



Sen. Dan Kotowski

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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 5-15. The State Finance Act is amended by changing
6 Section 6z-81 and by adding Sections 5i and 5j as follows:

7 (30 ILCS 105/5i new)

8 Sec. 5i. Transfers. Each year, the Governor's Office of
9 Management and Budget shall, at the time set forth for the
10 submission of the State budget under Section 50-5 of the State
11 Budget Law, provide to the Chairman and the Minority
12 Spokesperson of each of the appropriations committees of the
13 House of Representatives and the Senate a report of (i) all
14 full fiscal year transfers from the General Revenue Fund to any
15 other special fund of the State in the previous fiscal year and
16 during the current fiscal year to date, and (ii) all projected
17 full fiscal year transfers from the General Revenue Fund to
18 those funds for the remainder of the current fiscal year and
19 the next fiscal year, based on estimates prepared by the
20 Governor's Office of Management and Budget. The report shall
21 include a detailed summary of the estimates upon which the
22 projected transfers are based. The report shall also indicate,
23 for each transfer:

24 (1) whether or not there is statutory authority for the

1 transfer;

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

5 (3) whether there is debt service associated with the
6 transfer.

7 The General Assembly shall consider the report in the
8 appropriations process.

9 (30 ILCS 105/5j new)

10 Sec. 5j. Transfers to the Illinois State Medical
11 Disciplinary Fund. Notwithstanding any other provision of law,
12 for Fiscal Year 2013 only and as soon as practicable after the
13 effective date of this amendatory Act of the 97th General
14 Assembly, the State Comptroller shall order and the State
15 Treasurer shall transfer to the Illinois State Medical
16 Disciplinary Fund from the cash balances in special funds that
17 receive revenues from the fees and fines associated with the
18 licensing of regulated professions, trades, occupations, and
19 industries by the Department of Financial and Professional
20 Regulation a specific amount that shall be determined by the
21 Secretary of the Department of Financial and Professional
22 Regulation. The total amount transferred under this Section
23 shall not exceed \$9,600,000.

24 (30 ILCS 105/6z-81)

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

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

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

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

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

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

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

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

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

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

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

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

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

1 2012, or as soon thereafter as practical. This transfer may
2 assist the Department of Healthcare and Family Services in
3 improving Medical Assistance bill processing timeframes or in
4 meeting the possible requirements of Senate Bill 3397, or other
5 similar legislation, of the 97th General Assembly should it
6 become law.

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

19 (Source: P.A. 96-820, eff. 11-18-09; 96-1100, eff. 1-1-11;
20 97-44, eff. 6-28-11; 97-641, eff. 12-19-11; 97-689, eff.
21 6-14-12; 97-732, eff. 6-30-12; revised 7-10-12.)

22 ARTICLE 10. BOARDS AND COMMISSIONS

23 Section 10-5. The Department of Commerce and Economic
24 Opportunity Law of the Civil Administrative Code of Illinois is

1 amended by changing Section 605-345 as follows:

2 (20 ILCS 605/605-345) (was 20 ILCS 605/46.67)

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

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

11 (20 ILCS 605/605-75 rep.)

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

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

17 (20 ILCS 1105/3) (from Ch. 96 1/2, par. 7403)

18 Sec. 3. Powers and Duties.

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

21 (1) To administer for the State any energy programs and
22 activities under federal law, regulations or guidelines,

1 and to coordinate such programs and activities with other
2 State agencies, units of local government, and educational
3 institutions.

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

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

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

18 (5) (Blank).

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

25 (7) To investigate practical problems, seek and
26 utilize financial assistance, implement studies and

1 conduct research relating to the production, distribution
2 and use of alcohol fuels.

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

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

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

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

1 international coal market.

2 (11) To assist the Department of Central Management
3 Services in establishing and maintaining a system to
4 analyze and report energy consumption of facilities leased
5 by the Department of Central Management Services.

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

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

16 (b) (Blank).

17 (c) (Blank).

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

26 (e) (Blank). ~~The Department shall study the feasibility of~~

1 ~~requiring that wood and sawdust from construction waste,~~
2 ~~demolition projects, sawmills, or other projects or industries~~
3 ~~where wood is used in a large amount be shredded and composted,~~
4 ~~and that such wood be prohibited from being disposed of in a~~
5 ~~landfill. The Department shall report the results of this study~~
6 ~~to the General Assembly by January 1, 1991.~~

7 (f) (Blank).

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

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

25 (i) (Blank).

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

1 Section 10-17. The Department of Public Health Powers and
2 Duties Law of the Civil Administrative Code of Illinois is
3 amended by changing Section 2310-367 as follows:

4 (20 ILCS 2310/2310-367)

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

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

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

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

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

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

25 ~~The State agencies represented on the Task Force shall~~
26 ~~review their health data, data collection, and dissemination~~

1 ~~policies for opportunities to coordinate and integrate data and~~
2 ~~make data available within and outside State government in~~
3 ~~support of this State policy. To the extent possible, existing~~
4 ~~data infrastructure shall be used to create this system of~~
5 ~~public access to data. The Illinois Department of Health Care~~
6 ~~and Family Services data warehouse and the Illinois Department~~
7 ~~of Public Health IPLAN Data System may be the foundation of~~
8 ~~this system.~~

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

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

18 (20 ILCS 2310/2310-372 rep.)

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

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

1 (30 ILCS 105/5h)

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

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

25 (b) If moneys have been transferred to the General Revenue
26 Fund, the Healthcare Provider Relief Fund, or the Common School

1 Fund pursuant to subsection (a) of this Section, this
2 amendatory Act of the 96th General Assembly shall constitute
3 the irrevocable and continuing authority for and direction to
4 the State Treasurer and State Comptroller to reimburse the
5 funds of origin from the General Revenue Fund, the Healthcare
6 Provider Relief Fund, or the Common School Fund, as
7 appropriate, by transferring to the funds of origin, at such
8 times and in such amounts as directed by the Governor when
9 necessary to support appropriated expenditures from the funds,
10 an amount equal to that transferred from them plus any interest
11 that would have accrued thereon had the transfer not occurred,
12 except that any moneys transferred pursuant to subsection (a)
13 of this Section shall be repaid to the fund of origin within 18
14 months after the date on which they were borrowed.

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

- 26 (1) The date each transfer was made.

1 (2) The amount of each transfer.

2 (3) In the case of a transfer from the General Revenue
3 Fund, the Healthcare Provider Relief Fund, or the Common
4 School Fund to a fund of origin pursuant to subsection (b)
5 of this Section, the amount of interest being paid to the
6 fund of origin.

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

11 (Source: P.A. 96-958, eff. 7-1-10; 96-1500, eff. 1-18-11;
12 97-72, eff. 7-1-11 (see also P.A. 97-613 regarding effective
13 date of P.A. 97-72).)

14 (30 ILCS 105/6z-17) (from Ch. 127, par. 142z-17)

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

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

10 Fiscal Year	Amount
11 1990	\$2,700,000
12 1991	1,850,000
13 1992	2,750,000
14 1993	2,950,000

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

1 located within the Metro East Mass Transit District receiving
2 funds pursuant to provision (v) of this paragraph may expend
3 such amounts to fund and establish a program for developing and
4 coordinating public and private resources targeted to meet the
5 affordable housing needs of low-income and very low-income
6 households within such municipality.

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

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

10 (30 ILCS 270/5)

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

12 Sec. 5. Federal stimulus tracking.

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

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

1 of federal stimulus spending. A final report compiling data
2 from the quarterly ~~monthly~~ reports shall be available online at
3 the conclusion of the American Recovery and Reinvestment Act
4 program or by December 31, 2014, whichever occurs first.

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

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

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

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

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

18 (30 ILCS 330/11) (from Ch. 127, par. 661)

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

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

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

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

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

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

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

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

17 (30 ILCS 425/8) (from Ch. 127, par. 2808)

18 Sec. 8. Sale of Bonds. Bonds, except as otherwise provided
19 in this Section, shall be sold from time to time pursuant to
20 notice of sale and public bid or by negotiated sale in such
21 amounts and at such times as are directed by the Governor, upon
22 recommendation by the Director of the Governor's Office of
23 Management and Budget. At least 25%, based on total principal
24 amount, of all Bonds issued each fiscal year shall be sold

1 pursuant to notice of sale and public bid. At all times during
2 each fiscal year, no more than 75%, based on total principal
3 amount, of the Bonds issued each fiscal year shall have been
4 sold by negotiated sale. Failure to satisfy the requirements in
5 the preceding 2 sentences shall not affect the validity of any
6 previously issued Bonds; and further provided that refunding
7 Bonds satisfying the requirements of Section 15 of this Act and
8 sold during fiscal year 2009, 2010, or 2011 shall not be
9 subject to the requirements in the preceding 2 sentences.

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

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

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

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

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

23 (30 ILCS 720/3) (from Ch. 85, par. 893)

24 Sec. 3. Definitions. "Department" means the Department of

1 Commerce and Economic Opportunity.

2 "Governing bodies" means, as to any county, municipality or
3 township, the body empowered to enact ordinances or to adopt
4 resolutions for the governance of such county, municipality or
5 township.

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

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

22 (30 ILCS 750/9-4.5)

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

24 (a) Subject to appropriation, ~~The~~ Department shall

1 establish a comprehensive community economic development
2 project. The project shall provide technical assistance to 5
3 communities for the following purposes:

4 (1) To develop a comprehensive understanding of the
5 community.

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

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

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

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

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

1 (50 ILCS 330/5 rep.)

2 Section 10-50. The Illinois Municipal Budget Law is amended
3 by repealing Section 5.

4 (205 ILCS 205/8006 rep.)

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

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

9 (205 ILCS 660/13) (from Ch. 17, par. 5231)

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

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

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

1 (205 ILCS 670/22) (from Ch. 17, par. 5428)

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

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

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

17 (430 ILCS 45/3) (from Ch. 111 1/2, par. 953)

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

19 "Agency" means the Illinois Environmental Protection
20 Agency.

21 "Business" means any individual, partnership, corporation,
22 or association in the State engaged in a business operation
23 that has 5 or more full-time employees, or 20 or more part-time

1 employees, and that is properly assigned or included within one
2 of the following Standard Industrial Classifications (SIC), as
3 designated in the Standard Industrial Classification Manual
4 prepared by the Federal Office of Management and Budget:

5 2295 Coated fabrics, not rubberized;

6 2491 Wood preserving;

7 2671 Packaging paper and plastics film, coated and
8 laminated;

9 2672 Coated and laminated paper, not elsewhere classified;

10 2812 Alkalies and chlorine;

11 2813 Industrial gases;

12 2819 Industrial inorganic chemicals, not elsewhere
13 classified;

14 2821 Plastic materials, synthetic resins, and
15 non-vulcanizable elastomers;

16 2834 Pharmaceutical preparations;

17 2842 Specialty cleaning, polishing and sanitation
18 preparations;

19 2851 Paints, varnishes, lacquers, enamels, and allied
20 products;

21 2865 Cyclic (coal tar) crudes, and cyclic intermediaries,
22 dyes and organic pigments (lakes and toners);

23 2869 Industrial organic chemicals, not elsewhere
24 classified;

25 2873 Nitrogenous fertilizer;

26 2874 Phosphatic fertilizers;

1 2879 Pesticides and agricultural chemicals, not elsewhere
2 classified;
3 2891 Adhesives and sealants;
4 2892 Explosives;
5 2911 Petroleum refining;
6 2952 Asphalt felts and coatings;
7 2999 Products of petroleum and coal, not elsewhere
8 classified;
9 3081 Unsupported plastics, film and sheet;
10 3082 Unsupported plastics profile shapes;
11 3083 Laminated plastics plate, sheet and profile shapes;
12 3084 Plastic pipe;
13 3085 Plastic bottles;
14 3086 Plastic foam products;
15 3087 Custom compounding of purchased plastic resin;
16 3088 Plastic plumbing fixtures;
17 3089 Plastic products, not elsewhere classified;
18 3111 Leather tanning and finishing;
19 3339 Primary smelting and refining of nonferrous metals,
20 except copper and aluminum;
21 3432 Plumbing fixture fittings and trim;
22 3471 Electroplating, plating, polishing, anodizing and
23 coloring;
24 4953 Refuse systems;
25 5085 Industrial supplies;
26 5162 Plastic materials and basic forms and shapes;

1 5169 Chemicals and allied products, not elsewhere
2 classified;

3 5171 Petroleum bulk stations and terminals;

4 5172 Petroleum and petroleum products, wholesalers, except
5 bulk stations and terminals.

6 For the purposes of this Act, the SIC Code that a business
7 uses for determining its coverage under The Unemployment
8 Insurance Act shall be the SIC Code for determining the
9 applicability of this Act. ~~On an annual basis, the Department~~
10 ~~of Employment Security shall provide the IEMA with a list of~~
11 ~~those regulated facilities covered by the above mentioned SIC~~
12 ~~codes.~~

13 "Business" also means any facility not covered by the above
14 SIC codes that is subject to the provisions of Section 302 of
15 the federal Emergency Planning and Community Right-to-Know Act
16 of 1986 and that is found by the Agency to use, store, or
17 manufacture a chemical substance in a quantity that poses a
18 threat to the environment or public health. Such a
19 determination shall be based on an on-site inspection conducted
20 by the Agency and certified to the IEMA. The Agency shall also
21 conduct inspections at the request of IEMA or upon a written
22 request setting forth a justification to the IEMA from the
23 chairman of the local emergency planning committee upon
24 recommendation of the committee. The IEMA shall transmit a copy
25 of the request to the Agency. The Agency may, in the event of a
26 reportable release that occurs at any facility operated or

1 owned by a business not covered by the above SIC codes, conduct
2 inspections if the site hazard appears to warrant such action.
3 The above notwithstanding, any farm operation shall not be
4 considered as a facility subject to this definition.

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

22 "Chemical name" means the scientific designation of a
23 chemical in accordance with the nomenclature system developed
24 by the International Union of Pure and Applied Chemistry
25 (IUPAC) or the American Chemical Society's Chemical Abstracts
26 Service (CAS) rules of nomenclature, or a name that will

1 clearly identify the chemical for hazard evaluation purposes.

2 "Chemical substance" means any "extremely hazardous
3 substance" listed in Appendix A of 40 C.F.R. Part 355 that is
4 present at a facility in an amount in excess of its threshold
5 planning quantity, any "hazardous substance" listed in 40
6 C.F.R. Section 302.4 that is present at a facility in an amount
7 in excess of its reportable quantity or in excess of its
8 threshold planning quantity if it is also an "extremely
9 hazardous substance", and any petroleum including crude oil or
10 any fraction thereof that is present at a facility in an amount
11 exceeding 100 pounds unless it is specifically listed as a
12 "hazardous substance" or an "extremely hazardous substance".
13 "Chemical substance" does not mean any substance to the extent
14 it is used for personal, family, or household purposes or to
15 the extent it is present in the same form and concentration as
16 a product packaged for distribution to and use by the general
17 public.

18 "IEMA" means the Illinois Emergency Management Agency.

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

22 "Local emergency planning committee" means the committee
23 that is appointed for an emergency planning district under the
24 provisions of Section 301 of the federal Emergency Planning and
25 Community Right-to-Know Act of 1986.

26 "Release" means any sudden spilling, leaking, pumping,

1 pouring, emitting, escaping, emptying, discharging, injecting,
2 leaching, dumping, or disposing into the environment beyond the
3 boundaries of a facility, but excludes the following:

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

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

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

17 (d) The normal application of fertilizer.

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

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

24 (625 ILCS 5/15-115 rep.)

25 Section 10-80. The Illinois Vehicle Code is amended by

1 repealing Section 15-115.

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

4 (815 ILCS 122/4-30)

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

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

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

21 (c) After the effective date of this Act, the Department
22 shall, over a 3-year period, conduct a study of the payday loan
23 industry to determine the impact and effectiveness of this Act.
24 The Department shall report its findings to the General

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

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

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

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

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

19 ARTICLE 99. EFFECTIVE DATE

20 Section 99-99. Effective date. This Act takes effect upon
21 becoming law."