



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

SB3422

Introduced 2/7/2012, by Sen. Linda Holmes

#### SYNOPSIS AS INTRODUCED:

See Index

Amends various Acts to eliminate the following Boards and Commissions: the Internet Privacy Task Force, the Advisory Council on Youth HIV/AIDS Prevention Messages, the governing board of the David A. Wirsing Food Animal Institute, the Board of the Southwest Suburban Railroad Development Authority, the Illinois Health Policy Center Advisory Panel, the Health Care Worker Task Force, the Revenue Commission for Community Service, the Maternal and Child Health Advisory Board, and the Advisory Council on Spinal Cord and Head Injuries. Repeals the Illinois Geographic Information Council Act, the Commission on Children and Youth Act, the Illinois Plain Language Task Force Act, the Riverdale Development Authority Act, the Illinois Urban Development Authority Act, and the Downstate Illinois Sports Facilities Authority Act. Effective July 1, 2012.

LRB097 19822 PJG 65097 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 5. The State Agency Web Site Act is amended by  
5 changing Section 10 as follows:

6 (5 ILCS 177/10)

7 Sec. 10. Cookies and other invasive tracking programs.

8 (a) Except as otherwise provided in subsection (b), State  
9 agency Web sites may not use permanent cookies or any other  
10 invasive tracking programs that monitor and track Web site  
11 viewing habits; however, a State agency Web site may use  
12 transactional cookies that facilitate business transactions.

13 (b) Permanent cookies used by State agency Web sites may be  
14 exempt from the prohibition in subsection (a) if they meet the  
15 following criteria:

16 (1) The use of permanent cookies adds value to the user  
17 otherwise not available;

18 (2) The permanent cookies are not used to monitor and  
19 track web site viewing habits unless all types of  
20 information collected and the State's use of that  
21 information add user value and are disclosed through a  
22 comprehensive online privacy statement.

23 ~~The Internet Privacy Task Force established under Section 15~~

1 ~~shall define the exemption and limitations of this subsection~~  
2 ~~(b) in practice.~~

3 (Source: P.A. 93-117, eff. 1-1-04.)

4 (5 ILCS 177/15 rep.)

5 Section 10. The State Agency Web Site Act is amended by  
6 repealing Section 15.

7 (20 ILCS 1128/Act rep.)

8 Section 15. The Illinois Geographic Information Council  
9 Act is repealed.

10 (20 ILCS 2310/2310-323 rep.)

11 Section 20. The Department of Public Health Powers and  
12 Duties Law of the Civil Administrative Code of Illinois is  
13 amended by repealing Section 2310-323.

14 Section 25. The Illinois Finance Authority Act is amended  
15 by changing Sections 825-107 and 825-110 as follows:

16 (20 ILCS 3501/825-107)

17 Sec. 825-107. Implementation of ARRA provisions regarding  
18 recovery zone bonds.

19 (a) Findings.

20 Recovery zone bonds authorized by the American Recovery and

1 Reinvestment Act of 2009 are an important economic development  
2 tool for the State. All counties in the State and  
3 municipalities in the State with a population of 100,000 or  
4 more have received an allocation of recovery zone bond  
5 authorization. Under federal law, those allocations must be  
6 used on or before December 31, 2010. The State strongly  
7 encourages counties and municipalities to issue recovery zone  
8 bonds to spur economic development in the State. Under federal  
9 law, the allocations may be voluntarily waived to the State for  
10 reallocation by the State to other jurisdictions and other  
11 projects in the State. This Section sets forth the process by  
12 which the Authority, on behalf of the State, will receive  
13 otherwise unused allocations and ensure that this valuable  
14 economic development incentive will be used to the fullest  
15 extent feasible for the benefit of the citizens of the State of  
16 Illinois.

17 (b) Definitions.

18 (i) "Affected local government" means either any  
19 county in the State or a municipality within the State if  
20 the municipality has a population of 100,000 or more.

21 (ii) "Allocation amount" means the \$666,972,000 amount  
22 of recovery zone economic development bonds and  
23 \$1,000,457,000 amount of recovery zone facility bonds  
24 authorized under ARRA for the financing of qualifying  
25 projects located within the State and the sub-allocation of

1 those amounts among each affected local government.

2 (iii) "ARRA" means, collectively, the American  
3 Recovery and Reinvestment Act of 2009, including, without  
4 limitation, Sections 1400U-1, 1400U-2, and 1400U-3 of the  
5 Code; the guidance provided by the Internal Revenue Service  
6 applicable to recovery zone bonds; and any legislation  
7 subsequently adopted by the United States Congress to  
8 extend or expand the economic development bond financing  
9 incentives authorized by ARRA.

10 (iv) "ARRA implementing regulations" means the  
11 regulations promulgated by the Authority as further  
12 described in subdivision (d)(iv) of this Section to  
13 implement the provisions of this Section.

14 (v) "Code" means the Internal Revenue Code of 1986, as  
15 amended.

16 (vi) "Recovery zone" means any area designated  
17 pursuant to Section 1400U-1 of the Code.

18 (vii) "Recovery zone bond" means any recovery zone  
19 economic development bond or recovery zone facility bond  
20 issued pursuant to Sections 1400U-2 and 1400U-3,  
21 respectively, of the Code.

22 (viii) "Recovery zone bond allocation" means an  
23 allocation of authority to issue recovery zone bonds  
24 granted pursuant to Section 1400U-1 of the Code.

25 (ix) "Regional authority" means the Central Illinois  
26 Economic Development Authority, Eastern Illinois Economic

1 Development Authority, Joliet Arsenal Development  
2 Authority, Quad Cities Regional Economic Development  
3 Authority, ~~Riverdale Development Authority,~~ Southeastern  
4 Illinois Economic Development Authority, Southern Illinois  
5 Development Authority, Southwestern Illinois Development  
6 Authority, Tri-County River Valley Development Authority,  
7 Upper Illinois River Valley Development Authority,  
8 ~~Illinois Urban Development Authority,~~ Western Illinois  
9 Economic Development Authority, or Will-Kankakee Regional  
10 Development Authority.

11 (x) "Sub-allocation" means the portion of the  
12 allocation amount allocated to each affected local  
13 government.

14 (xi) "Waived recovery zone bond allocation" means the  
15 amount of the recovery zone bond allocation voluntarily  
16 waived by an affected local government.

17 (xii) "Waiver agreement" means an agreement between  
18 the Authority and an affected local government providing  
19 for the voluntary waiver, in whole or in part, of that  
20 affected local government's sub-allocation to the  
21 Authority. The waiver agreement may provide for the payment  
22 of an affected local government's reasonable fees and costs  
23 as determined by the Authority in connection with the  
24 affected local government's voluntary waiver of its  
25 sub-allocation.

1 (c) Additional findings.

2 It is found and declared that:

3 (i) it is in the public interest and for the benefit of  
4 the State to maximize the use of economic development  
5 incentives authorized by ARRA;

6 (ii) those incentives include the maximum use of the  
7 allocation amount for the issuance of recovery zone bonds  
8 to promote job creation and economic development in any  
9 area that has been designated as a recovery zone by an  
10 affected local government under the applicable provisions  
11 of ARRA;

12 (iii) those incentives also include the issuance by the  
13 Authority of recovery zone bonds for the purposes of  
14 financing qualifying projects to be financed with proceeds  
15 of recovery zone bonds; and

16 (iv) the provisions of this Section reflect the State's  
17 determination in good faith and in its discretion of the  
18 reasonable manner in which waived recovery zone bond  
19 allocations should be reallocated by the Authority.

20 (d) Powers of Authority.

21 (i) In order to carry out the provisions of ARRA and  
22 further the purposes of this Section, the Authority has:

23 (A) the power to receive from any affected local  
24 government its sub-allocation that it voluntarily  
25 waives to the Authority, in whole or in part, for

1 reallocation by the Authority to a regional authority  
2 specifically designated by that affected local  
3 government, and the Authority shall reallocate that  
4 waived recovery zone bond allocation to the regional  
5 authority specifically designated by that affected  
6 local government; provided that (1) the affected local  
7 government must take official action by resolution or  
8 ordinance, as applicable, to waive the sub-allocation  
9 to the Authority and specifically designate that its  
10 waived recovery zone bond allocation should be  
11 reallocated to a regional authority; (2) the regional  
12 authority must use the sub-allocation to issue  
13 recovery zone bonds on or before August 16, 2010 and,  
14 if recovery zone bonds are not issued on or before  
15 August 16, 2010, the sub-allocation shall be deemed  
16 waived to the Authority for reallocation by the  
17 Authority to qualifying projects; and (3) the proceeds  
18 of the recovery zone bonds must be used for qualified  
19 projects within the jurisdiction of the applicable  
20 regional authority;

21 (B) at the Authority's sole discretion, the power  
22 to reallocate any sub-allocation deemed waived to the  
23 Authority pursuant to subsection (d) (i) (A) (2) back to  
24 the regional authority that had the sub-allocation;

25 (C) the power to enter into waiver agreements with  
26 affected local governments to provide for their



1 voluntary waivers, in whole or in part, of their  
2 sub-allocations, to receive waived recovery zone bond  
3 allocations from those affected local governments, and  
4 to use those waived recovery zone bond allocations, in  
5 whole or in part, to issue recovery zone bonds of the  
6 Authority for qualifying projects or to reallocate  
7 those waived recovery zone bond allocations, in whole  
8 or in part, to a county or municipality to issue its  
9 own recovery zone bonds for qualifying projects;

10 (D) the power to designate areas within the State  
11 as recovery zones or all of the State as a recovery  
12 zone; and

13 (E) the power to issue recovery zone bonds for any  
14 project authorized to be financed with proceeds  
15 thereof under the applicable provisions of ARRA.

16 (ii) In addition to the powers set forth in item (i),  
17 the Authority shall be the sole recipient, on behalf of the  
18 State, of any waived recovery zone bond allocations.  
19 Recovery zone bond allocations can be waived to the  
20 Authority only by voluntary waiver as provided in this  
21 Section.

22 (iii) In addition to the powers set forth in items (i)  
23 and (ii), the Authority has any powers otherwise enjoyed by  
24 the Authority in connection with the issuance of its bonds  
25 if those powers are not in conflict with any provisions  
26 with respect to recovery zone bonds set forth in ARRA.

1           (iv) The Authority has the power to adopt regulations  
2 providing for the implementation of any of the provisions  
3 contained in this Section, including provisions regarding  
4 waiver agreements and the reallocation of all or any  
5 portion of the allocation amount and sub-allocations and  
6 the issuance of recovery zone bonds; except that those  
7 regulations shall not (1) apply to or affect any  
8 designation of a recovery zone by a county or municipality,  
9 (2) provide for any waiver or reallocation of an affected  
10 local government's sub-allocation other than a voluntary  
11 waiver as described in subsection (d), or (3) be  
12 inconsistent with the provisions of subsection (d)(i).  
13 Regulations adopted by the Authority for determining  
14 reallocation of all or any portion of a waived recovery  
15 zone bond allocation may include, but are not limited to,  
16 (1) the ability of the county or municipality to issue  
17 recovery zone bonds on or before December 31, 2010, (2) the  
18 amount of jobs that will be retained or created, or both,  
19 by the qualifying project to be financed by recovery zone  
20 bonds, and (3) the geographical proximity of the qualifying  
21 project to be financed by recovery zone bonds to a county  
22 or municipality that voluntarily waived its sub-allocation  
23 to the Authority.

24           (v) Unless extended by an act of the United States  
25 Congress, no recovery zone bonds may be issued after  
26 December 31, 2010.

1 (e) Established dates for notice.

2 Any affected local government or any regional authority  
3 that has issued recovery zone bonds on or before the effective  
4 date of this Section must report its issuance of recovery zone  
5 bonds to the Authority within 30 days after the effective date  
6 of this Section. After the effective date of this Section, any  
7 affected local government or any regional authority must report  
8 its issuance of recovery zone bonds to the Authority not less  
9 than 30 days after those bonds are issued.

10 (f) Reports to the General Assembly.

11 Starting 60 days after the effective date of this Section  
12 and ending on January 15, 2011, the Authority shall file a  
13 report before the 15th day of each month with the General  
14 Assembly detailing its implementation of this Section,  
15 including but not limited to the dollar amount of the  
16 allocation amount that has been reallocated by the Authority  
17 pursuant to this Section, the recovery zone bonds issued in the  
18 State as of the date of the report, and descriptions of the  
19 qualifying projects financed by those recovery zone bonds.

20 (Source: P.A. 96-1020, eff. 7-12-10; 97-333, eff. 8-12-11.)

21 (20 ILCS 3501/825-110)

22 Sec. 825-110. Implementation of ARRA provisions regarding  
23 qualified energy conservation bonds.

1 (a) Definitions.

2 (i) "Affected local government" means any county or  
3 municipality within the State if the county or municipality  
4 has a population of 100,000 or more, as defined in Section  
5 54D(e) (2) (C) of the Code.

6 (ii) "Allocation amount" means the \$133,846,000 amount  
7 of qualified energy conservation bonds authorized under  
8 ARRA for the financing of qualifying projects located  
9 within the State and the sub-allocation of those amounts  
10 among each affected local government.

11 (iii) "ARRA" means, collectively, the American  
12 Recovery and Reinvestment Act of 2009, including, without  
13 limitation, Section 54D of the Code; the guidance provided  
14 by the Internal Revenue Service applicable to qualified  
15 energy conservation bonds; and any legislation  
16 subsequently adopted by the United States Congress to  
17 extend or expand the economic development bond financing  
18 incentives authorized by ARRA.

19 (iv) "ARRA implementing regulations" means the  
20 regulations promulgated by the Authority as further  
21 described in subdivision (c)(iv) of this Section to  
22 implement the provisions of this Section.

23 (v) "Code" means the Internal Revenue Code of 1986, as  
24 amended.

25 (vi) "Qualified energy conservation bond" means any

1 qualified energy conservation bond issued pursuant to  
2 Section 54D of the Code.

3 (vii) "Qualified energy conservation bond allocation"  
4 means an allocation of authority to issue qualified energy  
5 conservation bonds granted pursuant to Section 54D of the  
6 Code.

7 (viii) "Regional authority" means the Central Illinois  
8 Economic Development Authority, Eastern Illinois Economic  
9 Development Authority, Joliet Arsenal Development  
10 Authority, Quad Cities Regional Economic Development  
11 Authority, ~~Riverdale Development Authority,~~ Southeastern  
12 Illinois Economic Development Authority, Southern Illinois  
13 Development Authority, Southwestern Illinois Development  
14 Authority, Tri-County River Valley Development Authority,  
15 Upper Illinois River Valley Development Authority,  
16 ~~Illinois Urban Development Authority,~~ Western Illinois  
17 Economic Development Authority, or Will-Kankakee Regional  
18 Development Authority.

19 (ix) "Sub-allocation" means the portion of the  
20 allocation amount allocated to each affected local  
21 government.

22 (x) "Waived qualified energy conservation bond  
23 allocation" means the amount of the qualified energy  
24 conservation bond allocation that an affected local  
25 government elects to reallocate to the State pursuant to  
26 Section 54D(e) (2) (B) of the Code.

1           (xi) "Waiver agreement" means an agreement between the  
2 Authority and an affected local government providing for  
3 the reallocation, in whole or in part, of that affected  
4 local government's sub-allocation to the Authority. The  
5 waiver agreement may provide for the payment of an affected  
6 local government's reasonable fees and costs as determined  
7 by the Authority in connection with the affected local  
8 government's reallocation of its sub-allocation.

9 (b) Findings.

10 It is found and declared that:

11           (i) it is in the public interest and for the benefit of  
12 the State to maximize the use of economic development  
13 incentives authorized by ARRA;

14           (ii) those incentives include the maximum use of the  
15 allocation amount for the issuance of qualified energy  
16 conservation bonds to promote energy conservation under  
17 the applicable provisions of ARRA; and

18           (iii) those incentives also include the issuance by the  
19 Authority of qualified energy conservation bonds for the  
20 purposes of financing qualifying projects to be financed  
21 with proceeds of qualified energy conservation bonds.

22 (c) Powers of Authority.

23           (i) In order to carry out the provisions of ARRA and  
24 further the purposes of this Section, the Authority has:

1 (A) the power to receive from any affected local  
2 government its sub-allocation that it voluntarily  
3 waives to the Authority, in whole or in part, for  
4 allocation by the Authority to a regional authority  
5 specifically designated by that affected local  
6 government, and the Authority shall reallocate that  
7 waived qualified energy conservation bond allocation  
8 to the regional authority specifically designated by  
9 that affected local government; provided that (1) the  
10 affected local government must take official action by  
11 resolution or ordinance, as applicable, to waive the  
12 sub-allocation to the Authority and specifically  
13 designate that its waived qualified energy  
14 conservation bond allocation should be reallocated to  
15 a regional authority; (2) the regional authority must  
16 use the sub-allocation to issue qualified energy  
17 conservation bonds on or before August 16, 2010 and, if  
18 qualified energy conservation bonds are not issued on  
19 or before August 16, 2010, the sub-allocation shall be  
20 deemed waived to the Authority for reallocation by the  
21 Authority to qualifying projects; and (3) the proceeds  
22 of the qualified energy conservation bonds must be used  
23 for qualified projects within the jurisdiction of the  
24 applicable regional authority;

25 (B) at the Authority's sole discretion, the power  
26 to reallocate any sub-allocation deemed waived to the

1 Authority pursuant to subsection (c) (i) (A) (2) back to  
2 the Regional Authority that had the sub-allocation;

3 (C) the power to enter into waiver agreements with  
4 affected local governments to provide for the  
5 reallocation, in whole or in part, of their  
6 sub-allocations, to receive waived qualified energy  
7 conservation bond allocations from those affected  
8 local governments, and to use those waived qualified  
9 energy conservation bond allocations, in whole or in  
10 part, to issue qualified energy conservation bonds of  
11 the Authority for qualifying projects or to reallocate  
12 those qualified energy conservation bond allocations,  
13 in whole or in part, to a county or municipality to  
14 issue its own energy conservation bonds for qualifying  
15 projects; and

16 (D) the power to issue qualified energy  
17 conservation bonds for any project authorized to be  
18 financed with proceeds thereof under the applicable  
19 provisions of ARRA.

20 (ii) In addition to the powers set forth in item (i),  
21 the Authority shall be the sole recipient, on behalf of the  
22 State, of any waived qualified energy conservation bond  
23 allocations. Qualified energy conservation bond  
24 allocations can be reallocated to the Authority only by  
25 voluntary waiver as provided in this Section.

26 (iii) In addition to the powers set forth in items (i)



1 and (ii), the Authority has any powers otherwise enjoyed by  
2 the Authority in connection with the issuance of its bonds  
3 if those powers are not in conflict with any provisions  
4 with respect to qualified energy conservation bonds set  
5 forth in ARRA.

6 (iv) The Authority has the power to adopt regulations  
7 providing for the implementation of any of the provisions  
8 contained in this Section, including the provisions  
9 regarding waiver agreements and reallocation of all or any  
10 portion of the allocation amount and sub-allocations and  
11 the issuance of qualified energy conservation bonds;  
12 except that those regulations shall not (1) provide any  
13 waiver or reallocation of an affected local government's  
14 sub-allocation other than a voluntary waiver as described  
15 in subsection (c) or (2) be inconsistent with the  
16 provisions of subsection (c)(i). Regulations adopted by  
17 the Authority for determining reallocation of all or any  
18 portion of a waived qualified energy conservation  
19 allocation may include, but are not limited to, (1) the  
20 ability of the county or municipality to issue qualified  
21 energy conservation bonds by the end of a given calendar  
22 year, (2) the amount of jobs that will be retained or  
23 created, or both, by the qualifying project to be financed  
24 by qualified energy conservation bonds, and (3) the  
25 geographical proximity of the qualifying project to be  
26 financed by qualified energy conservation bonds to a

1           municipality or county that reallocated its sub-allocation  
2           to the Authority.

3           (d) Established dates for notice.

4           Any affected local government or regional authority that  
5           has issued qualified energy conservation bonds on or before the  
6           effective date of this Section must report its issuance of  
7           qualified energy conservation bonds to the Authority within 30  
8           days after the effective date of this Section. After the  
9           effective date of this Section, any affected local government  
10          or any regional authority must report its issuance of qualified  
11          energy conservation bonds to the Authority not less than 30  
12          days after those bonds are issued.

13          (e) Reports to the General Assembly.

14          Starting 60 days after the effective date of this Section  
15          and ending when there is no longer any allocation amount, the  
16          Authority shall file a report before the 15th day of each month  
17          with the General Assembly detailing its implementation of this  
18          Section, including but not limited to the dollar amount of the  
19          allocation amount that has been reallocated by the Authority  
20          pursuant to this Section, the qualified energy conservation  
21          bonds issued in the State as of the date of the report, and  
22          descriptions of the qualifying projects financed by those  
23          qualified energy conservation bonds.

24          (Source: P.A. 96-1020, eff. 7-12-10.)

1 (20 ILCS 3501/825-13 rep.)

2 (20 ILCS 3501/825-13.5 rep.)

3 Section 30. The Illinois Finance Authority Act is amended  
4 by repealing Sections 825-13 and 825-13.5.

5 Section 35. The David A. Wirsing Food Animal Institute Act  
6 is amended by changing Section 5 as follows:

7 (20 ILCS 3931/5)

8 Sec. 5. Definitions. As used in this Act:

9 ~~"Board" means the governing board of the David A. Wirsing~~  
10 ~~Food Animal Institute.~~

11 "Institute" means the David A. Wirsing Food Animal  
12 Institute.

13 "Food animal" includes, but is not limited to, beef cattle,  
14 swine, sheep, dairy cattle, turkeys, chickens, and aquaculture  
15 products.

16 "Allied agribusiness" means any related agribusiness, such  
17 as the feed industry, financial institutions, the food animal  
18 or food animal processing industry, farm equipment or implement  
19 dealers or manufacturers, crop production, pharmaceuticals, or  
20 nutraceuticals.

21 "Non-agribusiness" means conservation groups, dieticians,  
22 food processors, consumers, and animal health and well-being  
23 groups.

1 (Source: P.A. 93-883, eff. 8-6-04.)

2 (20 ILCS 3931/15 rep.)

3 (20 ILCS 3931/20 rep.)

4 (20 ILCS 3931/25 rep.)

5 (20 ILCS 3931/30 rep.)

6 Section 40. The David A. Wirsing Food Animal Institute Act  
7 is amended by repealing Sections 15, 20, 25, and 30.

8 (20 ILCS 4075/Act rep.)

9 Section 45. The Commission on Children and Youth Act is  
10 repealed.

11 (20 ILCS 4090/Act rep.)

12 Section 50. The Illinois Plain Language Task Force Act is  
13 repealed.

14 Section 55. The State Finance Act is amended by changing  
15 Section 6z-50 as follows:

16 (30 ILCS 105/6z-50)

17 Sec. 6z-50. Brain Injury and Spinal Cord Injury Trust Fund.  
18 The Brain Injury and Spinal Cord Injury Trust Fund is created  
19 as a special fund in the State treasury. Subject to  
20 appropriations, the Department of Human Services shall use  
21 moneys in the Fund to fund community-based rehabilitation

1 services programs ~~in accordance with priorities and criteria~~  
2 ~~established by the Advisory Council on Spinal Cord and Head~~  
3 ~~Injuries.~~

4 (Source: P.A. 91-737, eff. 6-2-00.)

5 (70 ILCS 516/Act rep.)

6 Section 60. The Riverdale Development Authority Act is  
7 repealed.

8 (70 ILCS 531/Act rep.)

9 Section 65. The Illinois Urban Development Authority Act is  
10 repealed.

11 Section 70. The Southwest Suburban Railroad Redevelopment  
12 Authority Act is amended by changing Section 55 as follows:

13 (70 ILCS 1930/55)

14 Sec. 55. Deposit and withdrawal of funds; ~~signatures.~~ All  
15 funds deposited ~~by the Treasurer~~ in any bank or savings and  
16 loan association shall be placed in the name of the Authority  
17 and shall be withdrawn or paid out only by check or draft upon  
18 the bank or savings and loan association, ~~signed by the~~  
19 ~~Treasurer and countersigned by the Chair of the board.~~ Subject  
20 ~~to prior approval of the designations by a majority of the~~  
21 ~~board, the Chair may designate any other member or any officer~~  
22 ~~of the Authority to affix the signature of the Treasurer to any~~

1 ~~Authority check or draft for payment of salaries or wages and~~  
2 ~~for payment of any other obligation of not more than \$2,500.~~

3 No bank or savings and loan association shall receive  
4 public funds as permitted by this Section unless it has  
5 complied with the requirements established under Section 6 of  
6 the Public Funds Investment Act.

7 (Source: P.A. 95-122, eff. 8-13-07.)

8 (70 ILCS 1930/35 rep.)

9 (70 ILCS 1930/40 rep.)

10 (70 ILCS 1930/45 rep.)

11 (70 ILCS 1930/50 rep.)

12 (70 ILCS 1930/65 rep.)

13 (70 ILCS 1930/75 rep.)

14 Section 75. The Southwest Suburban Railroad Redevelopment  
15 Authority Act is amended by repealing Sections 35, 40, 45, 50,  
16 65, and 75.

17 (70 ILCS 3210/Act rep.)

18 Section 80. The Downstate Illinois Sports Facilities  
19 Authority Act is repealed.

20 Section 85. The Illinois Health Policy Center Act is  
21 amended by changing Section 20 as follows:

22 (110 ILCS 430/20)

1           Sec. 20. ~~Advisory Panel~~, Policy Center report.

2           (a) (Blank). ~~The Illinois Health Policy Center Advisory~~  
3 ~~Panel is created. The Advisory Panel shall consist of all of~~  
4 ~~the following members:~~

5                 ~~(1) Four legislators, appointed one each by the~~  
6 ~~President of the Senate, the Minority Leader of the Senate,~~  
7 ~~the Speaker of the House of Representatives, and the~~  
8 ~~Minority Leader of the House of Representatives.~~

9                 ~~(2) Four representatives of each of the following~~  
10 ~~groups, one of the 4 each appointed by the President of the~~  
11 ~~Senate, the Minority Leader of the Senate, the Speaker of~~  
12 ~~the House of Representatives, and the Minority Leader of~~  
13 ~~the House of Representatives: hospitals; medical~~  
14 ~~societies; managed care companies; and insurance~~  
15 ~~companies; for a total of 16 members.~~

16                 ~~(3) One representative of patient advocacy groups,~~  
17 ~~appointed by the Governor.~~

18                 ~~(4) The Secretary of the Department of Human Services,~~  
19 ~~or his or her designee.~~

20                 ~~(5) The Director of the Department of Healthcare and~~  
21 ~~Family Services, or his or her designee.~~

22                 ~~(6) The Director of the Department of Public Health, or~~  
23 ~~his or her designee.~~

24                 ~~(7) One additional member, appointed by the Governor.~~

25           (b) (Blank) ~~The Advisory Panel shall provide advice and~~  
26 ~~oversight concerning the creation and operation of the Illinois~~

1 ~~Health Policy Center.~~

2 (c) The Illinois Health Policy Center shall submit a report  
3 each calendar year to the Governor and the General Assembly.  
4 The report shall contain:

5 (1) An itemized list of the source and amount of funds  
6 of the Illinois Health Policy Center.

7 (2) An itemized list of expenditures made by the  
8 Illinois Health Policy Center.

9 (3) A summary of research activities undertaken since  
10 the submission of the preceding report.

11 (4) A description of advocacy activities undertaken  
12 since the submission of the preceding report.

13 (Source: P.A. 95-986, eff. 6-1-09; 96-328, eff. 8-11-09;  
14 96-399, eff. 8-13-09.)

15 (225 ILCS 46/65 rep.)

16 Section 90. The Health Care Worker Background Check Act is  
17 amended by repealing Section 65.

18 Section 95. The Community Services Act is amended by  
19 changing Section 4 as follows:

20 (405 ILCS 30/4) (from Ch. 91 1/2, par. 904)

21 Sec. 4. Financing for Community Services.

22 (a) The Department of Human Services is authorized to  
23 provide financial reimbursement to eligible private service



1 providers, corporations, local government entities or  
2 voluntary associations for the provision of services to persons  
3 with mental illness, persons with a developmental disability  
4 and alcohol and drug dependent persons living in the community  
5 for the purpose of achieving the goals of this Act.

6 The Department shall utilize the following funding  
7 mechanisms for community services:

8 (1) Purchase of Care Contracts: services purchased on a  
9 predetermined fee per unit of service basis from private  
10 providers or governmental entities. Fee per service rates  
11 are set by an established formula which covers some portion  
12 of personnel, supplies, and other allowable costs, and  
13 which makes some allowance for geographic variations in  
14 costs as well as for additional program components.

15 (2) Grants: sums of money which the Department grants  
16 to private providers or governmental entities pursuant to  
17 the grant recipient's agreement to provide certain  
18 services, as defined by departmental grant guidelines, to  
19 an approximate number of service recipients. Grant levels  
20 are set through consideration of personnel, supply and  
21 other allowable costs, as well as other funds available to  
22 the program.

23 (3) Other Funding Arrangements: funding mechanisms may  
24 be established on a pilot basis in order to examine the  
25 feasibility of alternative financing arrangements for the  
26 provision of community services.

1           The Department shall establish and maintain an equitable  
2 system of payment which allows providers to improve persons  
3 with disabilities' capabilities for independence and reduces  
4 their reliance on State-operated services.

5           For services classified as entitlement services under  
6 federal law or guidelines, caps may not be placed on the total  
7 amount of payment a provider may receive in a fiscal year and  
8 the Department shall not require that a portion of the payments  
9 due be made in a subsequent fiscal year based on a yearly  
10 payment cap.

11           (b) (Blank) ~~The Governor shall create a commission by~~  
12 ~~September 1, 2009, or as soon thereafter as possible, to review~~  
13 ~~funding methodologies, identify gaps in funding, identify~~  
14 ~~revenue, and prioritize use of that revenue for community~~  
15 ~~developmental disability services, mental health services,~~  
16 ~~alcohol and substance abuse services, rehabilitation services,~~  
17 ~~and early intervention services. The Office of the Governor~~  
18 ~~shall provide staff support for the commission.~~

19           (c) (Blank) ~~The first meeting of the commission shall be~~  
20 ~~held within the first month after the creation and appointment~~  
21 ~~of the commission, and a final report summarizing the~~  
22 ~~commission's recommendations must be issued within 12 months~~  
23 ~~after the first meeting, and no later than September 1, 2010,~~  
24 ~~to the Governor and the General Assembly.~~

25           (d) (Blank). ~~The commission shall have the following 13~~  
26 ~~voting members:~~

1           ~~(A) one member of the House of Representatives,~~  
2           ~~appointed by the Speaker of the House of Representatives;~~

3           ~~(B) one member of the House of Representatives,~~  
4           ~~appointed by the House Minority Leader;~~

5           ~~(C) one member of the Senate, appointed by the~~  
6           ~~President of the Senate;~~

7           ~~(D) one member of the Senate, appointed by the Senate~~  
8           ~~Minority Leader;~~

9           ~~(E) one person with a developmental disability, or a~~  
10           ~~family member or guardian of such a person, appointed by~~  
11           ~~the Governor;~~

12           ~~(F) one person with a mental illness, or a family~~  
13           ~~member or guardian of such a person, appointed by the~~  
14           ~~Governor;~~

15           ~~(G) two persons from unions that represent employees of~~  
16           ~~community providers that serve people with developmental~~  
17           ~~disabilities, mental illness, and alcohol and substance~~  
18           ~~abuse disorders, appointed by the Governor; and~~

19           ~~(H) five persons from statewide associations that~~  
20           ~~represent community providers that provide residential,~~  
21           ~~day training, and other developmental disability services,~~  
22           ~~mental health services, alcohol and substance abuse~~  
23           ~~services, rehabilitation services, or early intervention~~  
24           ~~services, or any combination of those, appointed by the~~  
25           ~~Governor.~~

26           ~~The commission shall also have the following ex officio,~~

1 ~~nonvoting members:~~

2 ~~(I) the Director of the Governor's Office of Management~~  
3 ~~and Budget or his or her designee;~~

4 ~~(J) the Chief Financial Officer of the Department of~~  
5 ~~Human Services or his or her designee;~~

6 ~~(K) the Administrator of the Department of Healthcare~~  
7 ~~and Family Services Division of Finance or his or her~~  
8 ~~designee;~~

9 ~~(L) the Director of the Department of Human Services~~  
10 ~~Division of Developmental Disabilities or his or her~~  
11 ~~designee;~~

12 ~~(M) the Director of the Department of Human Services~~  
13 ~~Division of Mental Health or his or her designee; and~~

14 ~~(N) the Director of the Department of Human Services~~  
15 ~~Division of Alcohol and Substance Abuse or his or her~~  
16 ~~designee.~~

17 (e) The funding methodologies must reflect economic  
18 factors inherent in providing services and supports, recognize  
19 individual disability needs, and consider geographic  
20 differences, transportation costs, required staffing ratios,  
21 and mandates not currently funded.

22 (f) In accepting Department funds, providers shall  
23 recognize their responsibility to be accountable to the  
24 Department and the State for the delivery of services which are  
25 consistent with the philosophies and goals of this Act and the  
26 rules and regulations promulgated under it.

1 (Source: P.A. 95-682, eff. 10-11-07; 96-652, eff. 8-24-09;  
2 96-1472, eff. 8-23-10; revised 11-18-11.)

3 Section 100. The Illinois Family Case Management Act is  
4 amended by changing Section 25 as follows:

5 (410 ILCS 212/25)

6 Sec. 25. Rules. Within one year after the effective date of  
7 this Act, the Department shall adopt rules to implement this  
8 Act. ~~In developing the rules, the Department shall consult with~~  
9 ~~the Maternal and Child Health Advisory Board.~~

10 (Source: P.A. 94-407, eff. 8-2-05.)

11 (410 ILCS 212/20 rep.)

12 Section 105. The Illinois Family Case Management Act is  
13 amended by repealing Section 20.

14 (410 ILCS 225/7 rep.)

15 Section 110. The Prenatal and Newborn Care Act is amended  
16 by repealing Section 7.

17 Section 115. The Head and Spinal Cord Injury Act is amended  
18 by changing Sections 1 and 3 as follows:

19 (410 ILCS 515/1) (from Ch. 111 1/2, par. 7851)

20 Sec. 1. As used in this Act, unless the context clearly

1 indicates otherwise:

2 (a) "Department" means the Department of Public Health.

3 (b) "Head Injury" means a sudden insult or damage to the  
4 brain or its coverings, not of a degenerative nature, which  
5 produces an altered state of consciousness or temporarily or  
6 permanently impairs mental, cognitive, behavioral or physical  
7 functioning. Cerebral vascular accidents, aneurisms and  
8 congenital deficits are excluded from this definition.

9 (c) "Spinal cord injury" means an injury that occurs as a  
10 result of trauma, which involves spinal vertebral fracture, or  
11 where the injured person suffers any of the following effects:

12 (1) effects on the sensory system including numbness,  
13 tingling or loss of sensation in the body or in one or more  
14 extremities;

15 (2) effects on the motor system including weakness or  
16 paralysis in one or more extremities;

17 (3) effects on the visceral system including bowel or  
18 bladder dysfunction or hypotension.

19 (d) ~~(Blank) "Council" means the Advisory Council on Spinal~~  
20 ~~Cord and Head Injuries.~~

21 (Source: P.A. 86-510.)

22 (410 ILCS 515/3) (from Ch. 111 1/2, par. 7853)

23 Sec. 3. (a) All reports and records made pursuant to this  
24 Act and maintained by the Department and other appropriate  
25 persons, officials and institutions pursuant to this Act shall

1 be confidential. Information shall not be made available to any  
2 individual or institution except to:

3 (1) appropriate staff of the Department;

4 (2) any person engaged in a bona fide research project,  
5 with the permission of the Director of Public Health, except  
6 that no information identifying the subjects of the reports or  
7 the reporters shall be made available to researchers unless the  
8 Department requests and receives consent for such release  
9 pursuant to the provisions of this Section; and

10 (3) (Blank) ~~the Council, except that no information~~  
11 ~~identifying the subjects of the reports or the reporters shall~~  
12 ~~be made available to the Council unless consent for release is~~  
13 ~~requested and received pursuant to the provisions of this~~  
14 ~~Section. Only information pertaining to head and spinal cord~~  
15 ~~injuries as defined in Section 1 of this Act shall be released~~  
16 ~~to the Council.~~

17 (b) The Department shall not reveal the identity of a  
18 patient, physician or hospital, except that the identity of the  
19 patient may be released upon written consent of the patient,  
20 parent or guardian, the identity of the physician may be  
21 released upon written consent of the physician, and the  
22 identity of the hospital may be released upon written consent  
23 of the hospital.

24 (c) The Department shall request consent for release from a  
25 patient, a physician or hospital only upon a showing by the  
26 applicant for such release that obtaining the identities of

1 certain patients, physicians or hospitals is necessary for his  
2 bonafide research directly related to the objectives of this  
3 Act.

4 (d) The Department shall at least annually compile a report  
5 of the data accumulated through the reporting system  
6 established under Section 2 of this Act ~~and shall submit such~~  
7 ~~data relating to spinal cord and head injuries in accordance~~  
8 ~~with confidentiality restrictions established pursuant to this~~  
9 ~~Act to the Council.~~

10 (Source: P.A. 86-510.)

11 (410 ILCS 515/6 rep.)

12 Section 120. The Head and Spinal Cord Injury Act is amended  
13 by repealing Section 6.

14 Section 999. Effective date. This Act takes effect July 1,  
15 2012.



1	INDEX
2	Statutes amended in order of appearance
3	5 ILCS 177/10
4	5 ILCS 177/15 rep.
5	20 ILCS 1128/Act rep.
6	20 ILCS 2310/2310-323 rep.
7	20 ILCS 3501/825-107
8	20 ILCS 3501/825-110
9	20 ILCS 3501/825-13 rep.
10	20 ILCS 3501/825-13.5 rep.
11	20 ILCS 3931/5
12	20 ILCS 3931/15 rep.
13	20 ILCS 3931/20 rep.
14	20 ILCS 3931/25 rep.
15	20 ILCS 3931/30 rep.
16	20 ILCS 4075/Act rep.
17	20 ILCS 4090/Act rep.
18	30 ILCS 105/6z-50
19	70 ILCS 516/Act rep.
20	70 ILCS 531/Act rep.
21	70 ILCS 1930/55
22	70 ILCS 1930/35 rep.
23	70 ILCS 1930/40 rep.
24	70 ILCS 1930/45 rep.
25	70 ILCS 1930/50 rep.

- 1 70 ILCS 1930/65 rep.
- 2 70 ILCS 1930/75 rep.
- 3 70 ILCS 3210/Act rep.
- 4 110 ILCS 430/20
- 5 225 ILCS 46/65 rep.
- 6 405 ILCS 30/4 from Ch. 91 1/2, par. 904
- 7 410 ILCS 212/25
- 8 410 ILCS 212/20 rep.
- 9 410 ILCS 225/7 rep.
- 10 410 ILCS 515/1 from Ch. 111 1/2, par. 7851
- 11 410 ILCS 515/3 from Ch. 111 1/2, par. 7853
- 12 410 ILCS 515/6 rep.