licensure, registration, or
25 certification shall not be permitted to practice that
26 profession.

1 (i) Within 180 days after December 23, 2009 (the effective
2 date of Public Act 96-852), the Department shall promulgate
3 rules which permit a person with a criminal record, who seeks a
4 license or certificate in an occupation for which a criminal
5 record is not expressly a per se bar, to apply to the
6 Department for a non-binding, advisory opinion to be provided
7 by the Board or body with the authority to issue the license or
8 certificate as to whether his or her criminal record would bar
9 the individual from the licensure or certification sought,
10 should the individual meet all other licensure requirements
11 including, but not limited to, the successful completion of the
12 relevant examinations.

13 (j) For Fiscal Year 2013 only and as soon as practicable
14 after the effective date of this amendatory Act of the 97th
15 General Assembly, the State Comptroller shall order and the
16 State Treasurer shall transfer from the Professional
17 Regulation Evidence Fund to the Illinois State Medical
18 Disciplinary Fund a specific amount that shall be determined by
19 the Secretary of the Department of Financial and Professional
20 Regulation. Added together with the other transfers authorized
21 under this amendatory Act of the 97th General Assembly, the
22 total amount of transfers made from the Professional Regulation
23 Evidence Fund and following funds shall not exceed \$9,600,000:

24 Financial Institution Fund.

25 General Professions Dedicated Fund.

26 Savings and Residential Finance Regulatory Fund.

1 Credit Union Fund.

2 Pawnbroker Regulation Fund.

3 Bank and Trust Company Fund.

4 Nursing Dedicated and Professional Fund.

5 Optometric Licensing and Disciplinary Board Fund.

6 Illinois State Podiatric Disciplinary Fund.

7 Illinois State Pharmacy Disciplinary Fund.

8 Home Inspector Administration Fund.

9 Registered Certified Public Accountants'

10 Administration and Disciplinary Fund.

11 Appraisal Administration Fund.

12 (Source: P.A. 96-459, eff. 8-14-09; 96-852, eff. 12-23-09;
13 96-1000, eff. 7-2-10; 97-650, eff. 2-1-12.)

14 Section 5-15. The State Finance Act is amended by changing
15 Sections 6z-26, 6z-38, and 6z-81 and by adding Section 5i as
16 follows:

17 (30 ILCS 105/5i new)

18 Sec. 5i. Transfers. Each year, the Governor's Office of
19 Management and Budget shall, at the time set forth for the
20 submission of the State budget under Section 50-5 of the State
21 Budget Law, provide to the Chairman and the Minority
22 Spokesperson of each of the appropriations committees of the
23 House of Representatives and the Senate a report of (i) all
24 full fiscal year transfers from the General Revenue Fund to any

1 other special fund of the State in the previous fiscal year and
2 during the current fiscal year to date, and (ii) all projected
3 full fiscal year transfers from the General Revenue Fund to
4 those funds for the remainder of the current fiscal year and
5 the next fiscal year, based on estimates prepared by the
6 Governor's Office of Management and Budget. The report shall
7 include a detailed summary of the estimates upon which the
8 projected transfers are based. The report shall also indicate,
9 for each transfer:

10 (1) whether or not there is statutory authority for the
11 transfer;

12 (2) if there is statutory authority for the transfer,
13 whether that statutory authority exists for the next fiscal
14 year; and

15 (3) whether there is debt service associated with the
16 transfer.

17 The General Assembly shall consider the report in the
18 appropriations process.

19 (30 ILCS 105/6z-26)

20 Sec. 6z-26. The Financial Institution Fund. All moneys
21 received by the Department of Financial and Professional
22 Regulation under the Safety Deposit License Act, the Foreign
23 Exchange License Act, the Pawnors Societies Act, the Sale of
24 Exchange Act, the Currency Exchange Act, the Sales Finance
25 Agency Act, the Debt Management Service Act, the Consumer

1 Installment Loan Act, the Illinois Development Credit
2 Corporation Act, the Title Insurance Act, the Debt Settlement
3 Consumer Protection Act, the Debt Management Service Consumer
4 Protection Fund, and any other Act administered by the
5 Department of Financial and Professional Regulation as the
6 successor of the Department of Financial Institutions now or in
7 the future (unless an Act specifically provides otherwise)
8 shall be deposited in the Financial Institution Fund
9 (hereinafter "Fund"), a special fund that is hereby created in
10 the State Treasury.

11 Moneys in the Fund shall be used by the Department, subject
12 to appropriation, for expenses incurred in administering the
13 above named and referenced Acts.

14 The Comptroller and the State Treasurer shall transfer from
15 the General Revenue Fund to the Fund any monies received by the
16 Department after June 30, 1993, under any of the above named
17 and referenced Acts that have been deposited in the General
18 Revenue Fund.

19 As soon as possible after the end of each calendar year,
20 the Comptroller shall compare the balance in the Fund at the
21 end of the calendar year with the amount appropriated from the
22 Fund for the fiscal year beginning on July 1 of that calendar
23 year. If the balance in the Fund exceeds the amount
24 appropriated, the Comptroller and the State Treasurer shall
25 transfer from the Fund to the General Revenue Fund an amount
26 equal to the difference between the balance in the Fund and the

1 amount appropriated.

2 Nothing in this Section shall be construed to prohibit
3 appropriations from the General Revenue Fund for expenses
4 incurred in the administration of the above named and
5 referenced Acts.

6 Moneys in the Fund may be transferred to the Professions
7 Indirect Cost Fund, as authorized under Section 2105-300 of the
8 Department of Professional Regulation Law of the Civil
9 Administrative Code of Illinois.

10 For Fiscal Year 2013 only and as soon as practicable after
11 the effective date of this amendatory Act of the 97th General
12 Assembly, the State Comptroller shall order and the State
13 Treasurer shall transfer from the Fund to the Illinois State
14 Medical Disciplinary Fund a specific amount that shall be
15 determined by the Secretary of the Department of Financial and
16 Professional Regulation. Added together with the other
17 transfers authorized under this amendatory Act of the 97th
18 General Assembly, the total amount of transfers made from the
19 Fund and following funds shall not exceed \$9,600,000:

20 Professional Regulation Evidence Fund.

21 General Professions Dedicated Fund.

22 Savings and Residential Finance Regulatory Fund.

23 Credit Union Fund.

24 Pawnbroker Regulation Fund.

25 Bank and Trust Company Fund.

26 Nursing Dedicated and Professional Fund.

1 Optometric Licensing and Disciplinary Board Fund.

2 Illinois State Podiatric Disciplinary Fund.

3 Illinois State Pharmacy Disciplinary Fund.

4 Home Inspector Administration Fund.

5 Registered Certified Public Accountants'

6 Administration and Disciplinary Fund.

7 Appraisal Administration Fund.

8 (Source: P.A. 96-1420, eff. 8-3-10.)

9 (30 ILCS 105/6z-38)

10 Sec. 6z-38. General Professions Dedicated Fund. The
11 General Professions Dedicated Fund is created in the State
12 treasury. Moneys in the Fund shall be invested and earnings on
13 the investments shall be retained in the Fund. Moneys in the
14 Fund shall be appropriated to the Department of Professional
15 Regulation for the ordinary and contingent expenses of the
16 Department, except for moneys transferred under Section 19 of
17 the Sex Offender Management Board Act which shall be
18 appropriated for the purpose of implementing the provisions of
19 the Sex Offender Evaluation and Treatment Provider Act. Moneys
20 in the Fund may be transferred to the Professions Indirect Cost
21 Fund as authorized by Section 2105-300 of the Department of
22 Professional Regulation Law (20 ILCS 2105/2105-300).

23 For Fiscal Year 2013 only and as soon as practicable after
24 the effective date of this amendatory Act of the 97th General
25 Assembly, the State Comptroller shall order and the State

1 Treasurer shall transfer from the Fund to the Illinois State
2 Medical Disciplinary Fund a specific amount that shall be
3 determined by the Secretary of the Department of Financial and
4 Professional Regulation. Added together with the other
5 transfers authorized under this amendatory Act of the 97th
6 General Assembly, the total amount of transfers made from the
7 Fund and following funds shall not exceed \$9,600,000:

8 Professional Regulation Evidence Fund.

9 Financial Institution Fund.

10 Savings and Residential Finance Regulatory Fund.

11 Credit Union Fund.

12 Pawnbroker Regulation Fund.

13 Bank and Trust Company Fund.

14 Nursing Dedicated and Professional Fund.

15 Optometric Licensing and Disciplinary Board Fund.

16 Illinois State Podiatric Disciplinary Fund.

17 Illinois State Pharmacy Disciplinary Fund.

18 Home Inspector Administration Fund.

19 Registered Certified Public Accountants'

20 Administration and Disciplinary Fund.

21 Appraisal Administration Fund.

22 (Source: P.A. 97-1098, eff. 1-1-13.)

23 (30 ILCS 105/6z-81)

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

25 (a) There is created in the State treasury a special fund

1 to be known as the Healthcare Provider Relief Fund.

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

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

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

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

17 (1) Moneys received by the State from short-term
18 borrowing pursuant to the Short Term Borrowing Act on or
19 after the effective date of this amendatory Act of the 96th
20 General Assembly.

21 (2) All federal matching funds received by the Illinois
22 Department of Healthcare and Family Services as a result of
23 expenditures made by the Department that are attributable
24 to moneys deposited in the Fund.

25 (3) All federal matching funds received by the Illinois
26 Department of Healthcare and Family Services as a result of

1 federal approval of Title XIX State plan amendment
2 transmittal number 07-09.

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

5 (d) In addition to any other transfers that may be provided
6 for by law, on the effective date of this amendatory Act of the
7 97th General Assembly, or as soon thereafter as practical, the
8 State Comptroller shall direct and the State Treasurer shall
9 transfer the sum of \$365,000,000 from the General Revenue Fund
10 into the Healthcare Provider Relief Fund.

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

16 (f) Notwithstanding any other State law to the contrary,
17 and in addition to any other transfers that may be provided for
18 by law, the State Comptroller shall order transferred and the
19 State Treasurer shall transfer \$500,000,000 to the Healthcare
20 Provider Relief Fund from the General Revenue Fund in equal
21 monthly installments of \$100,000,000, with the first transfer
22 to be made on July 1, 2012, or as soon thereafter as practical,
23 and with each of the remaining transfers to be made on August
24 1, 2012, September 1, 2012, October 1, 2012, and November 1,
25 2012, or as soon thereafter as practical. This transfer may
26 assist the Department of Healthcare and Family Services in

1 improving Medical Assistance bill processing timeframes or in
2 meeting the possible requirements of Senate Bill 3397, or other
3 similar legislation, of the 97th General Assembly should it
4 become law.

5 (g) Notwithstanding any other State law to the contrary,
6 and in addition to any other transfers that may be provided for
7 by law, the State Comptroller shall order transferred and the
8 State Treasurer shall transfer \$151,000,000 to the Healthcare
9 Provider Relief Fund from the General Revenue Fund in equal
10 monthly installments of \$37,750,000, with the first transfer to
11 be made 30 days after the effective date of this amendatory Act
12 of the 97th General Assembly, or as soon thereafter as
13 practical, and with each of the remaining transfers to be made
14 60, 90, and 120 days after the effective date of this
15 amendatory Act of the 97th General Assembly, or as soon
16 thereafter as practical.

17 (Source: P.A. 96-820, eff. 11-18-09; 96-1100, eff. 1-1-11;
18 97-44, eff. 6-28-11; 97-641, eff. 12-19-11; 97-689, eff.
19 6-14-12; 97-732, eff. 6-30-12; revised 7-10-12.)

20 Section 5-20. The Illinois Savings and Loan Act of 1985 is
21 amended by changing Section 7-19.1 as follows:

22 (205 ILCS 105/7-19.1) (from Ch. 17, par. 3307-19.1)

23 Sec. 7-19.1. Savings and Residential Finance Regulatory
24 Fund.

1 (a) Until the effective date of this amendatory Act of the
2 97th General Assembly, the aggregate of all moneys collected by
3 the Secretary under this Act shall be paid promptly after
4 receipt of the same, accompanied by a detailed statement
5 thereof, into the State treasury and shall be set apart in the
6 Savings and Residential Finance Regulatory Fund, a special fund
7 hereby created in the State treasury. The amounts deposited
8 into the Fund shall be used for the ordinary and contingent
9 expenses of the Department of Financial and Professional
10 Regulation and the Division of Banking, or their successors, in
11 administering and enforcing the Illinois Savings and Loan Act
12 of 1985, the Savings Bank Act, and the Residential Mortgage
13 License Act of 1987 and other laws, rules, and regulations as
14 may apply to the administration and enforcement of the
15 foregoing laws, rules, and regulations as amended from time to
16 time. Nothing in this Act shall prevent continuing the practice
17 of paying expenses involving salaries, retirement, social
18 security, and State-paid insurance of State officers by
19 appropriation from the General Revenue Fund.

20 (b) (Blank).

21 (b-5) Moneys in the Savings and Residential Finance
22 Regulatory Fund may be transferred to the Professions Indirect
23 Cost Fund, as authorized under Section 2105-300 of the
24 Department of Professional Regulation Law of the Civil
25 Administrative Code of Illinois.

26 (b-10) Notwithstanding provisions in the State Finance

1 Act, as now or hereafter amended, or any other law to the
2 contrary, the sum of \$27,481,638 shall be transferred from the
3 Savings and Residential Finance Regulatory Fund to the
4 Financial Institutions Settlement of 2008 Fund on the effective
5 date of this amendatory Act of the 95th General Assembly, or as
6 soon thereafter as practical.

7 Notwithstanding provisions in the State Finance Act, as now
8 or hereafter amended, or any other law to the contrary, the
9 Governor may, during any fiscal year through January 10, 2011,
10 from time to time direct the State Treasurer and Comptroller to
11 transfer a specified sum not exceeding 10% of the revenues to
12 be deposited into the Savings and Residential Finance
13 Regulatory Fund during that fiscal year from that Fund to the
14 General Revenue Fund in order to help defray the State's
15 operating costs for the fiscal year. Notwithstanding
16 provisions in the State Finance Act, as now or hereafter
17 amended, or any other law to the contrary, the total sum
18 transferred during any fiscal year through January 10, 2011,
19 from the Savings and Residential Finance Regulatory Fund to the
20 General Revenue Fund pursuant to this provision shall not
21 exceed during any fiscal year 10% of the revenues to be
22 deposited into the Savings and Residential Finance Regulatory
23 Fund during that fiscal year. The State Treasurer and
24 Comptroller shall transfer the amounts designated under this
25 Section as soon as may be practicable after receiving the
26 direction to transfer from the Governor.

1 (c) All earnings received from investments of funds in the
2 Savings and Residential Finance Regulatory Fund shall be
3 deposited into the Savings and Residential Finance Regulatory
4 Fund and may be used for the same purposes as fees deposited
5 into that Fund.

6 (d) When the balance in the Savings and Residential Finance
7 Regulatory Fund at the end of a fiscal year apportioned to the
8 fees collected under the Illinois Savings and Loan Act of 1985
9 and the Savings Bank Act exceeds 25% of the total actual
10 administrative and operational expenses incurred by the State
11 for that fiscal year in administering and enforcing the
12 Illinois Savings and Loan Act of 1985 and the Savings Bank Act
13 and such other laws, rules, and regulations as may apply to the
14 administration and enforcement of the foregoing laws, rules,
15 and regulations, the excess shall be credited to the
16 appropriate institutions and entities and applied against
17 their regulatory fees for the subsequent fiscal year. The
18 amount credited to each institution or entity shall be in the
19 same proportion that the regulatory fees paid by the
20 institution or entity for the fiscal year in which the excess
21 is produced bear to the aggregate amount of all fees collected
22 by the Secretary under the Illinois Savings and Loan Act of
23 1985 and the Savings Bank Act for the same fiscal year. For the
24 purpose of this Section, "fiscal year" means the period
25 beginning July 1 of any year and ending June 30 of the next
26 calendar year.

1 (e) For Fiscal Year 2013 only and as soon as practicable
2 after the effective date of this amendatory Act of the 97th
3 General Assembly, the State Comptroller shall order and the
4 State Treasurer shall transfer from the Savings and Residential
5 Finance Regulatory Fund to the Illinois State Medical
6 Disciplinary Fund a specific amount that shall be determined by
7 the Secretary of the Department of Financial and Professional
8 Regulation. Added together with the other transfers authorized
9 under this amendatory Act of the 97th General Assembly, the
10 total amount of transfers made from the Savings and Residential
11 Finance Regulatory Fund and following funds shall not exceed
12 \$9,600,000:

13 Professional Regulation Evidence Fund.

14 Financial Institution Fund.

15 General Professions Dedicated Fund.

16 Credit Union Fund.

17 Pawnbroker Regulation Fund.

18 Bank and Trust Company Fund.

19 Nursing Dedicated and Professional Fund.

20 Optometric Licensing and Disciplinary Board Fund.

21 Illinois State Podiatric Disciplinary Fund.

22 Illinois State Pharmacy Disciplinary Fund.

23 Home Inspector Administration Fund.

24 Registered Certified Public Accountants'

25 Administration and Disciplinary Fund.

26 Appraisal Administration Fund.

1 (Source: P.A. 97-492, eff. 1-1-12.)

2 Section 5-25. The Illinois Credit Union Act is amended by
3 changing Section 12 as follows:

4 (205 ILCS 305/12) (from Ch. 17, par. 4413)

5 Sec. 12. Regulatory fees.

6 (1) For the fiscal year beginning July 1, 2007, a credit
7 union regulated by the Department shall pay a regulatory fee to
8 the Department based upon its total assets as shown by its
9 Year-end Call Report at the following rates or at a lesser rate
10 established by the Secretary in a manner proportionately
11 consistent with the following rates and sufficient to fund the
12 actual administrative and operational expenses of the
13 Department's Credit Union Section pursuant to subsection (4) of
14 this Section:

15 TOTAL ASSETS	REGULATORY FEE
16 \$25,000 or less	\$100
17 Over \$25,000 and not over	
18 \$100,000	\$100 plus \$4 per
	19 \$1,000 of assets in excess of
	20 \$25,000
21 Over \$100,000 and not over	
22 \$200,000	\$400 plus \$3 per
	23 \$1,000 of assets in excess of
	24 \$100,000

1 Over \$200,000 and not over
2 \$500,000 \$700 plus \$2 per
3 \$1,000 of assets in excess of
4 \$200,000
5 Over \$500,000 and not over
6 \$1,000,000 \$1,300 plus \$1.40
7 per \$1,000 of assets in excess
8 of \$500,000
9 Over \$1,000,000 and not
10 over \$5,000,000 \$2,000 plus \$0.50
11 per \$1,000 of assets in
12 excess of \$1,000,000
13 Over \$5,000,000 and not
14 over \$30,000,000 \$4,540 plus \$0.397
15 per \$1,000 assets
16 in excess of \$5,000,000
17 Over \$30,000,000 and not over
18 \$100,000,000 \$14,471 plus \$0.34
19 per \$1,000 of assets
20 in excess of \$30,000,000
21 Over \$100,000,000 and not
22 over \$500,000,000 \$38,306 plus \$0.17
23 per \$1,000 of assets
24 in excess of \$100,000,000
25 Over \$500,000,000 \$106,406 plus \$0.056
26 per \$1,000 of assets

1 in excess of \$500,000,000

2 (2) The Secretary shall review the regulatory fee schedule
3 in subsection (1) and the projected earnings on those fees on
4 an annual basis and adjust the fee schedule no more than 5%
5 annually if necessary to defray the estimated administrative
6 and operational expenses of the Credit Union Section of the
7 Department as defined in subsection (5). However, the fee
8 schedule shall not be increased if the amount remaining in the
9 Credit Union Fund at the end of any fiscal year is greater than
10 25% of the total actual and operational expenses incurred by
11 the State in administering and enforcing the Illinois Credit
12 Union Act and other laws, rules, and regulations as may apply
13 to the administration and enforcement of the foregoing laws,
14 rules, and regulations as amended from time to time for the
15 preceding fiscal year. The regulatory fee for the next fiscal
16 year shall be calculated by the Secretary based on the credit
17 union's total assets as of December 31 of the preceding
18 calendar year. The Secretary shall provide credit unions with
19 written notice of any adjustment made in the regulatory fee
20 schedule.

21 (3) A credit union shall pay to the Department a regulatory
22 fee in quarterly installments equal to one-fourth of the
23 regulatory fee due in accordance with the regulatory fee
24 schedule in subsection (1), on the basis of assets as of the
25 Year-end Call Report of the preceding calendar year. The total
26 annual regulatory fee shall not be less than \$100 or more than

1 \$141,875, provided that the regulatory fee cap of \$141,875
2 shall be adjusted to incorporate the same percentage increase
3 as the Secretary makes in the regulatory fee schedule from time
4 to time under subsection (2). No regulatory fee shall be
5 collected from a credit union until it has been in operation
6 for one year. The regulatory fee shall be billed to credit
7 unions on a quarterly basis and it shall be payable by credit
8 unions on the due date for the Call Report for the subject
9 quarter.

10 (4) The aggregate of all fees collected by the Department
11 under this Act shall be paid promptly after they are received,
12 accompanied by a detailed statement thereof, into the State
13 Treasury and shall be set apart in the Credit Union Fund, a
14 special fund hereby created in the State treasury. The amount
15 from time to time deposited in the Credit Union Fund and shall
16 be used to offset the ordinary administrative and operational
17 expenses of the Credit Union Section of the Department under
18 this Act. All earnings received from investments of funds in
19 the Credit Union Fund shall be deposited into the Credit Union
20 Fund and may be used for the same purposes as fees deposited
21 into that fund. Moneys deposited in the Credit Union Fund may
22 be transferred to the Professions Indirect Cost Fund, as
23 authorized under Section 2105-300 of the Department of
24 Professional Regulation Law of the Civil Administrative Code of
25 Illinois.

26 Notwithstanding provisions in the State Finance Act, as now

1 or hereafter amended, or any other law to the contrary, the
2 Governor may, during any fiscal year through January 10, 2011,
3 from time to time direct the State Treasurer and Comptroller to
4 transfer a specified sum not exceeding 10% of the revenues to
5 be deposited into the Credit Union Fund during that fiscal year
6 from that Fund to the General Revenue Fund in order to help
7 defray the State's operating costs for the fiscal year.
8 Notwithstanding provisions in the State Finance Act, as now or
9 hereafter amended, or any other law to the contrary, the total
10 sum transferred from the Credit Union Fund to the General
11 Revenue Fund pursuant to this provision shall not exceed during
12 any fiscal year 10% of the revenues to be deposited into the
13 Credit Union Fund during that fiscal year. The State Treasurer
14 and Comptroller shall transfer the amounts designated under
15 this Section as soon as may be practicable after receiving the
16 direction to transfer from the Governor.

17 (4.5) For Fiscal Year 2013 only and as soon as practicable
18 after the effective date of this amendatory Act of the 97th
19 General Assembly, the State Comptroller shall order and the
20 State Treasurer shall transfer from the Credit Union Fund to
21 the Illinois State Medical Disciplinary Fund a specific amount
22 that shall be determined by the Secretary of the Department of
23 Financial and Professional Regulation. Added together with the
24 other transfers authorized under this amendatory Act of the
25 97th General Assembly, the total amount of transfers made from
26 the Credit Union Fund and following funds shall not exceed

1 \$9,600,000:

2 Professional Regulation Evidence Fund.

3 Financial Institution Fund.

4 General Professions Dedicated Fund.

5 Savings and Residential Finance Regulatory Fund.

6 Pawnbroker Regulation Fund.

7 Bank and Trust Company Fund.

8 Nursing Dedicated and Professional Fund.

9 Optometric Licensing and Disciplinary Board Fund.

10 Illinois State Podiatric Disciplinary Fund.

11 Illinois State Pharmacy Disciplinary Fund.

12 Home Inspector Administration Fund.

13 Registered Certified Public Accountants'

14 Administration and Disciplinary Fund.

15 Appraisal Administration Fund.

16 (5) The administrative and operational expenses for any
17 fiscal year shall mean the ordinary and contingent expenses for
18 that year incidental to making the examinations provided for
19 by, and for administering, this Act, including all salaries and
20 other compensation paid for personal services rendered for the
21 State by officers or employees of the State to enforce this
22 Act; all expenditures for telephone and telegraph charges,
23 postage and postal charges, office supplies and services,
24 furniture and equipment, office space and maintenance thereof,
25 travel expenses and other necessary expenses; all to the extent
26 that such expenditures are directly incidental to such

1 examination or administration.

2 (6) When the balance in the Credit Union Fund at the end of
3 a fiscal year exceeds 25% of the total administrative and
4 operational expenses incurred by the State in administering and
5 enforcing the Illinois Credit Union Act and other laws, rules,
6 and regulations as may apply to the administration and
7 enforcement of the foregoing laws, rules, and regulations as
8 amended from time to time for that fiscal year, such excess
9 shall be credited to credit unions and applied against their
10 regulatory fees for the subsequent fiscal year. The amount
11 credited to each credit union shall be in the same proportion
12 as the regulatory fee paid by such credit union for the fiscal
13 year in which the excess is produced bears to the aggregate
14 amount of all fees collected by the Department under this Act
15 for the same fiscal year.

16 (7) (Blank).

17 (8) Nothing in this Act shall prohibit the General Assembly
18 from appropriating funds to the Department from the General
19 Revenue Fund for the purpose of administering this Act.

20 (9) For purposes of this Section, "fiscal year" means a
21 period beginning on July 1 of any calendar year and ending on
22 June 30 of the next calendar year.

23 (Source: P.A. 97-133, eff. 1-1-12.)

24 Section 5-30. The Pawnbroker Regulation Act is amended by
25 changing Section 0.05 as follows:

1 (205 ILCS 510/0.05)

2 Sec. 0.05. Administration of Act.

3 (a) This Act shall be administered by the Secretary of
4 Financial and Professional Regulation, and, beginning on July
5 28, 2010 (the effective date of Public Act 96-1365), all
6 references in this Act to the Commissioner of Banks and Real
7 Estate are deemed, in appropriate contexts, to be references to
8 the Secretary of Financial and Professional Regulation, who
9 shall have all of the following powers and duties in
10 administering this Act:

11 (1) To promulgate reasonable rules for the purpose of
12 administering the provisions of this Act.

13 (2) To issue orders for the purpose of administering
14 the provisions of this Act and any rule promulgated in
15 accordance with this Act.

16 (2.5) To order restitution to consumers suffering
17 damages resulting from violations of this Act, rules
18 promulgated in accordance with this Act, or other laws or
19 regulations related to the operation of a pawnshop.

20 (3) To appoint hearing officers and to hire employees
21 or to contract with appropriate persons to execute any of
22 the powers granted to the Secretary under this Section for
23 the purpose of administering this Act and any rule
24 promulgated in accordance with this Act.

25 (4) To subpoena witnesses, to compel their attendance,

1 to administer an oath, to examine any person under oath,
2 and to require the production of any relevant books,
3 papers, accounts, and documents in the course of and
4 pursuant to any investigation being conducted, or any
5 action being taken, by the Secretary in respect of any
6 matter relating to the duties imposed upon, or the powers
7 vested in, the Secretary under the provisions of this Act
8 or any rule promulgated in accordance with this Act.

9 (5) To conduct hearings.

10 (6) To impose civil penalties graduated up to \$1,000
11 against any person for each violation of any provision of
12 this Act, any rule promulgated in accordance with this Act,
13 or any order of the Secretary based upon the seriousness of
14 the violation.

15 (6.5) To initiate, through the Attorney General,
16 injunction proceedings whenever it appears to the
17 Secretary that any person, whether licensed under this Act
18 or not, is engaged or about to engage in an act or practice
19 that constitutes or will constitute a violation of this Act
20 or any rule prescribed under the authority of this Act. The
21 Secretary may, in his or her discretion, through the
22 Attorney General, apply for an injunction, and upon a
23 proper showing, any circuit court may enter a permanent or
24 preliminary injunction or a temporary restraining order
25 without bond to enforce this Act in addition to the
26 penalties and other remedies provided for in this Act.

1 (7) To issue a cease and desist order and, for
2 violations of this Act, any order issued by the Secretary
3 pursuant to this Act, any rule promulgated in accordance
4 with this Act, or any other applicable law in connection
5 with the operation of a pawnshop, to suspend a license
6 issued under this Act for up to 30 days.

7 (8) To determine compliance with applicable law and
8 rules related to the operation of pawnshops and to verify
9 the accuracy of reports filed with the Secretary, the
10 Secretary, not more than one time every 2 years, may, but
11 is not required to, conduct a routine examination of a
12 pawnshop, and in addition, the Secretary may examine the
13 affairs of any pawnshop at any time if the Secretary has
14 reasonable cause to believe that unlawful or fraudulent
15 activity is occurring, or has occurred, therein.

16 (9) In response to a complaint, to address any
17 inquiries to any pawnshop in relation to its affairs, and
18 it shall be the duty of the pawnshop to promptly reply in
19 writing to such inquiries. The Secretary may also require
20 reports or information from any pawnshop at any time the
21 Secretary may deem desirable.

22 (10) To revoke a license issued under this Act if the
23 Secretary determines that (a) a licensee has been convicted
24 of a felony in connection with the operations of a
25 pawnshop; (b) a licensee knowingly, recklessly, or
26 continuously violated this Act or State or federal law or

1 regulation, a rule promulgated in accordance with this Act,
2 or any order of the Secretary; (c) a fact or condition
3 exists that, if it had existed or had been known at the
4 time of the original application, would have justified
5 license refusal; (d) the licensee knowingly submits
6 materially false or misleading documents with the intent to
7 deceive the Secretary or any other party; or (e) the
8 licensee is unable or ceases to continue to operate the
9 pawnshop.

10 (10.2) To remove or prohibit the employment of any
11 officer, director, employee, or agent of the pawnshop who
12 engages in or has engaged in unlawful activities that
13 relate to the operation of a pawnshop.

14 (10.7) To prohibit the hiring of employees who have
15 been convicted of a financial crime or any crime involving
16 breach of trust who do not meet exceptions as established
17 by rule of the Secretary.

18 (11) Following license revocation, to take possession
19 and control of a pawnshop for the purpose of examination,
20 reorganization, or liquidation through receivership and to
21 appoint a receiver, which may be the Secretary, a pawnshop,
22 or another suitable person.

23 (b) After consultation with local law enforcement
24 officers, the Attorney General, and the industry, the Secretary
25 may by rule require that pawnbrokers operate video camera
26 surveillance systems to record photographic representations of

1 customers and retain the tapes produced for up to 30 days.

2 (c) Pursuant to rule, the Secretary shall issue licenses on
3 an annual or multi-year basis for operating a pawnshop. Any
4 person currently operating or who has operated a pawnshop in
5 this State during the 2 years preceding the effective date of
6 this amendatory Act of 1997 shall be issued a license upon
7 payment of the fee required under this Act. New applicants
8 shall meet standards for a license as established by the
9 Secretary. Except with the prior written consent of the
10 Secretary, no individual, either a new applicant or a person
11 currently operating a pawnshop, may be issued a license to
12 operate a pawnshop if the individual has been convicted of a
13 felony or of any criminal offense relating to dishonesty or
14 breach of trust in connection with the operations of a
15 pawnshop. The Secretary shall establish license fees. The fees
16 shall not exceed the amount reasonably required for
17 administration of this Act. It shall be unlawful to operate a
18 pawnshop without a license issued by the Secretary.

19 (d) In addition to license fees, the Secretary may, by
20 rule, establish fees in connection with a review, approval, or
21 provision of a service, and levy a reasonable charge to recover
22 the cost of the review, approval, or service (such as a change
23 in control, change in location, or renewal of a license). The
24 Secretary may also levy a reasonable charge to recover the cost
25 of an examination if the Secretary determines that unlawful or
26 fraudulent activity has occurred. The Secretary may require

1 payment of the fees and charges provided in this Act by
2 certified check, money order, an electronic transfer of funds,
3 or an automatic debit of an account.

4 (e) The Pawnbroker Regulation Fund is established as a
5 special fund in the State treasury. Moneys collected under this
6 Act shall be deposited into the Fund and used for the
7 administration of this Act. In the event that General Revenue
8 Funds are appropriated to the Department of Financial and
9 Professional Regulation for the initial implementation of this
10 Act, the Governor may direct the repayment from the Pawnbroker
11 Regulation Fund to the General Revenue Fund of such advance in
12 an amount not to exceed \$30,000. The Governor may direct this
13 interfund transfer at such time as he deems appropriate by
14 giving appropriate written notice. Moneys in the Pawnbroker
15 Regulation Fund may be transferred to the Professions Indirect
16 Cost Fund, as authorized under Section 2105-300 of the
17 Department of Professional Regulation Law of the Civil
18 Administrative Code of Illinois.

19 (e-5) For Fiscal Year 2013 only and as soon as practicable
20 after the effective date of this amendatory Act of the 97th
21 General Assembly, the State Comptroller shall order and the
22 State Treasurer shall transfer from the Pawnbroker Regulation
23 Fund to the Illinois State Medical Disciplinary Fund a specific
24 amount that shall be determined by the Secretary of the
25 Department of Financial and Professional Regulation. Added
26 together with the other transfers authorized under this

1 amendatory Act of the 97th General Assembly, the total amount
2 of transfers made from the Pawnbroker Regulation Fund and
3 following funds shall not exceed \$9,600,000:

4 Professional Regulation Evidence Fund.

5 Financial Institution Fund.

6 General Professions Dedicated Fund.

7 Savings and Residential Finance Regulatory Fund.

8 Credit Union Fund.

9 Bank and Trust Company Fund.

10 Nursing Dedicated and Professional Fund.

11 Optometric Licensing and Disciplinary Board Fund.

12 Illinois State Podiatric Disciplinary Fund.

13 Illinois State Pharmacy Disciplinary Fund.

14 Home Inspector Administration Fund.

15 Registered Certified Public Accountants'

16 Administration and Disciplinary Fund.

17 Appraisal Administration Fund.

18 (f) The Secretary may, by rule, require all pawnshops to
19 provide for the expenses that would arise from the
20 administration of the receivership of a pawnshop under this Act
21 through the assessment of fees, the requirement to pledge
22 surety bonds, or such other methods as determined by the
23 Secretary.

24 (g) All final administrative decisions of the Secretary
25 under this Act shall be subject to judicial review pursuant to
26 the provisions of the Administrative Review Law. For matters

1 involving administrative review, venue shall be in either
2 Sangamon County or Cook County.

3 (Source: P.A. 96-1038, eff. 7-14-10; 96-1365, eff. 7-28-10;
4 97-333, eff. 8-12-11.)

5 Section 5-35. The Check Printer and Check Number Act is
6 amended by changing Section 21 as follows:

7 (205 ILCS 690/21)

8 Sec. 21. Fees. All moneys received by the Commissioner
9 under this Act shall be paid into, and all expenses incurred by
10 the Commissioner under this Act shall be paid from, the Bank
11 and Trust Company Fund. The Commissioner may prescribe and
12 assess reasonable fees to be paid by registrants to recover the
13 costs of administering this Act.

14 For Fiscal Year 2013 only and as soon as practicable after
15 the effective date of this amendatory Act of the 97th General
16 Assembly, the State Comptroller shall order and the State
17 Treasurer shall transfer from the Bank and Trust Company Fund
18 to the Illinois State Medical Disciplinary Fund a specific
19 amount that shall be determined by the Secretary of the
20 Department of Financial and Professional Regulation. Added
21 together with the other transfers authorized under this
22 amendatory Act of the 97th General Assembly, the total amount
23 of transfers made from the Bank and Trust Company Fund and
24 following funds shall not exceed \$9,600,000:

1 Professional Regulation Evidence Fund.

2 Financial Institution Fund.

3 General Professions Dedicated Fund.

4 Savings and Residential Finance Regulatory Fund.

5 Credit Union Fund.

6 Pawnbroker Regulation Fund.

7 Nursing Dedicated and Professional Fund.

8 Optometric Licensing and Disciplinary Board Fund.

9 Illinois State Podiatric Disciplinary Fund.

10 Illinois State Pharmacy Disciplinary Fund.

11 Home Inspector Administration Fund.

12 Registered Certified Public Accountants'

13 Administration and Disciplinary Fund.

14 Appraisal Administration Fund.

15 (Source: P.A. 90-184, eff. 7-23-97.)

16 Section 5-40. The Nurse Practice Act is amended by changing
17 Section 70-50 as follows:

18 (225 ILCS 65/70-50) (was 225 ILCS 65/20-40)

19 (Section scheduled to be repealed on January 1, 2018)

20 Sec. 70-50. Fund.

21 (a) There is hereby created within the State Treasury the
22 Nursing Dedicated and Professional Fund. The monies in the Fund
23 may be used by and at the direction of the Department for the
24 administration and enforcement of this Act, including but not

1 limited to:

2 (1) Distribution and publication of this Act and rules.

3 (2) Employment of secretarial, nursing,
4 administrative, enforcement, and other staff for the
5 administration of this Act.

6 (b) Disposition of fees:

7 (1) \$5 of every licensure fee shall be placed in a fund
8 for assistance to nurses enrolled in a diversionary program
9 as approved by the Department.

10 (2) All of the fees, fines, and penalties collected
11 pursuant to this Act shall be deposited in the Nursing
12 Dedicated and Professional Fund.

13 (3) Each fiscal year, the moneys deposited in the
14 Nursing Dedicated and Professional Fund shall be
15 appropriated to the Department for expenses of the
16 Department and the Board in the administration of this Act.
17 All earnings received from investment of moneys in the
18 Nursing Dedicated and Professional Fund shall be deposited
19 in the Nursing Dedicated and Professional Fund and shall be
20 used for the same purposes as fees deposited in the Fund.

21 (4) For the fiscal year beginning July 1, 2009 and for
22 each fiscal year thereafter, \$2,000,000 of the moneys
23 deposited in the Nursing Dedicated and Professional Fund
24 each year shall be set aside and appropriated to the
25 Department of Public Health for nursing scholarships
26 awarded pursuant to the Nursing Education Scholarship Law.

1 Representatives of the Department and the Nursing
2 Education Scholarship Program Advisory Council shall
3 review this requirement and the scholarship awards every 2
4 years.

5 (5) Moneys in the Fund may be transferred to the
6 Professions Indirect Cost Fund as authorized under Section
7 2105-300 of the Department of Professional Regulation Law
8 (20 ILCS 2105/2105-300).

9 (c) Moneys set aside for nursing scholarships awarded
10 pursuant to the Nursing Education Scholarship Law as provided
11 in item (4) of subsection (b) of this Section may not be
12 transferred under Section 8h of the State Finance Act.

13 (d) For Fiscal Year 2013 only and as soon as practicable
14 after the effective date of this amendatory Act of the 97th
15 General Assembly, the State Comptroller shall order and the
16 State Treasurer shall transfer from the Fund to the Illinois
17 State Medical Disciplinary Fund a specific amount that shall be
18 determined by the Secretary of the Department of Financial and
19 Professional Regulation. Added together with the other
20 transfers authorized under this amendatory Act of the 97th
21 General Assembly, the total amount of transfers made from the
22 Fund and following funds shall not exceed \$9,600,000:

23 Professional Regulation Evidence Fund.

24 Financial Institution Fund.

25 General Professions Dedicated Fund.

26 Savings and Residential Finance Regulatory Fund.

1 Credit Union Fund.

2 Pawnbroker Regulation Fund.

3 Bank and Trust Company Fund.

4 Optometric Licensing and Disciplinary Board Fund.

5 Illinois State Podiatric Disciplinary Fund.

6 Illinois State Pharmacy Disciplinary Fund.

7 Home Inspector Administration Fund.

8 Registered Certified Public Accountants'

9 Administration and Disciplinary Fund.

10 Appraisal Administration Fund.

11 (Source: P.A. 95-331, eff. 8-21-07; 95-639, eff. 10-5-07;
12 96-328, eff. 8-11-09; 96-805, eff. 10-30-09.)

13 Section 5-45. The Illinois Optometric Practice Act of 1987
14 is amended by changing Section 20 as follows:

15 (225 ILCS 80/20) (from Ch. 111, par. 3920)

16 (Section scheduled to be repealed on January 1, 2017)

17 Sec. 20. Fund. All moneys received by the Department
18 pursuant to this Act shall be deposited in the Optometric
19 Licensing and Disciplinary Board Fund, which is hereby created
20 as a special fund in the State Treasury, and shall be used for
21 the administration of this Act, including: (a) by the Board in
22 the exercise of its powers and performance of its duties, as
23 such use is made by the Department with full consideration of
24 all recommendations of the Board; (b) for costs directly

1 related to license renewal of persons licensed under this Act;
2 and (c) for direct and allocable indirect costs related to the
3 public purposes of the Department of Financial and Professional
4 Regulation. Subject to appropriation, moneys in the Optometric
5 Licensing and Disciplinary Board Fund may be used for the
6 Optometric Education Scholarship Program administered by the
7 Illinois Student Assistance Commission pursuant to Section
8 65.70 of the Higher Education Student Assistance Act.

9 Moneys in the Fund may be transferred to the Professions
10 Indirect Cost Fund as authorized under Section 2105-300 of the
11 Department of Professional Regulation Law (20 ILCS
12 2105/2105-300).

13 Money in the Optometric Licensing and Disciplinary Board
14 Fund may be invested and reinvested, with all earnings received
15 from such investment to be deposited in the Optometric
16 Licensing and Disciplinary Board Fund and used for the same
17 purposes as fees deposited in such fund.

18 For Fiscal Year 2013 only and as soon as practicable after
19 the effective date of this amendatory Act of the 97th General
20 Assembly, the State Comptroller shall order and the State
21 Treasurer shall transfer from the Optometric Licensing and
22 Disciplinary Board Fund to the Illinois State Medical
23 Disciplinary Fund a specific amount that shall be determined by
24 the Secretary of the Department of Financial and Professional
25 Regulation. Added together with the other transfers authorized
26 under this amendatory Act of the 97th General Assembly, the

1 total amount of transfers made from the Optometric Licensing
2 and Disciplinary Board Fund and following funds shall not
3 exceed \$9,600,000:

4 Professional Regulation Evidence Fund.

5 Financial Institution Fund.

6 General Professions Dedicated Fund.

7 Savings and Residential Finance Regulatory Fund.

8 Credit Union Fund.

9 Pawnbroker Regulation Fund.

10 Bank and Trust Company Fund.

11 Nursing Dedicated and Professional Fund.

12 Illinois State Podiatric Disciplinary Fund.

13 Illinois State Pharmacy Disciplinary Fund.

14 Home Inspector Administration Fund.

15 Registered Certified Public Accountants'

16 Administration and Disciplinary Fund.

17 Appraisal Administration Fund.

18 (Source: P.A. 94-787, eff. 5-19-06.)

19 Section 5-50. The Podiatric Medical Practice Act of 1987 is
20 amended by changing Section 19 as follows:

21 (225 ILCS 100/19) (from Ch. 111, par. 4819)

22 (Section scheduled to be repealed on January 1, 2018)

23 Sec. 19. Disciplinary Fund. All fees and fines received by
24 the Department under this Act shall be deposited in the

1 Illinois State Podiatric Disciplinary Fund, a special fund
2 created hereunder in the State Treasury. Of the moneys
3 deposited into the Illinois State Podiatric Disciplinary Fund,
4 during each 2-year renewal period, \$200,000 of the money
5 received from the payment of renewal fees shall be used for
6 podiatric scholarships and residency programs under the
7 Podiatric Scholarship and Residency Act and the remainder shall
8 be appropriated to the Department for expenses of the
9 Department and of the Podiatric Medical Licensing Board and for
10 podiatric scholarships and residency programs under the
11 Podiatric Scholarship and Residency Act.

12 Moneys in the Illinois State Podiatric Disciplinary Fund
13 may be invested and reinvested in investments authorized for
14 the investment of funds of the State Employees' Retirement
15 System of Illinois.

16 All earnings received from such investments shall be
17 deposited in the Illinois State Podiatric Disciplinary Fund and
18 may be used for the same purposes as fees deposited in such
19 fund.

20 Moneys in the Fund may be transferred to the Professions
21 Indirect Cost Fund as authorized under Section 2105-300 of the
22 Department of Professional Regulation Law (20 ILCS
23 2105/2105-300).

24 Moneys set aside for podiatric scholarships and residency
25 programs under the Podiatric Scholarship and Residency Act, as
26 provided for in this Section, may not be transferred under

1 Section 8h of the State Finance Act.

2 Upon the completion of any audit of the Department as
3 prescribed by the Illinois State Auditing Act which includes an
4 audit of the Illinois State Podiatric Disciplinary Fund, the
5 Department shall make the audit open to inspection by any
6 interested person.

7 For Fiscal Year 2013 only and as soon as practicable after
8 the effective date of this amendatory Act of the 97th General
9 Assembly, the State Comptroller shall order and the State
10 Treasurer shall transfer from the Illinois State Podiatric
11 Disciplinary Fund to the Illinois State Medical Disciplinary
12 Fund a specific amount that shall be determined by the
13 Secretary of the Department of Financial and Professional
14 Regulation. Added together with the other transfers authorized
15 under this amendatory Act of the 97th General Assembly, the
16 total amount of transfers made from the Illinois State
17 Podiatric Disciplinary Fund and following funds shall not
18 exceed \$9,600,000:

19 Professional Regulation Evidence Fund.

20 Financial Institution Fund.

21 General Professions Dedicated Fund.

22 Savings and Residential Finance Regulatory Fund.

23 Credit Union Fund.

24 Pawnbroker Regulation Fund.

25 Bank and Trust Company Fund.

26 Nursing Dedicated and Professional Fund.

1 Optometric Licensing and Disciplinary Board Fund.

2 Illinois State Pharmacy Disciplinary Fund.

3 Home Inspector Administration Fund.

4 Registered Certified Public Accountants'

5 Administration and Disciplinary Fund.

6 Appraisal Administration Fund.

7 (Source: P.A. 94-726, eff. 1-20-06.)

8 Section 5-55. The Wholesale Drug Distribution Licensing
9 Act is amended by changing Section 35 as follows:

10 (225 ILCS 120/35) (from Ch. 111, par. 8301-35)

11 (Section scheduled to be repealed on January 1, 2023)

12 Sec. 35. Fees; Illinois State Pharmacy Disciplinary Fund.

13 (a) The Department shall provide by rule for a schedule of
14 fees for the administration and enforcement of this Act,
15 including but not limited to original licensure, renewal, and
16 restoration. The fees shall be nonrefundable.

17 (b) All fees collected under this Act shall be deposited
18 into the Illinois State Pharmacy Disciplinary Fund and shall be
19 appropriated to the Department for the ordinary and contingent
20 expenses of the Department in the administration of this Act.
21 Moneys in the Fund may be transferred to the Professions
22 Indirect Cost Fund as authorized by Section 2105-300 of the
23 Department of Professional Regulation Law (20 ILCS
24 2105/2105-300).

1 The moneys deposited into the Illinois State Pharmacy
2 Disciplinary Fund shall be invested to earn interest which
3 shall accrue to the Fund.

4 The Department shall present to the Board for its review
5 and comment all appropriation requests from the Illinois State
6 Pharmacy Disciplinary Fund. The Department shall give due
7 consideration to any comments of the Board in making
8 appropriation requests.

9 (b-5) For Fiscal Year 2013 only and as soon as practicable
10 after the effective date of this amendatory Act of the 97th
11 General Assembly, the State Comptroller shall order and the
12 State Treasurer shall transfer from the Illinois State Pharmacy
13 Disciplinary Fund to the Illinois State Medical Disciplinary
14 Fund a specific amount that shall be determined by the
15 Secretary of the Department of Financial and Professional
16 Regulation. Added together with the other transfers authorized
17 under this amendatory Act of the 97th General Assembly, the
18 total amount of transfers made from the Illinois State Pharmacy
19 Disciplinary Fund and following funds shall not exceed
20 \$9,600,000:

21 Professional Regulation Evidence Fund.

22 Financial Institution Fund.

23 General Professions Dedicated Fund.

24 Savings and Residential Finance Regulatory Fund.

25 Credit Union Fund.

26 Pawnbroker Regulation Fund.

1 Bank and Trust Company Fund.

2 Nursing Dedicated and Professional Fund.

3 Optometric Licensing and Disciplinary Board Fund.

4 Illinois State Podiatric Disciplinary Fund.

5 Home Inspector Administration Fund.

6 Registered Certified Public Accountants'

7 Administration and Disciplinary Fund.

8 Appraisal Administration Fund.

9 (c) Any person who delivers a check or other payment to the
10 Department that is returned to the Department unpaid by the
11 financial institution upon which it is drawn shall pay to the
12 Department, in addition to the amount already owed to the
13 Department, a fine of \$50. The fines imposed by this Section
14 are in addition to any other discipline provided under this Act
15 for unlicensed practice or practice on a nonrenewed license.
16 The Department shall notify the person that payment of fees and
17 fines shall be paid to the Department by certified check or
18 money order within 30 calendar days of the notification. If,
19 after the expiration of 30 days from the date of the
20 notification, the person has failed to submit the necessary
21 remittance, the Department shall automatically terminate the
22 license or certificate or deny the application, without
23 hearing. If, after termination or denial, the person seeks a
24 license or certificate, he or she shall apply to the Department
25 for restoration or issuance of the license or certificate and
26 pay all fees and fines due to the Department. The Department

1 may establish a fee for the processing of an application for
2 restoration of a license or certificate to pay all expenses of
3 processing this application. The Director may waive the fines
4 due under this Section in individual cases where the Director
5 finds that the fines would be unreasonable or unnecessarily
6 burdensome.

7 (d) The Department shall maintain a roster of the names and
8 addresses of all registrants and of all persons whose licenses
9 have been suspended or revoked. This roster shall be available
10 upon written request and payment of the required fee.

11 (e) A manufacturer of controlled substances or wholesale
12 distributor of controlled substances that is licensed under
13 this Act and owned and operated by the State is exempt from
14 licensure, registration, renewal, and other fees required
15 under this Act. Nothing in this subsection (e) shall be
16 construed to prohibit the Department from imposing any fine or
17 other penalty allowed under this Act.

18 (Source: P.A. 95-689, eff. 10-29-07.)

19 Section 5-60. The Home Inspector License Act is amended by
20 changing Section 25-5 as follows:

21 (225 ILCS 441/25-5)

22 (Section scheduled to be repealed on January 1, 2022)

23 Sec. 25-5. Home Inspector Administration Fund; surcharge.

24 (a) The Home Inspector Administration Fund is created as a

1 special fund in the State Treasury. All fees, fines, and
2 penalties received by the Department under this Act shall be
3 deposited into the Home Inspector Administration Fund. All
4 earnings attributable to investment of funds in the Home
5 Inspector Administration Fund shall be credited to the Home
6 Inspector Administration Fund. Subject to appropriation, the
7 moneys in the Home Inspector Administration Fund shall be
8 appropriated to the Department for the expenses incurred by the
9 Department in the administration of this Act.

10 (b) (Blank).

11 (c) (Blank).

12 (c-5) Moneys in the Home Inspection Administration Fund may
13 be transferred to the Professions Indirect Cost Fund, as
14 authorized under Section 2105-300 of the Department of
15 Professional Regulation Law of the Civil Administrative Code of
16 Illinois.

17 (c-10) For Fiscal Year 2013 only and as soon as practicable
18 after the effective date of this amendatory Act of the 97th
19 General Assembly, the State Comptroller shall order and the
20 State Treasurer shall transfer from the Home Inspector
21 Administration Fund to the Illinois State Medical Disciplinary
22 Fund a specific amount that shall be determined by the
23 Secretary of the Department of Financial and Professional
24 Regulation. Added together with the other transfers authorized
25 under this amendatory Act of the 97th General Assembly, the
26 total amount of transfers made from the Home Inspector

1 Administration Fund and following funds shall not exceed
2 \$9,600,000:

3 Professional Regulation Evidence Fund.

4 Financial Institution Fund.

5 General Professions Dedicated Fund.

6 Savings and Residential Finance Regulatory Fund.

7 Credit Union Fund.

8 Pawnbroker Regulation Fund.

9 Bank and Trust Company Fund.

10 Nursing Dedicated and Professional Fund.

11 Optometric Licensing and Disciplinary Board Fund.

12 Illinois State Podiatric Disciplinary Fund.

13 Illinois State Pharmacy Disciplinary Fund.

14 Registered Certified Public Accountants'

15 Administration and Disciplinary Fund.

16 Appraisal Administration Fund.

17 (d) Upon the completion of any audit of the Department, as
18 prescribed by the Illinois State Auditing Act, that includes an
19 audit of the Home Inspector Administration Fund, the Department
20 shall make the audit report open to inspection by any
21 interested person.

22 (Source: P.A. 97-226, eff. 7-28-11.)

23 Section 5-65. The Illinois Public Accounting Act is amended
24 by changing Section 32 as follows:

1 (225 ILCS 450/32) (from Ch. 111, par. 5537)

2 (Section scheduled to be repealed on January 1, 2014)

3 Sec. 32. All moneys received by the Department of
4 Professional Regulation under this Act shall be deposited into
5 the Registered Certified Public Accountants' Administration
6 and Disciplinary Fund, which is hereby created as a special
7 fund in the State Treasury. The funds in the account shall be
8 used by the Department, as appropriated, exclusively for
9 expenses of the Department of Professional Regulation, or the
10 Public Accountants' Registration Committee, in the
11 administration of this Act.

12 Moneys in the Registered Certified Public Accountants'
13 Administration and Disciplinary Fund may be invested and
14 reinvested, with all earnings received from the investments to
15 be deposited into the Registered Certified Public Accountants'
16 Administration and Disciplinary Fund.

17 Moneys from the Fund may also be used for direct and
18 allocable indirect costs related to the public purposes of the
19 Department of Professional Regulation. Moneys in the Fund may
20 be transferred to the Professions Indirect Cost Fund as
21 authorized by Section 2105-300 of the Department of
22 Professional Regulation Law (20 ILCS 2105/2105-300).

23 For Fiscal Year 2013 only and as soon as practicable after
24 the effective date of this amendatory Act of the 97th General
25 Assembly, the State Comptroller shall order and the State
26 Treasurer shall transfer from the Fund to the Illinois State

1 Medical Disciplinary Fund a specific amount that shall be
2 determined by the Secretary of the Department of Financial and
3 Professional Regulation. Added together with the other
4 transfers authorized under this amendatory Act of the 97th
5 General Assembly, the total amount of transfers made from the
6 Fund and following funds shall not exceed \$9,600,000:

7 Professional Regulation Evidence Fund.

8 Financial Institution Fund.

9 General Professions Dedicated Fund.

10 Savings and Residential Finance Regulatory Fund.

11 Credit Union Fund.

12 Pawnbroker Regulation Fund.

13 Bank and Trust Company Fund.

14 Nursing Dedicated and Professional Fund.

15 Optometric Licensing and Disciplinary Board Fund.

16 Illinois State Podiatric Disciplinary Fund.

17 Illinois State Pharmacy Disciplinary Fund.

18 Home Inspector Administration Fund.

19 Appraisal Administration Fund.

20 (Source: P.A. 92-457, eff. 8-21-01; 93-683, eff. 7-2-04.)

21 Section 5-70. The Real Estate Appraiser Licensing Act of
22 2002 is amended by changing Section 25-5 as follows:

23 (225 ILCS 458/25-5)

24 (Section scheduled to be repealed on January 1, 2022)

1 Sec. 25-5. Appraisal Administration Fund; surcharge. The
2 Appraisal Administration Fund is created as a special fund in
3 the State Treasury. All fees, fines, and penalties received by
4 the Department under this Act shall be deposited into the
5 Appraisal Administration Fund. All earnings attributable to
6 investment of funds in the Appraisal Administration Fund shall
7 be credited to the Appraisal Administration Fund. Subject to
8 appropriation, the moneys in the Appraisal Administration Fund
9 shall be paid to the Department for the expenses incurred by
10 the Department and the Board in the administration of this Act.
11 Moneys in the Appraisal Administration Fund may be transferred
12 to the Professions Indirect Cost Fund as authorized under
13 Section 2105-300 of the Department of Professional Regulation
14 Law of the Civil Administrative Code of Illinois.

15 Upon the completion of any audit of the Department, as
16 prescribed by the Illinois State Auditing Act, which shall
17 include an audit of the Appraisal Administration Fund, the
18 Department shall make the audit report open to inspection by
19 any interested person.

20 For Fiscal Year 2013 only and as soon as practicable after
21 the effective date of this amendatory Act of the 97th General
22 Assembly, the State Comptroller shall order and the State
23 Treasurer shall transfer from the Appraisal Administration
24 Fund to the Illinois State Medical Disciplinary Fund a specific
25 amount that shall be determined by the Secretary of the
26 Department of Financial and Professional Regulation. Added

1 together with the other transfers authorized under this
2 amendatory Act of the 97th General Assembly, the total amount
3 of transfers made from the Appraisal Administration Fund and
4 following funds shall not exceed \$9,600,000:

5 Professional Regulation Evidence Fund.

6 Financial Institution Fund.

7 General Professions Dedicated Fund.

8 Savings and Residential Finance Regulatory Fund.

9 Credit Union Fund.

10 Pawnbroker Regulation Fund.

11 Bank and Trust Company Fund.

12 Nursing Dedicated and Professional Fund.

13 Optometric Licensing and Disciplinary Board Fund.

14 Illinois State Podiatric Disciplinary Fund.

15 Illinois State Pharmacy Disciplinary Fund.

16 Home Inspector Administration Fund.

17 Registered Certified Public Accountants'

18 Administration and Disciplinary Fund.

19 (Source: P.A. 96-844, eff. 12-23-09.)

20 ARTICLE 10. BOARDS AND COMMISSIONS

21 Section 10-5. The Department of Commerce and Economic
22 Opportunity Law of the Civil Administrative Code of Illinois is
23 amended by changing Section 605-345 as follows:

1 (20 ILCS 605/605-345) (was 20 ILCS 605/46.67)

2 Sec. 605-345. Pollution control industry incentives.
3 Subject to appropriation, the ~~The~~ Department shall examine
4 policies and incentives that will attract industries involved
5 in the design, development, and construction of pollution
6 control devices and shall implement those policies and
7 incentives that the Department determines will attract those
8 businesses.

9 (Source: P.A. 91-239, eff. 1-1-00.)

10 (20 ILCS 605/605-75 rep.)

11 Section 10-10. The Department of Commerce and Economic
12 Opportunity Law of the Civil Administrative Code of Illinois is
13 amended by repealing Section 605-75.

14 Section 10-15. The Energy Conservation and Coal
15 Development Act is amended by changing Section 3 as follows:

16 (20 ILCS 1105/3) (from Ch. 96 1/2, par. 7403)

17 Sec. 3. Powers and Duties.

18 (a) In addition to its other powers, the Department has the
19 following powers:

20 (1) To administer for the State any energy programs and
21 activities under federal law, regulations or guidelines,
22 and to coordinate such programs and activities with other
23 State agencies, units of local government, and educational

1 institutions.

2 (2) To represent the State in energy matters involving
3 the federal government, other states, units of local
4 government, and regional agencies.

5 (3) To prepare energy contingency plans for
6 consideration by the Governor and the General Assembly.
7 Such plans shall include procedures for determining when a
8 foreseeable danger exists of energy shortages, including
9 shortages of petroleum, coal, nuclear power, natural gas,
10 and other forms of energy, and shall specify the actions to
11 be taken to minimize hardship and maintain the general
12 welfare during such energy shortages.

13 (4) To cooperate with State colleges and universities
14 and their governing boards in energy programs and
15 activities.

16 (5) (Blank).

17 (6) To accept, receive, expend, and administer,
18 including by contracts and grants to other State agencies,
19 any energy-related gifts, grants, cooperative agreement
20 funds, and other funds made available to the Department by
21 the federal government and other public and private
22 sources.

23 (7) To investigate practical problems, seek and
24 utilize financial assistance, implement studies and
25 conduct research relating to the production, distribution
26 and use of alcohol fuels.

1 (8) To serve as a clearinghouse for information on
2 alcohol production technology; provide assistance,
3 information and data relating to the production and use of
4 alcohol; develop informational packets and brochures, and
5 hold public seminars to encourage the development and
6 utilization of the best available technology.

7 (9) To coordinate with other State agencies in order to
8 promote the maximum flow of information and to avoid
9 unnecessary overlapping of alcohol fuel programs. In order
10 to effectuate this goal, the Director of the Department or
11 his representative shall consult with the Directors, or
12 their representatives, of the Departments of Agriculture,
13 Central Management Services, Transportation, and Revenue,
14 the Office of the State Fire Marshal, and the Environmental
15 Protection Agency.

16 (10) To operate, within the Department, an Office of
17 Coal Development and Marketing for the promotion and
18 marketing of Illinois coal both domestically and
19 internationally. The Department may use monies
20 appropriated for this purpose for necessary administrative
21 expenses.

22 The Office of Coal Development and Marketing shall
23 develop and implement an initiative to assist the coal
24 industry in Illinois to increase its share of the
25 international coal market.

26 (11) To assist the Department of Central Management

1 Services in establishing and maintaining a system to
2 analyze and report energy consumption of facilities leased
3 by the Department of Central Management Services.

4 (12) To consult with the Departments of Natural
5 Resources and Transportation and the Illinois
6 Environmental Protection Agency for the purpose of
7 developing methods and standards that encourage the
8 utilization of coal combustion by-products as value added
9 products in productive and benign applications.

10 (13) To provide technical assistance and information
11 to sellers and distributors of storage hot water heaters
12 doing business in Illinois, pursuant to Section 1 of the
13 Hot Water Heater Efficiency Act.

14 (b) (Blank).

15 (c) (Blank).

16 (d) The Department shall develop a package of educational
17 materials regarding the necessity of waste reduction and
18 recycling to reduce dependence on landfills and to maintain
19 environmental quality. The materials developed shall be
20 suitable for instructional use in grades 3, 4 and 5. The
21 Department shall distribute such instructional material to all
22 public elementary and unit school districts no later than
23 November 1, of each year.

24 (e) (Blank). ~~The Department shall study the feasibility of~~
25 ~~requiring that wood and sawdust from construction waste,~~
26 ~~demolition projects, sawmills, or other projects or industries~~

1 ~~where wood is used in a large amount be shredded and composted,~~
2 ~~and that such wood be prohibited from being disposed of in a~~
3 ~~landfill. The Department shall report the results of this study~~
4 ~~to the General Assembly by January 1, 1991.~~

5 (f) (Blank).

6 (g) The Department shall develop a program designated to
7 encourage the recycling of outdated telephone directories and
8 to encourage the printing of new directories on recycled paper.
9 The Department shall work in conjunction with printers and
10 distributors of telephone directories distributed in the State
11 to provide them with any technical assistance available in
12 their efforts to procure appropriate recycled paper. The
13 Department shall also encourage directory distributors to pick
14 up outdated directories as they distribute new ones, and shall
15 assist any distributor who is willing to do so in finding a
16 recycler willing to purchase the old directories and in
17 publicizing and promoting with citizens of the area the
18 distributor's collection efforts and schedules.

19 (h) (Blank). ~~The Department shall assist, cooperate with~~
20 ~~and provide necessary staff and resources for the Interagency~~
21 ~~Energy Conservation Committee, which shall be chaired by the~~
22 ~~Director of the Department.~~

23 (i) (Blank).

24 (Source: P.A. 92-736, eff. 7-25-02.)

25 Section 10-17. The Department of Public Health Powers and

1 Duties Law of the Civil Administrative Code of Illinois is
2 amended by changing Section 2310-367 as follows:

3 (20 ILCS 2310/2310-367)

4 Sec. 2310-367. Health Data Task Force; purpose;
5 implementation plan.

6 (a) In accordance with the recommendations of the 2007
7 State Health Improvement Plan, it is the policy of the State
8 that, to the extent possible and consistent with privacy and
9 other laws, State public health data and health-related
10 administrative data are to be used to understand and report on
11 the scope of health problems, plan prevention programs, and
12 evaluate program effectiveness at the State and community
13 level. It is a priority to use data to address racial, ethnic,
14 and other health disparities. This system is intended to
15 support State and community level public health planning, and
16 is not intended to supplant or replace data-use agreements
17 between State agencies and academic researchers for more
18 specific research needs.

19 (b) (Blank). ~~Within 30 days after August 24, 2007 (the~~
20 ~~effective date of Public Act 95-418), a Health Data Task Force~~
21 ~~shall be convened to create a system for public access to~~
22 ~~integrated health data. The Task Force shall consist of the~~
23 ~~following: the Director of Public Health or his or her~~
24 ~~designee; the Director of Healthcare and Family Services or his~~
25 ~~or her designee; the Secretary of Human Services or his or her~~

1 ~~designee; the Director of the Department on Aging or his or her~~
2 ~~designee; the Director of Children and Family Services or his~~
3 ~~or her designee; the State Superintendent of Education or his~~
4 ~~or her designee; and other State officials as deemed~~
5 ~~appropriate by the Governor.~~

6 ~~The Task Force shall be advised by a public advisory group~~
7 ~~consisting of community health data users, minority health~~
8 ~~advocates, local public health departments, and private data~~
9 ~~suppliers such as hospitals and other health care providers.~~
10 ~~Each member of the Task Force shall appoint 3 members of the~~
11 ~~public advisory group. The public advisory group shall assist~~
12 ~~the Task Force in setting goals, articulating user needs, and~~
13 ~~setting priorities for action.~~

14 ~~The Department of Public Health is primarily responsible~~
15 ~~for providing staff and administrative support to the Task~~
16 ~~Force. The other State agencies represented on the Task Force~~
17 ~~shall work cooperatively with the Department of Public Health~~
18 ~~to provide administrative support to the Task Force. The~~
19 ~~Department of Public Health shall have ongoing responsibility~~
20 ~~for monitoring the implementation of the plan and shall have~~
21 ~~ongoing responsibility to identify new or emerging data or~~
22 ~~technology needs.~~

23 ~~The State agencies represented on the Task Force shall~~
24 ~~review their health data, data collection, and dissemination~~
25 ~~policies for opportunities to coordinate and integrate data and~~
26 ~~make data available within and outside State government in~~

1 ~~support of this State policy. To the extent possible, existing~~
2 ~~data infrastructure shall be used to create this system of~~
3 ~~public access to data. The Illinois Department of Health Care~~
4 ~~and Family Services data warehouse and the Illinois Department~~
5 ~~of Public Health IPLAN Data System may be the foundation of~~
6 ~~this system.~~

7 (c) ~~(Blank). The Task Force shall produce a plan with a~~
8 ~~phased and prioritized implementation timetable focusing on~~
9 ~~assuring access to improving the quality of data necessary to~~
10 ~~understand health disparities. The Task Force shall submit an~~
11 ~~initial report to the General Assembly no later than July 1,~~
12 ~~2008, and shall make annual reports to the General Assembly on~~
13 ~~or before July 1 of each year through 2011 of the progress~~
14 ~~toward implementing the plan.~~

15 (Source: P.A. 97-813, eff. 7-13-12.)

16 (20 ILCS 2310/2310-372 rep.)

17 Section 10-20. The Department of Public Health Powers and
18 Duties Law of the Civil Administrative Code of Illinois is
19 amended by repealing Section 2310-372.

20 Section 10-25. The State Finance Act is amended by changing
21 Sections 5h and 6z-17 as follows:

22 (30 ILCS 105/5h)

23 Sec. 5h. Cash flow borrowing and general funds liquidity.

1 (a) In order to meet cash flow deficits and to maintain
2 liquidity in the General Revenue Fund, the Healthcare Provider
3 Relief Fund, and the Common School Fund, on and after July 1,
4 2010 and through June 30, 2011, the State Treasurer and the
5 State Comptroller shall make transfers to the General Revenue
6 Fund, the Healthcare Provider Relief Fund, or the Common School
7 Fund, as directed by the Governor, out of special funds of the
8 State, to the extent allowed by federal law. No transfer may be
9 made from a fund under this Section that would have the effect
10 of reducing the available balance in the fund to an amount less
11 than the amount remaining unexpended and unreserved from the
12 total appropriation from that fund estimated to be expended for
13 that fiscal year. No such transfer may reduce the cumulative
14 balance of all of the special funds of the State to an amount
15 less than the total debt service payable during the 12 months
16 immediately following the date of the transfer on any bonded
17 indebtedness of the State and any certificates issued under the
18 Short Term Borrowing Act. Notwithstanding any other provision
19 of this Section, no such transfer may be made from any special
20 fund that is exclusively collected by or appropriated to any
21 other constitutional officer without the written approval of
22 that constitutional officer.

23 (b) If moneys have been transferred to the General Revenue
24 Fund, the Healthcare Provider Relief Fund, or the Common School
25 Fund pursuant to subsection (a) of this Section, this
26 amendatory Act of the 96th General Assembly shall constitute

1 the irrevocable and continuing authority for and direction to
2 the State Treasurer and State Comptroller to reimburse the
3 funds of origin from the General Revenue Fund, the Healthcare
4 Provider Relief Fund, or the Common School Fund, as
5 appropriate, by transferring to the funds of origin, at such
6 times and in such amounts as directed by the Governor when
7 necessary to support appropriated expenditures from the funds,
8 an amount equal to that transferred from them plus any interest
9 that would have accrued thereon had the transfer not occurred,
10 except that any moneys transferred pursuant to subsection (a)
11 of this Section shall be repaid to the fund of origin within 18
12 months after the date on which they were borrowed.

13 (c) On the first day of each quarterly period in each
14 fiscal year, until such time as a report indicates that all
15 moneys borrowed and interest pursuant to this Section have been
16 repaid, the Governor's Office of Management and Budget shall
17 provide to the President and the Minority Leader of the Senate,
18 the Speaker and the Minority Leader of the House of
19 Representatives, and the Commission on Government Forecasting
20 and Accountability a report on all transfers made pursuant to
21 this Section in the prior quarterly period. The report must be
22 provided in both written and electronic format. The report must
23 include all of the following:

- 24 (1) The date each transfer was made.
25 (2) The amount of each transfer.
26 (3) In the case of a transfer from the General Revenue

1 Fund, the Healthcare Provider Relief Fund, or the Common
2 School Fund to a fund of origin pursuant to subsection (b)
3 of this Section, the amount of interest being paid to the
4 fund of origin.

5 (4) The end of day balance of both the fund of origin
6 and the General Revenue Fund, the Healthcare Provider
7 Relief Fund, or the Common School Fund, whichever the case
8 may be, on the date the transfer was made.

9 (Source: P.A. 96-958, eff. 7-1-10; 96-1500, eff. 1-18-11;
10 97-72, eff. 7-1-11 (see also P.A. 97-613 regarding effective
11 date of P.A. 97-72).)

12 (30 ILCS 105/6z-17) (from Ch. 127, par. 142z-17)

13 Sec. 6z-17. Of the money paid into the State and Local
14 Sales Tax Reform Fund: (i) subject to appropriation to the
15 Department of Revenue, Municipalities having 1,000,000 or more
16 inhabitants shall receive 20% and may expend such amount to
17 fund and establish a program for developing and coordinating
18 public and private resources targeted to meet the affordable
19 housing needs of low-income and very low-income households
20 within such municipality, (ii) 10% shall be transferred into
21 the Regional Transportation Authority Occupation and Use Tax
22 Replacement Fund, a special fund in the State treasury which is
23 hereby created, (iii) until July 1, 2013, subject to
24 appropriation to the Department of Transportation, the ~~The~~
25 Madison County Mass Transit District shall receive .6%, and

1 beginning on July 1, 2013, subject to appropriation to the
2 Department of Revenue, 0.6% shall be distributed each month out
3 of the Fund to the Madison County Mass Transit District, (iv)
4 the following amounts, plus any cumulative deficiency in such
5 transfers for prior months, shall be transferred monthly into
6 the Build Illinois Fund and credited to the Build Illinois Bond
7 Account therein:

8 Fiscal Year	Amount
9 1990	\$2,700,000
10 1991	1,850,000
11 1992	2,750,000
12 1993	2,950,000

13 From Fiscal Year 1994 through Fiscal Year 2025 the transfer
14 shall total \$3,150,000 monthly, plus any cumulative deficiency
15 in such transfers for prior months, and (v) the remainder of
16 the money paid into the State and Local Sales Tax Reform Fund
17 shall be transferred into the Local Government Distributive
18 Fund and, except for municipalities with 1,000,000 or more
19 inhabitants which shall receive no portion of such remainder,
20 shall be distributed, subject to appropriation, in the manner
21 provided by Section 2 of "An Act in relation to State revenue
22 sharing with local government entities", approved July 31,
23 1969, as now or hereafter amended. Municipalities with more
24 than 50,000 inhabitants according to the 1980 U.S. Census and
25 located within the Metro East Mass Transit District receiving
26 funds pursuant to provision (v) of this paragraph may expend

1 such amounts to fund and establish a program for developing and
2 coordinating public and private resources targeted to meet the
3 affordable housing needs of low-income and very low-income
4 households within such municipality.

5 (Source: P.A. 95-708, eff. 1-18-08.)

6 Section 10-27. The Federal Stimulus Tracking Act is amended
7 by changing Section 5 as follows:

8 (30 ILCS 270/5)

9 (Section scheduled to be repealed on January 1, 2015)

10 Sec. 5. Federal stimulus tracking.

11 (a) The Governor's Office, or a designated State agency,
12 shall track and report by means of a quarterly ~~monthly~~ report
13 the State's spending of the federal stimulus moneys provided
14 pursuant to the American Recovery and Reinvestment Act of 2009.

15 (b) Each quarterly ~~monthly~~ report shall list the amount of
16 the State's federal stimulus spending, by category, based on
17 available federal and State data. The reports may also list any
18 required matching funds required by the State to be eligible
19 for federal stimulus funding. The reports may make
20 recommendations (i) concerning ways for Illinois to maximize
21 its share of federal stimulus spending or (ii) suggesting
22 changes to Illinois law that could help to maximize its share
23 of federal stimulus spending. A final report compiling data
24 from the quarterly ~~monthly~~ reports shall be available online at

1 the conclusion of the American Recovery and Reinvestment Act
2 program or by December 31, 2014, whichever occurs first.

3 (c) The reports shall be available on a State of Illinois
4 website and filed with the Speaker and Minority Leader of the
5 House and the President and Minority Leader of the Senate.

6 (d) The General Assembly may by resolution request that
7 specific data, findings, or analyses be included in a monthly
8 report. The Commission on Government Forecasting and
9 Accountability shall provide the Governor's Office technical,
10 analytical, and substantive assistance in preparing the
11 requested data, findings, or analyses.

12 (e) This Act is repealed on January 1, 2015.

13 (Source: P.A. 96-169, eff. 8-10-09.)

14 Section 10-30. The General Obligation Bond Act is amended
15 by changing Section 11 as follows:

16 (30 ILCS 330/11) (from Ch. 127, par. 661)

17 Sec. 11. Sale of Bonds. Except as otherwise provided in
18 this Section, Bonds shall be sold from time to time pursuant to
19 notice of sale and public bid or by negotiated sale in such
20 amounts and at such times as is directed by the Governor, upon
21 recommendation by the Director of the Governor's Office of
22 Management and Budget. At least 25%, based on total principal
23 amount, of all Bonds issued each fiscal year shall be sold
24 pursuant to notice of sale and public bid. At all times during

1 each fiscal year, no more than 75%, based on total principal
2 amount, of the Bonds issued each fiscal year, shall have been
3 sold by negotiated sale. Failure to satisfy the requirements in
4 the preceding 2 sentences shall not affect the validity of any
5 previously issued Bonds; provided that all Bonds authorized by
6 Public Act 96-43 and this amendatory Act of the 96th General
7 Assembly shall not be included in determining compliance for
8 any fiscal year with the requirements of the preceding 2
9 sentences; and further provided that refunding Bonds
10 satisfying the requirements of Section 16 of this Act and sold
11 during fiscal year 2009, 2010, or 2011 shall not be subject to
12 the requirements in the preceding 2 sentences.

13 If any Bonds, including refunding Bonds, are to be sold by
14 negotiated sale, the Director of the Governor's Office of
15 Management and Budget shall comply with the competitive request
16 for proposal process set forth in the Illinois Procurement Code
17 and all other applicable requirements of that Code.

18 If Bonds are to be sold pursuant to notice of sale and
19 public bid, the Director of the Governor's Office of Management
20 and Budget may ~~shall~~, from time to time, as Bonds are to be
21 sold, advertise the sale of the Bonds in at least 2 daily
22 newspapers, one of which is published in the City of
23 Springfield and one in the City of Chicago. The sale of the
24 Bonds shall also be advertised in the volume of the Illinois
25 Procurement Bulletin that is published by the Department of
26 Central Management Services, and ~~. Each of the advertisements~~

1 ~~for proposals~~ shall be published once at least 10 days prior to
2 the date fixed for the opening of the bids. The Director of the
3 Governor's Office of Management and Budget may reschedule the
4 date of sale upon the giving of such additional notice as the
5 Director deems adequate to inform prospective bidders of such
6 change; provided, however, that all other conditions of the
7 sale shall continue as originally advertised.

8 Executed Bonds shall, upon payment therefor, be delivered
9 to the purchaser, and the proceeds of Bonds shall be paid into
10 the State Treasury as directed by Section 12 of this Act.

11 (Source: P.A. 96-18, eff. 6-26-09; 96-43, eff. 7-15-09;
12 96-1497, eff. 1-14-11.)

13 Section 10-35. The Build Illinois Bond Act is amended by
14 changing Section 8 as follows:

15 (30 ILCS 425/8) (from Ch. 127, par. 2808)

16 Sec. 8. Sale of Bonds. Bonds, except as otherwise provided
17 in this Section, shall be sold from time to time pursuant to
18 notice of sale and public bid or by negotiated sale in such
19 amounts and at such times as are directed by the Governor, upon
20 recommendation by the Director of the Governor's Office of
21 Management and Budget. At least 25%, based on total principal
22 amount, of all Bonds issued each fiscal year shall be sold
23 pursuant to notice of sale and public bid. At all times during
24 each fiscal year, no more than 75%, based on total principal

1 amount, of the Bonds issued each fiscal year shall have been
2 sold by negotiated sale. Failure to satisfy the requirements in
3 the preceding 2 sentences shall not affect the validity of any
4 previously issued Bonds; and further provided that refunding
5 Bonds satisfying the requirements of Section 15 of this Act and
6 sold during fiscal year 2009, 2010, or 2011 shall not be
7 subject to the requirements in the preceding 2 sentences.

8 If any Bonds are to be sold pursuant to notice of sale and
9 public bid, the Director of the Governor's Office of Management
10 and Budget shall comply with the competitive request for
11 proposal process set forth in the Illinois Procurement Code and
12 all other applicable requirements of that Code.

13 If Bonds are to be sold pursuant to notice of sale and
14 public bid, the Director of the Governor's Office of Management
15 and Budget may ~~shall~~, from time to time, as Bonds are to be
16 sold, advertise the sale of the Bonds in at least 2 daily
17 newspapers, one of which is published in the City of
18 Springfield and one in the City of Chicago. The sale of the
19 Bonds shall also be advertised in the volume of the Illinois
20 Procurement Bulletin that is published by the Department of
21 Central Management Services, and ~~. Each of the advertisements~~
22 ~~for proposals~~ shall be published once at least 10 days prior to
23 the date fixed for the opening of the bids. The Director of the
24 Governor's Office of Management and Budget may reschedule the
25 date of sale upon the giving of such additional notice as the
26 Director deems adequate to inform prospective bidders of the

1 change; provided, however, that all other conditions of the
2 sale shall continue as originally advertised. Executed Bonds
3 shall, upon payment therefor, be delivered to the purchaser,
4 and the proceeds of Bonds shall be paid into the State Treasury
5 as directed by Section 9 of this Act. The Governor or the
6 Director of the Governor's Office of Management and Budget is
7 hereby authorized and directed to execute and deliver contracts
8 of sale with underwriters and to execute and deliver such
9 certificates, indentures, agreements and documents, including
10 any supplements or amendments thereto, and to take such actions
11 and do such things as shall be necessary or desirable to carry
12 out the purposes of this Act. Any action authorized or
13 permitted to be taken by the Director of the Governor's Office
14 of Management and Budget pursuant to this Act is hereby
15 authorized to be taken by any person specifically designated by
16 the Governor to take such action in a certificate signed by the
17 Governor and filed with the Secretary of State.

18 (Source: P.A. 96-18, eff. 6-26-09.)

19 Section 10-40. The Industrial Development Assistance Law
20 is amended by changing Section 3 as follows:

21 (30 ILCS 720/3) (from Ch. 85, par. 893)

22 Sec. 3. Definitions. "Department" means the Department of
23 Commerce and Economic Opportunity.

24 "Governing bodies" means, as to any county, municipality or

1 township, the body empowered to enact ordinances or to adopt
2 resolutions for the governance of such county, municipality or
3 township.

4 "Industrial development agency" means any nonprofit
5 corporation, organization, association or agency which shall
6 be designated by proper resolution of the governing body of any
7 county, concurred in by resolution of the governing bodies of
8 municipalities or townships within said county having in the
9 aggregate over 50% of the population of said county, as
10 determined by the last preceding decennial United States
11 Census, as the agency authorized to make application to and
12 receive grants, subject to appropriation, from the Department
13 of Commerce and Economic Opportunity for the purposes specified
14 in this Act. Any two or more counties may, by the procedures
15 provided in this Act, designate a single industrial development
16 agency to represent such counties for the purposes of this Act.
17 (Source: P.A. 94-793, eff. 5-19-06.)

18 Section 10-45. The Build Illinois Act is amended by
19 changing Section 9-4.5 as follows:

20 (30 ILCS 750/9-4.5)

21 Sec. 9-4.5. Community economic development project.

22 (a) Subject to appropriation, the ~~The~~ Department shall
23 establish a comprehensive community economic development
24 project. The project shall provide technical assistance to 5

1 communities for the following purposes:

2 (1) To develop a comprehensive understanding of the
3 community.

4 (2) To plan for industrial retention and development.

5 (3) To establish an early warning network to warn of
6 potential business closings.

7 (4) To provide on-going technical assistance in areas
8 including, but not limited to, succession planning;
9 acquisition of companies by local entrepreneurs, with
10 special encouragement for minorities, women, and groups of
11 employees; job training; and technology improvement.

12 (b) Subject to appropriation, the ~~The~~ Department shall
13 select the communities that participate in the project through
14 a competitive process open to all communities in Illinois. For
15 purposes of this Section, "community" includes municipalities,
16 other units of local government, and neighborhoods and regions
17 within municipalities or other units of local government.
18 Community direction of the project and the capacity of the
19 community to fulfill project goals established by the
20 Department shall be prerequisites for participation. The
21 Department shall issue rules establishing the competitive
22 process.

23 (Source: P.A. 88-191; 88-670, eff. 12-2-94.)

24 (50 ILCS 330/5 rep.)

25 Section 10-50. The Illinois Municipal Budget Law is amended

1 by repealing Section 5.

2 (205 ILCS 5/12 rep.)

3 Section 10-55. The Illinois Banking Act is amended by
4 repealing Section 12.

5 (205 ILCS 205/8006 rep.)

6 Section 10-60. The Savings Bank Act is amended by repealing
7 Section 8006.

8 Section 10-65. The Sales Finance Agency Act is amended by
9 changing Section 13 as follows:

10 (205 ILCS 660/13) (from Ch. 17, par. 5231)

11 Sec. 13. Rules. The Department may make and enforce such
12 reasonable rules, regulations, directions, orders, decisions
13 and findings as the execution and enforcement of this Act
14 require, and as are not inconsistent therewith. In addition,
15 the Department may promulgate rules in connection with the
16 activities of licensees that are necessary and appropriate for
17 the protection of consumers in this State. All rules and
18 regulations shall be posted on the Department's website. Upon
19 the written request of a licensee, ~~printed and~~ copies thereof
20 shall be printed and mailed to the licensee ~~all licensees.~~

21 (Source: P.A. 90-437, eff. 1-1-98; 91-698, eff. 5-6-00.)

1 Section 10-70. The Consumer Installment Loan Act is amended
2 by changing Section 22 as follows:

3 (205 ILCS 670/22) (from Ch. 17, par. 5428)

4 Sec. 22. Rules and regulations. The Department may make and
5 enforce such reasonable rules, regulations, directions,
6 orders, decisions, and findings as the execution and
7 enforcement of the provisions of this Act require, and as are
8 not inconsistent therewith. In addition, the Department may
9 promulgate rules in connection with the activities of licensees
10 that are necessary and appropriate for the protection of
11 consumers in this State. All rules, regulations and directions
12 of a general character shall be posted on the Department's
13 website. Upon the written request of a licensee, ~~printed and~~
14 copies thereof shall be printed and mailed to the licensee ~~all~~
15 licensees.

16 (Source: P.A. 90-437, eff. 1-1-98; 91-698, eff. 5-6-00.)

17 Section 10-75. The Illinois Chemical Safety Act is amended
18 by changing Section 3 as follows:

19 (430 ILCS 45/3) (from Ch. 111 1/2, par. 953)

20 Sec. 3. Definitions. For the purposes of this Act:

21 "Agency" means the Illinois Environmental Protection
22 Agency.

23 "Business" means any individual, partnership, corporation,

1 or association in the State engaged in a business operation
2 that has 5 or more full-time employees, or 20 or more part-time
3 employees, and that is properly assigned or included within one
4 of the following Standard Industrial Classifications (SIC), as
5 designated in the Standard Industrial Classification Manual
6 prepared by the Federal Office of Management and Budget:

7 2295 Coated fabrics, not rubberized;

8 2491 Wood preserving;

9 2671 Packaging paper and plastics film, coated and
10 laminated;

11 2672 Coated and laminated paper, not elsewhere classified;

12 2812 Alkalies and chlorine;

13 2813 Industrial gases;

14 2819 Industrial inorganic chemicals, not elsewhere
15 classified;

16 2821 Plastic materials, synthetic resins, and
17 non-vulcanizable elastomers;

18 2834 Pharmaceutical preparations;

19 2842 Specialty cleaning, polishing and sanitation
20 preparations;

21 2851 Paints, varnishes, lacquers, enamels, and allied
22 products;

23 2865 Cyclic (coal tar) crudes, and cyclic intermediaries,
24 dyes and organic pigments (lakes and toners);

25 2869 Industrial organic chemicals, not elsewhere
26 classified;

1 2873 Nitrogenous fertilizer;
2 2874 Phosphatic fertilizers;
3 2879 Pesticides and agricultural chemicals, not elsewhere
4 classified;
5 2891 Adhesives and sealants;
6 2892 Explosives;
7 2911 Petroleum refining;
8 2952 Asphalt felts and coatings;
9 2999 Products of petroleum and coal, not elsewhere
10 classified;
11 3081 Unsupported plastics, film and sheet;
12 3082 Unsupported plastics profile shapes;
13 3083 Laminated plastics plate, sheet and profile shapes;
14 3084 Plastic pipe;
15 3085 Plastic bottles;
16 3086 Plastic foam products;
17 3087 Custom compounding of purchased plastic resin;
18 3088 Plastic plumbing fixtures;
19 3089 Plastic products, not elsewhere classified;
20 3111 Leather tanning and finishing;
21 3339 Primary smelting and refining of nonferrous metals,
22 except copper and aluminum;
23 3432 Plumbing fixture fittings and trim;
24 3471 Electroplating, plating, polishing, anodizing and
25 coloring;
26 4953 Refuse systems;

- 1 5085 Industrial supplies;
- 2 5162 Plastic materials and basic forms and shapes;
- 3 5169 Chemicals and allied products, not elsewhere
- 4 classified;
- 5 5171 Petroleum bulk stations and terminals;
- 6 5172 Petroleum and petroleum products, wholesalers, except
- 7 bulk stations and terminals.

8 For the purposes of this Act, the SIC Code that a business

9 uses for determining its coverage under The Unemployment

10 Insurance Act shall be the SIC Code for determining the

11 applicability of this Act. ~~On an annual basis, the Department~~

12 ~~of Employment Security shall provide the IEMA with a list of~~

13 ~~those regulated facilities covered by the above mentioned SIC~~

14 ~~codes.~~

15 "Business" also means any facility not covered by the above

16 SIC codes that is subject to the provisions of Section 302 of

17 the federal Emergency Planning and Community Right-to-Know Act

18 of 1986 and that is found by the Agency to use, store, or

19 manufacture a chemical substance in a quantity that poses a

20 threat to the environment or public health. Such a

21 determination shall be based on an on-site inspection conducted

22 by the Agency and certified to the IEMA. The Agency shall also

23 conduct inspections at the request of IEMA or upon a written

24 request setting forth a justification to the IEMA from the

25 chairman of the local emergency planning committee upon

26 recommendation of the committee. The IEMA shall transmit a copy

1 of the request to the Agency. The Agency may, in the event of a
2 reportable release that occurs at any facility operated or
3 owned by a business not covered by the above SIC codes, conduct
4 inspections if the site hazard appears to warrant such action.
5 The above notwithstanding, any farm operation shall not be
6 considered as a facility subject to this definition.

7 Notwithstanding the above, for purposes of this Act,
8 "business" does not mean any facility for which the
9 requirements promulgated at Part 1910.119 of Title 29 of the
10 Code of Federal Regulations are applicable or which has
11 completed and submitted the plan required by Part 68 of Title
12 40 of the Code of Federal Regulations, provided that such
13 business conducts and documents in writing an assessment for
14 any instance where the Agency provides notice that a
15 significant release of a chemical substance has occurred at a
16 facility. Such assessment shall explain the nature, cause and
17 known effects of the release, any mitigating actions taken, and
18 preventive measures that can be employed to avoid a future
19 release. Such assessment shall be available at the facility for
20 review within 30 days after the Agency notifies the facility
21 that a significant release has occurred. The Agency may provide
22 written comments to the business following an on-site review of
23 an assessment.

24 "Chemical name" means the scientific designation of a
25 chemical in accordance with the nomenclature system developed
26 by the International Union of Pure and Applied Chemistry

1 (IUPAC) or the American Chemical Society's Chemical Abstracts
2 Service (CAS) rules of nomenclature, or a name that will
3 clearly identify the chemical for hazard evaluation purposes.

4 "Chemical substance" means any "extremely hazardous
5 substance" listed in Appendix A of 40 C.F.R. Part 355 that is
6 present at a facility in an amount in excess of its threshold
7 planning quantity, any "hazardous substance" listed in 40
8 C.F.R. Section 302.4 that is present at a facility in an amount
9 in excess of its reportable quantity or in excess of its
10 threshold planning quantity if it is also an "extremely
11 hazardous substance", and any petroleum including crude oil or
12 any fraction thereof that is present at a facility in an amount
13 exceeding 100 pounds unless it is specifically listed as a
14 "hazardous substance" or an "extremely hazardous substance".

15 "Chemical substance" does not mean any substance to the extent
16 it is used for personal, family, or household purposes or to
17 the extent it is present in the same form and concentration as
18 a product packaged for distribution to and use by the general
19 public.

20 "IEMA" means the Illinois Emergency Management Agency.

21 "Facility" means the buildings and all real property
22 contiguous thereto, and the equipment at a single location used
23 for the conduct of business.

24 "Local emergency planning committee" means the committee
25 that is appointed for an emergency planning district under the
26 provisions of Section 301 of the federal Emergency Planning and

1 Community Right-to-Know Act of 1986.

2 "Release" means any sudden spilling, leaking, pumping,
3 pouring, emitting, escaping, emptying, discharging, injecting,
4 leaching, dumping, or disposing into the environment beyond the
5 boundaries of a facility, but excludes the following:

6 (a) Any release that results in exposure to persons
7 solely within a workplace, with respect to a claim that
8 such persons may assert against their employer.

9 (b) Emissions from the engine exhaust of a motor
10 vehicle, rolling stock, aircraft, vessel, or pipeline
11 pumping station engine.

12 (c) Release of source, byproduct, or special nuclear
13 material from a nuclear incident, as those terms are
14 defined in the Atomic Energy Act of 1954, if the release is
15 subject to requirements with respect to financial
16 protection established by the Nuclear Regulatory
17 Commission under Section 170 of the Atomic Energy Act of
18 1954.

19 (d) The normal application of fertilizer.

20 "Significant release" means any release which is so
21 designated in writing by the Agency or the IEMA based upon an
22 inspection at the site of an emergency incident, or any release
23 which results in any evacuation, hospitalization, or
24 fatalities of the public.

25 (Source: P.A. 97-333, eff. 8-12-11.)

1 (625 ILCS 5/15-115 rep.)

2 Section 10-80. The Illinois Vehicle Code is amended by
3 repealing Section 15-115.

4 Section 10-85. The Payday Loan Reform Act is amended by
5 changing Section 4-30 as follows:

6 (815 ILCS 122/4-30)

7 Sec. 4-30. Rulemaking; industry review.

8 (a) The Department may make and enforce such reasonable
9 rules, regulations, directions, orders, decisions, and
10 findings as the execution and enforcement of the provisions of
11 this Act require, and as are not inconsistent therewith. All
12 rules, regulations, and directions of a general character shall
13 be posted on the Department's website. Upon the written request
14 of a licensee, printed and copies thereof shall be printed and
15 mailed to the licensee ~~all licensees~~.

16 (b) Within 6 months after the effective date of this Act,
17 the Department shall promulgate reasonable rules regarding the
18 issuance of payday loans by banks, savings banks, savings and
19 loan associations, credit unions, and insurance companies.
20 These rules shall be consistent with this Act and shall be
21 limited in scope to the actual products and services offered by
22 lenders governed by this Act.

23 (c) After the effective date of this Act, the Department
24 shall, over a 3-year period, conduct a study of the payday loan

1 industry to determine the impact and effectiveness of this Act.
2 The Department shall report its findings to the General
3 Assembly within 3 months of the third anniversary of the
4 effective date of this Act. The study shall determine the
5 effect of this Act on the protection of consumers in this State
6 and on the fair and reasonable regulation of the payday loan
7 industry. The study shall include, but shall not be limited to,
8 an analysis of the ability of the industry to use private
9 reporting tools that:

10 (1) ensure substantial compliance with this Act,
11 including real time reporting of outstanding payday loans;
12 and

13 (2) provide data to the Department in an appropriate
14 form and with appropriate content to allow the Department
15 to adequately monitor the industry.

16 The report of the Department shall, if necessary, identify
17 and recommend specific amendments to this Act to further
18 protect consumers and to guarantee fair and reasonable
19 regulation of the payday loan industry.

20 (Source: P.A. 94-13, eff. 12-6-05.)

21 ARTICLE 99. EFFECTIVE DATE

22 Section 99-99. Effective date. This Act takes effect upon
23 becoming law."