



Rep. Barbara Flynn Currie

Filed: 5/31/2011

09700SB1967ham004

LRB097 05368 RPM 56640 a

1 AMENDMENT TO SENATE BILL 1967

2 AMENDMENT NO. _____. Amend Senate Bill 1967 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The State Employees Group Insurance Act of 1971
5 is amended by changing Sections 3, 6.9, and 6.10 and adding
6 Section 6.10A as follows:

7 (5 ILCS 375/3) (from Ch. 127, par. 523)

8 Sec. 3. Definitions. Unless the context otherwise
9 requires, the following words and phrases as used in this Act
10 shall have the following meanings. The Department may define
11 these and other words and phrases separately for the purpose of
12 implementing specific programs providing benefits under this
13 Act.

14 (a) "Administrative service organization" means any
15 person, firm or corporation experienced in the handling of
16 claims which is fully qualified, financially sound and capable

1 of meeting the service requirements of a contract of
2 administration executed with the Department.

3 (b) "Annuitant" means (1) an employee who retires, or has
4 retired, on or after January 1, 1966 on an immediate annuity
5 under the provisions of Articles 2, 14 (including an employee
6 who has elected to receive an alternative retirement
7 cancellation payment under Section 14-108.5 of the Illinois
8 Pension Code in lieu of an annuity), 15 (including an employee
9 who has retired under the optional retirement program
10 established under Section 15-158.2), paragraphs (2), (3), or
11 (5) of Section 16-106, or Article 18 of the Illinois Pension
12 Code; (2) any person who was receiving group insurance coverage
13 under this Act as of March 31, 1978 by reason of his status as
14 an annuitant, even though the annuity in relation to which such
15 coverage was provided is a proportional annuity based on less
16 than the minimum period of service required for a retirement
17 annuity in the system involved; (3) any person not otherwise
18 covered by this Act who has retired as a participating member
19 under Article 2 of the Illinois Pension Code but is ineligible
20 for the retirement annuity under Section 2-119 of the Illinois
21 Pension Code; (4) the spouse of any person who is receiving a
22 retirement annuity under Article 18 of the Illinois Pension
23 Code and who is covered under a group health insurance program
24 sponsored by a governmental employer other than the State of
25 Illinois and who has irrevocably elected to waive his or her
26 coverage under this Act and to have his or her spouse

1 considered as the "annuitant" under this Act and not as a
2 "dependent"; or (5) an employee who retires, or has retired,
3 from a qualified position, as determined according to rules
4 promulgated by the Director, under a qualified local
5 government, a qualified rehabilitation facility, a qualified
6 domestic violence shelter or service, or a qualified child
7 advocacy center. (For definition of "retired employee", see (p)
8 post).

9 (b-5) "New SERS annuitant" means a person who, on or after
10 January 1, 1998, becomes an annuitant, as defined in subsection
11 (b), by virtue of beginning to receive a retirement annuity
12 under Article 14 of the Illinois Pension Code (including an
13 employee who has elected to receive an alternative retirement
14 cancellation payment under Section 14-108.5 of that Code in
15 lieu of an annuity), and is eligible to participate in the
16 basic program of group health benefits provided for annuitants
17 under this Act.

18 (b-6) "New SURS annuitant" means a person who (1) on or
19 after January 1, 1998, becomes an annuitant, as defined in
20 subsection (b), by virtue of beginning to receive a retirement
21 annuity under Article 15 of the Illinois Pension Code, (2) has
22 not made the election authorized under Section 15-135.1 of the
23 Illinois Pension Code, and (3) is eligible to participate in
24 the basic program of group health benefits provided for
25 annuitants under this Act.

26 (b-7) "New TRS State annuitant" means a person who, on or

1 after July 1, 1998, becomes an annuitant, as defined in
2 subsection (b), by virtue of beginning to receive a retirement
3 annuity under Article 16 of the Illinois Pension Code based on
4 service as a teacher as defined in paragraph (2), (3), or (5)
5 of Section 16-106 of that Code, and is eligible to participate
6 in the basic program of group health benefits provided for
7 annuitants under this Act.

8 (c) "Carrier" means (1) an insurance company, a corporation
9 organized under the Limited Health Service Organization Act or
10 the Voluntary Health Services Plan Act, a partnership, or other
11 nongovernmental organization, which is authorized to do group
12 life or group health insurance business in Illinois, or (2) the
13 State of Illinois as a self-insurer.

14 (d) "Compensation" means salary or wages payable on a
15 regular payroll by the State Treasurer on a warrant of the
16 State Comptroller out of any State, trust or federal fund, or
17 by the Governor of the State through a disbursing officer of
18 the State out of a trust or out of federal funds, or by any
19 Department out of State, trust, federal or other funds held by
20 the State Treasurer or the Department, to any person for
21 personal services currently performed, and ordinary or
22 accidental disability benefits under Articles 2, 14, 15
23 (including ordinary or accidental disability benefits under
24 the optional retirement program established under Section
25 15-158.2), paragraphs (2), (3), or (5) of Section 16-106, or
26 Article 18 of the Illinois Pension Code, for disability

1 incurred after January 1, 1966, or benefits payable under the
2 Workers' Compensation or Occupational Diseases Act or benefits
3 payable under a sick pay plan established in accordance with
4 Section 36 of the State Finance Act. "Compensation" also means
5 salary or wages paid to an employee of any qualified local
6 government, qualified rehabilitation facility, qualified
7 domestic violence shelter or service, or qualified child
8 advocacy center.

9 (e) "Commission" means the State Employees Group Insurance
10 Advisory Commission authorized by this Act. Commencing July 1,
11 1984, "Commission" as used in this Act means the Commission on
12 Government Forecasting and Accountability as established by
13 the Legislative Commission Reorganization Act of 1984.

14 (f) "Contributory", when referred to as contributory
15 coverage, shall mean optional coverages or benefits elected by
16 the member toward the cost of which such member makes
17 contribution, or which are funded in whole or in part through
18 the acceptance of a reduction in earnings or the foregoing of
19 an increase in earnings by an employee, as distinguished from
20 noncontributory coverage or benefits which are paid entirely by
21 the State of Illinois without reduction of the member's salary.

22 (g) "Department" means any department, institution, board,
23 commission, officer, court or any agency of the State
24 government receiving appropriations and having power to
25 certify payrolls to the Comptroller authorizing payments of
26 salary and wages against such appropriations as are made by the

1 General Assembly from any State fund, or against trust funds
2 held by the State Treasurer and includes boards of trustees of
3 the retirement systems created by Articles 2, 14, 15, 16 and 18
4 of the Illinois Pension Code. "Department" also includes the
5 Illinois Comprehensive Health Insurance Board, the Board of
6 Examiners established under the Illinois Public Accounting
7 Act, and the Illinois Finance Authority.

8 (h) "Dependent", when the term is used in the context of
9 the health and life plan, means a member's spouse and any child
10 (1) from birth to age 26 including an adopted child, a child
11 who lives with the member from the time of the filing of a
12 petition for adoption until entry of an order of adoption, a
13 stepchild or adjudicated child, or a child who lives with the
14 member if such member is a court appointed guardian of the
15 child or (2) age 19 or over who is mentally or physically
16 disabled from a cause originating prior to the age of 19 (age
17 26 if enrolled as an adult child dependent). For the health
18 plan only, the term "dependent" also includes (1) any person
19 enrolled prior to the effective date of this Section who is
20 dependent upon the member to the extent that the member may
21 claim such person as a dependent for income tax deduction
22 purposes and (2) any person who has received after June 30,
23 2000 an organ transplant and who is financially dependent upon
24 the member and eligible to be claimed as a dependent for income
25 tax purposes. A member requesting to cover any dependent must
26 provide documentation as requested by the Department of Central

1 Management Services and file with the Department any and all
2 forms required by the Department.

3 (i) "Director" means the Director of the Illinois
4 Department of Central Management Services or of any successor
5 agency designated to administer this Act.

6 (j) "Eligibility period" means the period of time a member
7 has to elect enrollment in programs or to select benefits
8 without regard to age, sex or health.

9 (k) "Employee" means and includes each officer or employee
10 in the service of a department who (1) receives his
11 compensation for service rendered to the department on a
12 warrant issued pursuant to a payroll certified by a department
13 or on a warrant or check issued and drawn by a department upon
14 a trust, federal or other fund or on a warrant issued pursuant
15 to a payroll certified by an elected or duly appointed officer
16 of the State or who receives payment of the performance of
17 personal services on a warrant issued pursuant to a payroll
18 certified by a Department and drawn by the Comptroller upon the
19 State Treasurer against appropriations made by the General
20 Assembly from any fund or against trust funds held by the State
21 Treasurer, and (2) is employed full-time or part-time in a
22 position normally requiring actual performance of duty during
23 not less than 1/2 of a normal work period, as established by
24 the Director in cooperation with each department, except that
25 persons elected by popular vote will be considered employees
26 during the entire term for which they are elected regardless of

1 hours devoted to the service of the State, and (3) except that
2 "employee" does not include any person who is not eligible by
3 reason of such person's employment to participate in one of the
4 State retirement systems under Articles 2, 14, 15 (either the
5 regular Article 15 system or the optional retirement program
6 established under Section 15-158.2) or 18, or under paragraph
7 (2), (3), or (5) of Section 16-106, of the Illinois Pension
8 Code, but such term does include persons who are employed
9 during the 6 month qualifying period under Article 14 of the
10 Illinois Pension Code. Such term also includes any person who
11 (1) after January 1, 1966, is receiving ordinary or accidental
12 disability benefits under Articles 2, 14, 15 (including
13 ordinary or accidental disability benefits under the optional
14 retirement program established under Section 15-158.2),
15 paragraphs (2), (3), or (5) of Section 16-106, or Article 18 of
16 the Illinois Pension Code, for disability incurred after
17 January 1, 1966, (2) receives total permanent or total
18 temporary disability under the Workers' Compensation Act or
19 Occupational Disease Act as a result of injuries sustained or
20 illness contracted in the course of employment with the State
21 of Illinois, or (3) is not otherwise covered under this Act and
22 has retired as a participating member under Article 2 of the
23 Illinois Pension Code but is ineligible for the retirement
24 annuity under Section 2-119 of the Illinois Pension Code.
25 However, a person who satisfies the criteria of the foregoing
26 definition of "employee" except that such person is made

1 ineligible to participate in the State Universities Retirement
2 System by clause (4) of subsection (a) of Section 15-107 of the
3 Illinois Pension Code is also an "employee" for the purposes of
4 this Act. "Employee" also includes any person receiving or
5 eligible for benefits under a sick pay plan established in
6 accordance with Section 36 of the State Finance Act. "Employee"
7 also includes (i) each officer or employee in the service of a
8 qualified local government, including persons appointed as
9 trustees of sanitary districts regardless of hours devoted to
10 the service of the sanitary district, (ii) each employee in the
11 service of a qualified rehabilitation facility, (iii) each
12 full-time employee in the service of a qualified domestic
13 violence shelter or service, and (iv) each full-time employee
14 in the service of a qualified child advocacy center, as
15 determined according to rules promulgated by the Director.

16 (l) "Member" means an employee, annuitant, retired
17 employee or survivor.

18 (m) "Optional coverages or benefits" means those coverages
19 or benefits available to the member on his or her voluntary
20 election, and at his or her own expense.

21 (n) "Program" means the group life insurance, health
22 benefits and other employee benefits designed and contracted
23 for by the Director under this Act.

24 (o) "Health plan" means a health benefits program offered
25 by the State of Illinois for persons eligible for the plan.

26 (p) "Retired employee" means any person who would be an

1 annuitant as that term is defined herein but for the fact that
2 such person retired prior to January 1, 1966. Such term also
3 includes any person formerly employed by the University of
4 Illinois in the Cooperative Extension Service who would be an
5 annuitant but for the fact that such person was made ineligible
6 to participate in the State Universities Retirement System by
7 clause (4) of subsection (a) of Section 15-107 of the Illinois
8 Pension Code.

9 (q) "Survivor" means a person receiving an annuity as a
10 survivor of an employee or of an annuitant. "Survivor" also
11 includes: (1) the surviving dependent of a person who satisfies
12 the definition of "employee" except that such person is made
13 ineligible to participate in the State Universities Retirement
14 System by clause (4) of subsection (a) of Section 15-107 of the
15 Illinois Pension Code; (2) the surviving dependent of any
16 person formerly employed by the University of Illinois in the
17 Cooperative Extension Service who would be an annuitant except
18 for the fact that such person was made ineligible to
19 participate in the State Universities Retirement System by
20 clause (4) of subsection (a) of Section 15-107 of the Illinois
21 Pension Code; and (3) the surviving dependent of a person who
22 was an annuitant under this Act by virtue of receiving an
23 alternative retirement cancellation payment under Section
24 14-108.5 of the Illinois Pension Code.

25 (q-2) "SERS" means the State Employees' Retirement System
26 of Illinois, created under Article 14 of the Illinois Pension

1 Code.

2 (q-3) "SURS" means the State Universities Retirement
3 System, created under Article 15 of the Illinois Pension Code.

4 (q-4) "TRS" means the Teachers' Retirement System of the
5 State of Illinois, created under Article 16 of the Illinois
6 Pension Code.

7 (q-5) "New SERS survivor" means a survivor, as defined in
8 subsection (q), whose annuity is paid under Article 14 of the
9 Illinois Pension Code and is based on the death of (i) an
10 employee whose death occurs on or after January 1, 1998, or
11 (ii) a new SERS annuitant as defined in subsection (b-5). "New
12 SERS survivor" includes the surviving dependent of a person who
13 was an annuitant under this Act by virtue of receiving an
14 alternative retirement cancellation payment under Section
15 14-108.5 of the Illinois Pension Code.

16 (q-6) "New SURS survivor" means a survivor, as defined in
17 subsection (q), whose annuity is paid under Article 15 of the
18 Illinois Pension Code and is based on the death of (i) an
19 employee whose death occurs on or after January 1, 1998, or
20 (ii) a new SURS annuitant as defined in subsection (b-6).

21 (q-7) "New TRS State survivor" means a survivor, as defined
22 in subsection (q), whose annuity is paid under Article 16 of
23 the Illinois Pension Code and is based on the death of (i) an
24 employee who is a teacher as defined in paragraph (2), (3), or
25 (5) of Section 16-106 of that Code and whose death occurs on or
26 after July 1, 1998, or (ii) a new TRS State annuitant as

1 defined in subsection (b-7).

2 (r) "Medical services" means the services provided within
3 the scope of their licenses by practitioners in all categories
4 licensed under the Medical Practice Act of 1987.

5 (s) "Unit of local government" means any county,
6 municipality, township, school district (including a
7 combination of school districts under the Intergovernmental
8 Cooperation Act), special district or other unit, designated as
9 a unit of local government by law, which exercises limited
10 governmental powers or powers in respect to limited
11 governmental subjects, any not-for-profit association with a
12 membership that primarily includes townships and township
13 officials, that has duties that include provision of research
14 service, dissemination of information, and other acts for the
15 purpose of improving township government, and that is funded
16 wholly or partly in accordance with Section 85-15 of the
17 Township Code; any not-for-profit corporation or association,
18 with a membership consisting primarily of municipalities, that
19 operates its own utility system, and provides research,
20 training, dissemination of information, or other acts to
21 promote cooperation between and among municipalities that
22 provide utility services and for the advancement of the goals
23 and purposes of its membership; the Southern Illinois
24 Collegiate Common Market, which is a consortium of higher
25 education institutions in Southern Illinois; the Illinois
26 Association of Park Districts; and any hospital provider that

1 is owned by a county that has 100 or fewer hospital beds and
2 has not already joined the program. "Qualified local
3 government" means a unit of local government approved by the
4 Director and participating in a program created under
5 subsection (i) of Section 10 of this Act.

6 (t) "Qualified rehabilitation facility" means any
7 not-for-profit organization that is accredited by the
8 Commission on Accreditation of Rehabilitation Facilities or
9 certified by the Department of Human Services (as successor to
10 the Department of Mental Health and Developmental
11 Disabilities) to provide services to persons with disabilities
12 and which receives funds from the State of Illinois for
13 providing those services, approved by the Director and
14 participating in a program created under subsection (j) of
15 Section 10 of this Act.

16 (u) "Qualified domestic violence shelter or service" means
17 any Illinois domestic violence shelter or service and its
18 administrative offices funded by the Department of Human
19 Services (as successor to the Illinois Department of Public
20 Aid), approved by the Director and participating in a program
21 created under subsection (k) of Section 10.

22 (v) "TRS benefit recipient" means a person who:

23 (1) is not a "member" as defined in this Section; and

24 (2) is receiving a monthly benefit or retirement
25 annuity under Article 16 of the Illinois Pension Code; and

26 (3) either (i) has at least 8 years of creditable

1 service under Article 16 of the Illinois Pension Code, or
2 (ii) was enrolled in the health insurance program offered
3 under that Article on January 1, 1996, or (iii) is the
4 survivor of a benefit recipient who had at least 8 years of
5 creditable service under Article 16 of the Illinois Pension
6 Code or was enrolled in the health insurance program
7 offered under that Article on the effective date of this
8 amendatory Act of 1995, or (iv) is a recipient or survivor
9 of a recipient of a disability benefit under Article 16 of
10 the Illinois Pension Code.

11 (w) "TRS dependent beneficiary" means a person who:

12 (1) is not a "member" or "dependent" as defined in this
13 Section; and

14 (2) is a TRS benefit recipient's: (A) spouse, (B)
15 dependent parent who is receiving at least half of his or
16 her support from the TRS benefit recipient, or (C) natural,
17 step, adjudicated, or adopted child who is (i) under age
18 26, (ii) was, on January 1, 1996, participating as a
19 dependent beneficiary in the health insurance program
20 offered under Article 16 of the Illinois Pension Code, or
21 (iii) age 19 or over who is mentally or physically disabled
22 from a cause originating prior to the age of 19 (age 26 if
23 enrolled as an adult child).

24 (x) "Military leave" refers to individuals in basic
25 training for reserves, special/advanced training, annual
26 training, emergency call up, activation by the President of the

1 United States, or any other training or duty in service to the
2 United States Armed Forces.

3 (y) (Blank).

4 (z) "Community college benefit recipient" means a person
5 who:

6 (1) is not a "member" as defined in this Section; and

7 (2) is receiving a monthly survivor's annuity or
8 retirement annuity under Article 15 of the Illinois Pension
9 Code; and

10 (3) either (i) was a full-time employee of a community
11 college district or an association of community college
12 boards created under the Public Community College Act
13 (other than, until July 1, 2012, an employee whose last
14 employer under Article 15 of the Illinois Pension Code was
15 a community college district subject to Article VII of the
16 Public Community College Act) and was eligible to
17 participate in a group health benefit plan as an employee
18 during the time of employment with a community college
19 district (other than, until July 1, 2012, a community
20 college district subject to Article VII of the Public
21 Community College Act) or an association of community
22 college boards, or (ii) is the survivor of a person
23 described in item (i).

24 "Community college benefit recipient" does not include:

25 (1) an individual who was a full-time employee of a
26 community college district subject to Article VII of the

1 Public Community College Act and who, prior to the
2 effective date of this amendatory Act of the 97th General
3 Assembly, (i) opted not to participate in the health
4 benefits program provided by the community college
5 district subject to Article VII of the Public Community
6 College Act and (ii) is ineligible for benefits under the
7 federal Medicare health insurance program (Title XVIII of
8 the Social Security Act as added by P.L. 89-97, 89th
9 Congress); or

10 (2) an individual receiving a monthly survivor's
11 annuity under Article 15 of the Illinois Pension Code if
12 the individual upon whom the annuity is based was (i) last
13 employed by a community college subject to Article VII of
14 the Public Community College Act and (ii) was not enrolled
15 in the program established under Section 6.9 of this Act.

16 (aa) "Community college dependent beneficiary" means a
17 person who:

18 (1) is not a "member" or "dependent" as defined in this
19 Section; and

20 (2) is a community college benefit recipient's: (A)
21 spouse, (B) dependent parent who is receiving at least half
22 of his or her support from the community college benefit
23 recipient, or (C) natural, step, adjudicated, or adopted
24 child who is (i) under age 26, or (ii) age 19 or over and
25 mentally or physically disabled from a cause originating
26 prior to the age of 19 (age 26 if enrolled as an adult

1 child).

2 (bb) "Qualified child advocacy center" means any Illinois
3 child advocacy center and its administrative offices funded by
4 the Department of Children and Family Services, as defined by
5 the Children's Advocacy Center Act (55 ILCS 80/), approved by
6 the Director and participating in a program created under
7 subsection (n) of Section 10.

8 (cc) "Community College Fiscal Board" means the board of
9 trustees created under Section 6.10A of this Act.

10 (Source: P.A. 95-331, eff. 8-21-07; 95-632, eff. 9-25-07;
11 96-756, eff. 1-1-10; 96-1519, eff. 2-4-11.)

12 (5 ILCS 375/6.9)

13 Sec. 6.9. Health benefits for community college benefit
14 recipients and community college dependent beneficiaries.

15 (a) Purpose. It is the purpose of this amendatory Act of
16 1997 and this amendatory Act of the 97th General Assembly to
17 establish a uniform program of health benefits for community
18 college benefit recipients and their dependent beneficiaries
19 under the administration of the Department of Central
20 Management Services.

21 (b) Creation of program. Beginning July 1, 1999, the
22 Department of Central Management Services shall be responsible
23 for administering a program of health benefits for community
24 college benefit recipients and community college dependent
25 beneficiaries under this Section. The State Universities

1 Retirement System and the boards of trustees of the various
2 community college districts shall cooperate with the
3 Department in this endeavor. Beginning July 1, 2012, this
4 program shall include health benefits for community college
5 benefit recipients and community college dependent
6 beneficiaries subject to Article VII of the Public Community
7 College Act.

8 (c) Eligibility. All community college benefit recipients
9 and community college dependent beneficiaries shall be
10 eligible to participate in the program established under this
11 Section, without any interruption or delay in coverage or
12 limitation as to pre-existing medical conditions. Eligibility
13 to participate shall be determined by the State Universities
14 Retirement System. Eligibility information shall be
15 communicated to the Department of Central Management Services
16 in a format acceptable to the Department.

17 (d) Coverage. The health benefit coverage provided under
18 this Section shall be a program of health, dental, and vision
19 benefits.

20 The program of health benefits under this Section may
21 include any or all of the benefit limitations, including but
22 not limited to a reduction in benefits based on eligibility for
23 federal medicare benefits, that are provided under subsection
24 (a) of Section 6 of this Act for other health benefit programs
25 under this Act.

26 (e) Insurance rates and premiums. The Director at the

1 direction of the Community College Fiscal Board shall determine
2 the insurance rates and premiums for community college benefit
3 recipients and community college dependent beneficiaries.
4 Rates and premiums may be based in part on age and eligibility
5 for federal Medicare coverage. These ~~The Director shall also~~
6 ~~determine~~ premiums shall ~~that will~~ allow for the establishment
7 of an actuarially sound reserve for this program.

8 Subject to the provisions of Section 6.10A, the ~~The~~ cost of
9 health benefits under the program shall be paid as follows:

10 (1) For a community college benefit recipient, up to
11 75% of the total insurance rate shall be paid from the
12 Community College Health Insurance Security Fund.

13 (2) The balance of the rate of insurance, including the
14 entire premium for any coverage for community college
15 dependent beneficiaries that has been elected, shall be
16 paid by deductions authorized by the community college
17 benefit recipient to be withheld from his or her monthly
18 annuity or benefit payment from the State Universities
19 Retirement System; except that (i) if the balance of the
20 cost of coverage exceeds the amount of the monthly annuity
21 or benefit payment, the difference shall be paid directly
22 to the State Universities Retirement System by the
23 community college benefit recipient, and (ii) all or part
24 of the balance of the cost of coverage may, at the option
25 of the board of trustees of the community college district,
26 be paid to the State Universities Retirement System by the

1 board of the community college district from which the
2 community college benefit recipient retired. The State
3 Universities Retirement System shall promptly deposit all
4 moneys withheld by or paid to it under this subdivision
5 (e)(2) into the Community College Health Insurance
6 Security Fund. These moneys shall not be considered assets
7 of the State Universities Retirement System.

8 (f) Financing. All revenues arising from the
9 administration of the health benefit program established under
10 this Section shall be deposited into the Community College
11 Health Insurance Security Fund, which is hereby created as a
12 nonappropriated trust fund to be held outside the State
13 Treasury, with the State Treasurer as custodian. The Community
14 College Health Insurance Security Fund is not subject to
15 administrative charges or charge backs, including, but not
16 limited to, those authorized under Section 8h of the State
17 Finance Act. Any interest earned on moneys in the Community
18 College Health Insurance Security Fund shall be deposited into
19 the Fund.

20 Moneys in the Community College Health Insurance Security
21 Fund shall be used only to pay the costs of the health benefit
22 program established under this Section, including associated
23 administrative costs and the establishment of a program
24 reserve. Beginning January 1, 1999, the Department of Central
25 Management Services may make expenditures from the Community
26 College Health Insurance Security Fund for those costs.

1 (g) Contract for benefits. The Director shall by contract,
2 self-insurance, or otherwise make available the program of
3 health benefits for community college benefit recipients and
4 their community college dependent beneficiaries that is
5 provided for in this Section. The contract or other arrangement
6 for the provision of these health benefits shall be on terms
7 deemed by the Director to be in the best interest of the State
8 of Illinois and the community college benefit recipients based
9 on, but not limited to, such criteria as administrative cost,
10 service capabilities of the carrier or other contractor, and
11 the costs of the benefits. If made after the effective of this
12 amendatory Act of the 97th General Assembly, these contracts or
13 other arrangements for the provision of health benefits shall
14 also provide that health benefits are not to be paid from
15 moneys in the Fund if the Commission on Government Forecasting
16 and Accountability determines that plan changes that it has
17 approved under Section 6.10A have not been implemented.

18 (h) Continuation of program. It is the intention of the
19 General Assembly that the program of health benefits provided
20 under this Section be maintained on an ongoing, affordable
21 basis. The program of health benefits provided under this
22 Section may be amended by the State and is not intended to be a
23 pension or retirement benefit subject to protection under
24 Article XIII, Section 5 of the Illinois Constitution.

25 (i) Other health benefit plans. A health benefit plan
26 provided by a community college district (other than, until

1 July 1, 2012, a community college district subject to Article
2 VII of the Public Community College Act) under the terms of a
3 collective bargaining agreement in effect on or prior to the
4 effective date of this amendatory Act of 1997 shall continue in
5 force according to the terms of that agreement, unless
6 otherwise mutually agreed by the parties to that agreement and
7 the affected retiree. A community college benefit recipient or
8 community college dependent beneficiary whose coverage under
9 such a plan expires shall be eligible to begin participating in
10 the program established under this Section without any
11 interruption or delay in coverage or limitation as to
12 pre-existing medical conditions.

13 (j) This Act does not prohibit any community college
14 district from offering additional health benefits for its
15 retirees or their dependents or survivors.

16 (Source: P.A. 90-497, eff. 8-18-97; 90-655, eff. 7-30-98.)

17 (5 ILCS 375/6.10)

18 Sec. 6.10. Contributions to the Community College Health
19 Insurance Security Fund.

20 (a) Beginning January 1, 1999, every active contributor of
21 the State Universities Retirement System (established under
22 Article 15 of the Illinois Pension Code) who (1) is a full-time
23 employee of a community college district (other than, until
24 January 1, 2012, a community college district subject to
25 Article VII of the Public Community College Act) or an

1 association of community college boards and (2) is not an
2 employee as defined in Section 3 of this Act shall make
3 contributions toward the cost of community college annuitant
4 and survivor health benefits at the rate of 0.50% of salary.
5 Beginning on the effective date of this amendatory Act of the
6 97th General Assembly and until revised under Section 6.10A of
7 this Act, these contributions shall be at the rate of 0.97% of
8 salary. If revised under Section 6.10A, these contributions
9 shall be at the rate set by the Community College Fiscal Board
10 and approved by the Commission on Government Forecasting and
11 Accountability as specified in Section 6.10A of this Act.

12 These contributions shall be deducted by the employer and
13 paid to the State Universities Retirement System as service
14 agent for the Department of Central Management Services. The
15 System may use the same processes for collecting the
16 contributions required by this subsection that it uses to
17 collect the contributions received from those employees under
18 Section 15-157 of the Illinois Pension Code. An employer may
19 agree to pick up or pay the contributions required under this
20 subsection on behalf of the employee; such contributions shall
21 be deemed to have been paid by the employee.

22 The State Universities Retirement System shall promptly
23 deposit all moneys collected under this subsection (a) into the
24 Community College Health Insurance Security Fund created in
25 Section 6.9 of this Act. The moneys collected under this
26 Section shall be used only for the purposes authorized in

1 Section 6.9 of this Act and shall not be considered to be
2 assets of the State Universities Retirement System.
3 Contributions made under this Section are not transferable to
4 other pension funds or retirement systems and are not
5 refundable upon termination of service.

6 (b) Beginning January 1, 1999, every community college
7 district (other than, until January 1, 2012, a community
8 college district subject to Article VII of the Public Community
9 College Act) or association of community college boards that is
10 an employer under the State Universities Retirement System
11 shall contribute toward the cost of the community college
12 health benefits provided under Section 6.9 of this Act an
13 amount equal to 0.50% of the salary paid to its full-time
14 employees who participate in the State Universities Retirement
15 System and are not members as defined in Section 3 of this Act.
16 Beginning on the effective date of this amendatory Act of the
17 97th General Assembly and until revised under Section 6.10A of
18 this Act, these contributions shall be at the rate of 0.97% of
19 salary. If revised under Section 6.10A, these contributions
20 shall be at the rate set by the Community College Fiscal Board
21 and approved by the Commission on Government Forecasting and
22 Accountability as specified in Section 6.10A of this Act.

23 These contributions shall be paid by the employer to the
24 State Universities Retirement System as service agent for the
25 Department of Central Management Services. The System may use
26 the same processes for collecting the contributions required by

1 this subsection that it uses to collect the contributions
2 received from those employers under Section 15-155 of the
3 Illinois Pension Code.

4 The State Universities Retirement System shall promptly
5 deposit all moneys collected under this subsection (b) into the
6 Community College Health Insurance Security Fund created in
7 Section 6.9 of this Act. The moneys collected under this
8 Section shall be used only for the purposes authorized in
9 Section 6.9 of this Act and shall not be considered to be
10 assets of the State Universities Retirement System.
11 Contributions made under this Section are not transferable to
12 other pension funds or retirement systems and are not
13 refundable upon termination of service.

14 The Department of Healthcare and Family Services, or any
15 successor agency designated to procure healthcare contracts
16 pursuant to this Act, is authorized to establish funds,
17 separate accounts provided by any bank or banks as defined by
18 the Illinois Banking Act, or separate accounts provided by any
19 savings and loan association or associations as defined by the
20 Illinois Savings and Loan Act of 1985 to be held by the
21 Director, outside the State treasury, for the purpose of
22 receiving the transfer of moneys from the Community College
23 Health Insurance Security Fund. The Department may promulgate
24 rules further defining the methodology for the transfers. Any
25 interest earned by moneys in the funds or accounts shall inure
26 to the Community College Health Insurance Security Fund. The

1 transferred moneys, and interest accrued thereon, shall be used
2 exclusively for transfers to administrative service
3 organizations or their financial institutions for payments of
4 claims to claimants and providers under the self-insurance
5 health plan. The transferred moneys, and interest accrued
6 thereon, shall not be used for any other purpose including, but
7 not limited to, reimbursement of administration fees due the
8 administrative service organization pursuant to its contract
9 or contracts with the Department.

10 (b-5) On or before March 30, 2012, a community college
11 district subject to Article VII of the Public Community College
12 Act shall contribute an amount equal to \$7,800,000 toward the
13 cost of the community college health benefits provided under
14 Section 6.9 of this Act. The contribution shall be in addition
15 to any percentage of salary contribution paid pursuant to
16 subsection (b) of Section 6.10 of this Act.

17 (b-10) On or before September 1, 2012, a community college
18 district subject to Article VII of the Public Community College
19 Act shall contribute an amount equal to 3 times the product
20 resulting from multiplying (i) the difference between the
21 fiscal year 2013 per annuitant cost of the community college
22 health benefits provided under Section 6.9 of this Act and the
23 fiscal year 2013 per annuitant premium paid by the annuitant by
24 (ii) the number of annuitants enrolled in the community college
25 health benefits program under Section 6.9 of this Act who
26 became annuitants on or before the effective date of this

1 amendatory date of the 97th General Assembly and who, prior to
2 that date, opted not to participate in the health benefits
3 program provided by the community college district subject to
4 Article VII of the Public Community College Act. The
5 calculation of the contribution created under this subsection
6 (b-10) shall be subject to review and approval by the
7 Commission on Governmental Forecasting and Accountability.

8 (c) On or before November 15 of each year, the Board of
9 Trustees of the State Universities Retirement System shall
10 certify to the Governor, the Director of Central Management
11 Services, and the State Comptroller its estimate of the total
12 amount of contributions to be paid under subsection (a) of this
13 Section for the next fiscal year. Beginning in fiscal year
14 2008, the amount certified shall be decreased or increased each
15 year by the amount that the actual active employee
16 contributions either fell short of or exceeded the estimate
17 used by the Board in making the certification for the previous
18 fiscal year. The State Universities Retirement System shall
19 calculate the amount of actual active employee contributions in
20 fiscal years 1999 through 2005. Based upon this calculation,
21 the fiscal year 2008 certification shall include an amount
22 equal to the cumulative amount that the actual active employee
23 contributions either fell short of or exceeded the estimate
24 used by the Board in making the certification for those fiscal
25 years. The certification shall include a detailed explanation
26 of the methods and information that the Board relied upon in

1 preparing its estimate. As soon as possible after the effective
2 date of this Section, the Board shall submit its estimate for
3 fiscal year 1999.

4 (d) Beginning in fiscal year 1999 and through June 30,
5 2011, on the first day of each month, or as soon thereafter as
6 may be practical, the State Treasurer and the State Comptroller
7 shall transfer from the General Revenue Fund to the Community
8 College Health Insurance Security Fund 1/12 of the annual
9 amount appropriated for that fiscal year to the State
10 Comptroller for deposit into the Community College Health
11 Insurance Security Fund under Section 1.4 of the State Pension
12 Funds Continuing Appropriation Act.

13 (d-1) In fiscal year 2012, the State Treasurer and the
14 State Comptroller shall transfer from the General Revenue Fund
15 to the Community College Health Insurance Security Fund an
16 amount equal to the annual amount that was transferred from the
17 General Revenue Fund to the Community College Health Insurance
18 Security Fund under subsection (d) of this Section in fiscal
19 year 2011.

20 (d-2) In fiscal year 2013, the State Treasurer and the
21 State Comptroller shall transfer from the General Revenue Fund
22 to the Community College Health Insurance Security Fund: (i)
23 \$600,000 and (ii) an amount equal to two-thirds of the annual
24 amount transferred from the General Revenue Fund to the
25 Community College Health Insurance Security Fund under
26 subsection (d-1) of this Section.

1 (d-3) In fiscal year 2014, the State Treasurer and the
2 State Comptroller shall transfer from the General Revenue Fund
3 to the Community College Health Insurance Security Fund: (i)
4 \$600,000 and (ii) an amount equal to one-third of the annual
5 amount transferred from the General Revenue Fund to the
6 Community College Health Insurance Security Fund under
7 subsection (d-1) of this Section.

8 (e) Except where otherwise specified in this Section, the
9 definitions that apply to Article 15 of the Illinois Pension
10 Code apply to this Section.

11 (Source: P.A. 94-839, eff. 6-6-06; 95-632, eff. 9-25-07.)

12 (5 ILCS 375/6.10A new)

13 Sec. 6.10A. Community College Fiscal Board.

14 (a) The Community College Fiscal Board is hereby created
15 and shall consist of the following 8 members appointed as
16 follows:

17 (1) 3 trustees shall be appointed by the organization
18 that represents the largest number of community college
19 trustees;

20 (2) one trustee shall be appointed by the organization
21 that represents the largest number of community college
22 employees;

23 (3) one trustee shall be appointed by the organization
24 that represents the second largest number of community
25 college employees;

1 (4) one trustee shall be appointed by an organization
2 that represents community college benefit recipients;

3 (5) one trustee who is a professional fiduciary with
4 experience in the area of collectively bargained retiree
5 health plans shall be appointed by the Illinois Community
6 College Board; and

7 (6) one trustee shall be appointed by a community
8 college district subject to Article VII of the Public
9 Community College Act.

10 Trustees shall serve until a successor has been appointed
11 and qualified or until resignation, death, incapacity, or
12 disqualification.

13 Any person appointed as a trustee of the Community College
14 Fiscal Board shall qualify by taking an oath of office that he
15 or she will diligently and honestly administer the affairs of
16 the Community College Health Insurance Security Fund and will
17 not knowingly violate or willfully permit the violation of any
18 of the provisions of law applicable to the Fund. Each trustee
19 shall cast individual votes, and a majority vote shall be final
20 and binding upon all interested parties.

21 (b) The Community College Fiscal Board shall make an annual
22 assessment of the funding levels of the Community College
23 Health Insurance Security Fund and shall submit a report to the
24 Commission on Government Forecasting and Accountability at
25 least 90 days before the end of fiscal year 2011, or as soon
26 thereafter as is possible, and, again, at least 90 days before

1 the end of each fiscal year thereafter. The report shall
2 provide the following:

3 (1) the actuarial present value of projected benefits
4 expected to be paid to current and future community college
5 benefit recipients and community college dependent
6 beneficiaries;

7 (2) the actuarial present value of projected
8 contributions and other income; and

9 (3) an assessment of whether the actuarial present
10 value of projected benefits expected to be paid to those
11 benefit recipients and their dependents exceeds or is less
12 than the actuarial present value of projected
13 contributions and other income.

14 If the actuarial present value of projected benefits
15 expected to be paid to these current and future community
16 college benefit recipients and community college dependent
17 beneficiaries exceeds the actuarial present value of projected
18 contributions and other income, then the report shall provide a
19 plan that will (i) be implemented over a period of not more
20 than 5 years from each valuation date and (ii) make the
21 actuarial present value of projected contributions and other
22 income equal to or exceed the actuarial present value of
23 projected benefits expected to be paid to current and future
24 community college benefit recipients and community college
25 dependent beneficiaries. The plan may consist of increases in
26 contribution levels, decreases in benefit levels, or other plan

1 changes or any combination thereof. If the actuarial present
2 value of projected benefits expected to be paid to current and
3 future community college benefit recipients and community
4 college dependent beneficiaries is less than the actuarial
5 present value of projected contributions and other income, then
6 the report may provide a plan of decreases, to the extent of
7 the surplus, in contribution levels, increases in benefit
8 levels, other plan changes, or any combination thereof.

9 (c) The Commission on Government Forecasting and
10 Accountability shall review the report and plan provided in
11 subsection (b) and issue a determination within 90 days after
12 receiving the report and plan, with a copy of the determination
13 provided to the General Assembly and to the Community College
14 Fiscal Board, as follows:

15 (1) In the event of a projected shortfall, if the
16 Commission on Government Forecasting and Accountability
17 determines that the assumptions stated in the report are
18 not unreasonable in the aggregate and that the plan of
19 increases in contribution levels, decreases in benefit
20 levels, other plan changes, or any combination thereof to
21 be implemented over a period of not more than 5 years from
22 each valuation date is reasonably projected to make the
23 actuarial present value of projected contributions and
24 other income plus assets equal to or in excess of the
25 actuarial present value of projected benefits expected to
26 be paid to current and future community college benefit

1 recipients and community college dependent beneficiaries,
2 then the Community College Fiscal Board shall implement the
3 plan. If the Commission on Government Forecasting and
4 Accountability determines that the assumptions stated in
5 the report are unreasonable in the aggregate, or that the
6 plan of increases in contribution levels, decreases in
7 benefit levels, or other plan changes to be implemented
8 over a period of not more than 5 years from each valuation
9 date are not reasonably projected to make the actuarial
10 present value of projected contributions and other income
11 plus assets equal to or in excess of the actuarial present
12 value of projected benefits expected to be paid to current
13 and future community college benefit recipients and
14 community college dependent beneficiaries, then the
15 Community College Fiscal Board shall not implement the
16 plan, the Commission on Government Forecasting and
17 Accountability shall explain the basis for that
18 determination to the Community College Fiscal Board, and
19 the Commission on Government Forecasting and
20 Accountability may make recommendations as to an
21 alternative report and plan.

22 (2) In the event of a projected surplus, if the
23 Commission on Government Forecasting and Accountability
24 determines that the assumptions stated in the report are
25 not unreasonable in the aggregate and that the plan of
26 decreases in contribution levels, increases in benefit

1 levels, or both are not unreasonable in the aggregate, then
2 the Community College Fiscal Board shall implement the
3 plan. If the Commission on Government Forecasting and
4 Accountability determines that the assumptions stated in
5 the report are unreasonable in the aggregate, or that the
6 plan of decreases in contribution levels, increases in
7 benefit levels, or both are unreasonable in the aggregate,
8 then the Community College Fiscal Board shall not implement
9 the plan, the Commission on Government Forecasting and
10 Accountability shall explain the basis for such
11 determination to the Community College Fiscal Board, and
12 the Commission on Government Forecasting and
13 Accountability may make recommendations as to an
14 alternative report and plan.

15 (3) The Community College Fiscal Board shall submit an
16 alternative report and plan within 45 days after receiving
17 a rejection determination by the Commission on Government
18 Forecasting and Accountability. A determination by the
19 Commission on Government Forecasting and Accountability on
20 any alternative report and plan submitted by the Community
21 College Fiscal Board shall be made within 90 days after
22 receiving the alternative report and plan and shall be
23 accepted or rejected according to the requirements of this
24 subsection. The Community College Fiscal Board shall
25 continue to submit alternative reports and plans to the
26 Commission on Government Forecasting and Accountability,

1 as necessary, until a favorable determination is made by
2 the Commission on Government Forecasting and
3 Accountability.

4 Section 90. The State Mandates Act is amended by adding
5 Section 8.35 as follows:

6 (30 ILCS 805/8.35 new)

7 Sec. 8.35. Exempt mandate. Notwithstanding Sections 6 and 8
8 of this Act, no reimbursement by the State is required for the
9 implementation of any mandate created by this amendatory Act of
10 the 97th General Assembly.

11 Section 93. The Public Community College Act is amended by
12 changing Sections 2-16.02, 3-27.1, and 6-4 as follows:

13 (110 ILCS 805/2-16.02) (from Ch. 122, par. 102-16.02)

14 Sec. 2-16.02. Grants. Any community college district that
15 maintains a community college recognized by the State Board
16 shall receive, when eligible, grants enumerated in this
17 Section. Funded semester credit hours or other measures or both
18 as specified by the State Board shall be used to distribute
19 grants to community colleges. Funded semester credit hours
20 shall be defined, for purposes of this Section, as the greater
21 of (1) the number of semester credit hours, or equivalent, in
22 all funded instructional categories of students who have been

1 certified as being in attendance at midterm during the
2 respective terms of the base fiscal year or (2) the average of
3 semester credit hours, or equivalent, in all funded
4 instructional categories of students who have been certified as
5 being in attendance at midterm during the respective terms of
6 the base fiscal year and the 2 prior fiscal years. For purposes
7 of this Section, "base fiscal year" means the fiscal year 2
8 years prior to the fiscal year for which the grants are
9 appropriated. Such students shall have been residents of
10 Illinois and shall have been enrolled in courses that are part
11 of instructional program categories approved by the State Board
12 and that are applicable toward an associate degree or
13 certificate. Courses that are eligible for reimbursement are
14 those courses for which the district pays 50% or more of the
15 program costs from unrestricted revenue sources, with the
16 exception of courses offered by contract with the Department of
17 Corrections in correctional institutions. For the purposes of
18 this Section, "unrestricted revenue sources" means those
19 revenues in which the provider of the revenue imposes no
20 financial limitations upon the district as it relates to the
21 expenditure of the funds. Base operating grants shall be paid
22 based on rates per funded semester credit hour or equivalent
23 calculated by the State Board for funded instructional
24 categories using cost of instruction, enrollment, inflation,
25 and other relevant factors. A portion of the base operating
26 grant shall be allocated on the basis of non-residential gross

1 square footage of space maintained by the district.

2 Equalization grants shall be calculated by the State Board
3 by determining a local revenue factor for each district by: (A)
4 adding (1) each district's Corporate Personal Property
5 Replacement Fund allocations from the base fiscal year or the
6 average of the base fiscal year and prior year, whichever is
7 less, divided by the applicable statewide average tax rate to
8 (2) the district's most recently audited year's equalized
9 assessed valuation or the average of the most recently audited
10 year and prior year, whichever is less, (B) then dividing by
11 the district's audited full-time equivalent resident students
12 for the base fiscal year or the average for the base fiscal
13 year and the 2 prior fiscal years, whichever is greater, and
14 (C) then multiplying by the applicable statewide average tax
15 rate. The State Board shall calculate a statewide weighted
16 average threshold by applying the same methodology to the
17 totals of all districts' Corporate Personal Property Tax
18 Replacement Fund allocations, equalized assessed valuations,
19 and audited full-time equivalent district resident students
20 and multiplying by the applicable statewide average tax rate.
21 The difference between the statewide weighted average
22 threshold and the local revenue factor, multiplied by the
23 number of full-time equivalent resident students, shall
24 determine the amount of equalization funding that each district
25 is eligible to receive. A percentage factor, as determined by
26 the State Board, may be applied to the statewide threshold as a

1 method for allocating equalization funding. A minimum
2 equalization grant of an amount per district as determined by
3 the State Board shall be established for any community college
4 district which qualifies for an equalization grant based upon
5 the preceding criteria, but becomes ineligible for
6 equalization funding, or would have received a grant of less
7 than the minimum equalization grant, due to threshold
8 prorations applied to reduce equalization funding. As of July
9 1, 2012 ~~2004~~, a community college district must maintain a
10 minimum required combined in-district tuition and universal
11 fee rate per semester credit hour equal to 70% ~~85%~~ of the
12 State-average combined rate, as determined by the State Board,
13 or the total revenue received by the community college district
14 from combined in-district tuition and universal fees must be at
15 least 30% of the total revenue received by the community
16 college district, as determined by the State Board, for
17 equalization funding. As of July 1, 2004, a community college
18 district must maintain a minimum required operating tax rate
19 equal to at least 95% of its maximum authorized tax rate to
20 qualify for equalization funding. This 95% minimum tax rate
21 requirement shall be based upon the maximum operating tax rate
22 as limited by the Property Tax Extension Limitation Law.

23 The State Board shall distribute such other grants as may
24 be authorized or appropriated by the General Assembly.

25 Each community college district entitled to State grants
26 under this Section must submit a report of its enrollment to

1 the State Board not later than 30 days following the end of
2 each semester, quarter, or term in a format prescribed by the
3 State Board. These semester credit hours, or equivalent, shall
4 be certified by each district on forms provided by the State
5 Board. Each district's certified semester credit hours, or
6 equivalent, are subject to audit pursuant to Section 3-22.1.

7 The State Board shall certify, prepare, and submit monthly
8 vouchers to the State Comptroller setting forth an amount equal
9 to one-twelfth of the grants approved by the State Board for
10 base operating grants and equalization grants. The State Board
11 shall prepare and submit to the State Comptroller vouchers for
12 payments of other grants as appropriated by the General
13 Assembly. If the amount appropriated for grants is different
14 from the amount provided for such grants under this Act, the
15 grants shall be proportionately reduced or increased
16 accordingly.

17 For the purposes of this Section, "resident student" means
18 a student in a community college district who maintains
19 residency in that district or meets other residency definitions
20 established by the State Board, and who was enrolled either in
21 one of the approved instructional program categories in that
22 district, or in another community college district to which the
23 resident's district is paying tuition under Section 6-2 or with
24 which the resident's district has entered into a cooperative
25 agreement in lieu of such tuition.

26 For the purposes of this Section, a "full-time equivalent"

1 student is equal to 30 semester credit hours.

2 The Illinois Community College Board Contracts and Grants
3 Fund is hereby created in the State Treasury. Items of income
4 to this fund shall include any grants, awards, endowments, or
5 like proceeds, and where appropriate, other funds made
6 available through contracts with governmental, public, and
7 private agencies or persons. The General Assembly shall from
8 time to time make appropriations payable from such fund for the
9 support, improvement, and expenses of the State Board and
10 Illinois community college districts.

11 (Source: P.A. 96-911, eff. 7-1-10.)

12 (110 ILCS 805/3-27.1) (from Ch. 122, par. 103-27.1)

13 Sec. 3-27.1. Contracts. To award all contracts for purchase
14 of supplies, materials or work involving an expenditure in
15 excess of \$25,000 or a lower amount as required by board policy
16 to the lowest responsible bidder considering conformity with
17 specifications, terms of delivery, quality, and
18 serviceability; after due advertisement, except the following:
19 (a) contracts for the services of individuals possessing a high
20 degree of professional skill where the ability or fitness of
21 the individual plays an important part; (b) contracts for the
22 printing of finance committee reports and departmental
23 reports; (c) contracts for the printing or engraving of bonds,
24 tax warrants and other evidences of indebtedness; (d) contracts
25 for materials and work which have been awarded to the lowest

1 responsible bidder after due advertisement, but due to
2 unforeseen revisions, not the fault of the contractor for
3 materials and work, must be revised causing expenditures not in
4 excess of 10% of the contract price; (e) contracts for the
5 maintenance or servicing of, or provision of repair parts for,
6 equipment which are made with the manufacturer or authorized
7 service agent of that equipment where the provision of parts,
8 maintenance, or servicing can best be performed by the
9 manufacturer or authorized service agent; (f) purchases and
10 contracts for the use, purchase, delivery, movement, or
11 installation of data processing equipment, software, or
12 services and telecommunications and inter-connect equipment,
13 software, and services; (g) contracts for duplicating machines
14 and supplies; (h) contracts for the purchase of natural gas
15 when the cost is less than that offered by a public utility;
16 (i) purchases of equipment previously owned by some entity
17 other than the district itself; (j) contracts for repair,
18 maintenance, remodeling, renovation, or construction, or a
19 single project involving an expenditure not to exceed \$50,000
20 and not involving a change or increase in the size, type, or
21 extent of an existing facility; (k) contracts for goods or
22 services procured from another governmental agency; (l)
23 contracts for goods or services which are economically
24 procurable from only one source, such as for the purchase of
25 magazines, books, periodicals, pamphlets and reports, and for
26 utility services such as water, light, heat, telephone or

1 telegraph; and (m) where funds are expended in an emergency and
2 such emergency expenditure is approved by 3/4 of the members of
3 the board.

4 All competitive bids for contracts involving an
5 expenditure in excess of \$25,000 or a lower amount as required
6 by board policy must be sealed by the bidder and must be opened
7 by a member or employee of the board at a public bid opening at
8 which the contents of the bids must be announced. Each bidder
9 must receive at least 3 days' notice of the time and place of
10 such bid opening. For purposes of this Section due
11 advertisement includes, but is not limited to, at least one
12 public notice at least 10 days before the bid date in a
13 newspaper published in the district, or if no newspaper is
14 published in the district, in a newspaper of general
15 circulation in the area of the district. Electronic bid
16 submissions shall be considered a sealed document for
17 competitive bid requests if they are received at the designated
18 office by the time and date set for receipt for bids. However,
19 bids for construction purposes are prohibited from being
20 submitted electronically. Electronic bid submissions must be
21 authorized by specific language in the bid documents in order
22 to be considered and must be opened in accordance with
23 electronic security measures in effect at the community college
24 at the time of opening. Unless the electronic submission
25 procedures provide for a secure receipt, the vendor assumes the
26 risk of premature disclosure due to submission in an unsealed

1 form.

2 The provisions of this Section do not apply to guaranteed
3 energy savings contracts entered into under Article V-A. The
4 provisions of this Section do not prevent a community college
5 from complying with the terms and conditions of a grant, gift,
6 or bequest that calls for the procurement of a particular good
7 or service or the use of a particular contractor, provided that
8 the grant, gift, or bequest provides the majority funding for
9 the contract.

10 (Source: P.A. 95-990, eff. 10-3-08; 96-380, eff. 8-13-09.)

11 (110 ILCS 805/6-4) (from Ch. 122, par. 106-4)

12 Sec. 6-4. Variable rates and fees. Any community college
13 district, by resolution of the board, may establish variable
14 tuition rates and fees for students attending its college in an
15 amount not to exceed, until the effective date of this
16 amendatory Act of the 97th General Assembly and beginning again
17 3 years after the effective date of this amendatory Act of the
18 97th General Assembly, 1/3 of the per capita cost as defined in
19 Section 6-2, provided that voluntary contributions, as defined
20 in Section 65 of the Higher Education Student Assistance Act,
21 shall not be included in any calculation of community college
22 tuition and fee rates for the purpose of this Section.

23 (Source: P.A. 90-14, eff. 7-1-97.)

24 Section 99. Effective date. This Act takes effect upon

1 becoming law.".