



Sen. Andy Manar

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1 AMENDMENT TO SENATE BILL 2

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

4 "Section 1. Short title. This Act may be cited as the
5 Illinois Business and Economic Advocacy and Development Act of
6 2013.

7 Section 5. Findings. The General Assembly determines and
8 declares the following:

9 (a) The General Assembly finds that economic development is
10 an important public purpose and that both the public and
11 private sectors have a shared interest in fostering the
12 economic vitality of the State. Therefore, it is the purpose of
13 this Act to implement economic development policy in the State
14 by means of a collaboration between government and the private
15 sector.

16 (b) The collaboration shall involve the Illinois Economic

1 Development Authority and the Illinois Business and Economic
2 Development Corporation, both of which shall work together to
3 further economic development policy according to the
4 provisions of this Act.

5 Section 10. Definitions. In this Act:

6 "Authority" means the Illinois Economic Development
7 Authority.

8 "Board" means the Board of Directors of the Illinois
9 Economic Development Authority.

10 "Board of Directors of the Corporation" means the Board of
11 Directors of the Illinois Business and Economic Development
12 Corporation.

13 "Chief Executive Officer" means the Chief Executive
14 Officer of the Corporation.

15 "Corporation" means the Illinois Business and Economic
16 Development Corporation.

17 "Deputy Director" means the Deputy Director of the
18 Authority.

19 "Executive Director" means the Executive Director of the
20 Authority.

21 "Financial assistance" means assistance provided only from
22 the funds, rights, and assets legally available to the
23 Authority, including but not limited to assistance in the form
24 of grants, loans, forgivable loans, and royalty payments.

1 Section 15. Creation.

2 (a) There is created the Illinois Economic Development
3 Authority, which shall constitute a public instrumentality and
4 agency of the State exercising public and essential
5 governmental functions, to undertake programs which implement
6 economic development policy in the State, and to undertake
7 certain finance programs.

8 (b) The powers of the Authority are vested in and shall be
9 exercised by a Board of Directors composed of 9 voting members
10 appointed by the Governor, with the advice and consent of the
11 Senate, as follows: one person who has experience in the
12 management of a not-for-profit or educational entity; one
13 person who has professional experience in finance, insurance,
14 or investment banking; one person who has professional
15 experience in advanced manufacturing; one person with
16 professional experience in small business development; one
17 person with professional experience representing the interests
18 of organized labor; and 4 persons who are actively employed in
19 the private, for profit sector of the economy or who otherwise
20 have substantial expertise in economic development.

21 (1) Except as otherwise provided, the individuals must
22 be employed in, or retired from, the private or non-profit
23 sector, or academia.

24 (2) No more than 5 members shall be appointed from the
25 same political party.

26 (3) Upon appointment, members shall file with the

1 Secretary of State the disclosures required under Section
2 3A-30 of the Illinois Governmental Ethics Act.

3 (4) The Governor shall not appoint a person who is the
4 spouse of, partner in a civil union with, or immediate
5 family member of a current member of the Board, or a
6 current member of the Board of Directors of the
7 Corporation.

8 (5) Members are not entitled to compensation for their
9 services, but are entitled to reimbursement for all
10 necessary expenses incurred in connection with the
11 performance of their duties as members.

12 (6) Members should reflect the ethnic, cultural, and
13 geographic diversity of the State.

14 (c) Members of the Board shall be appointed for terms of 4
15 years, and until their successor is appointed and qualified. Of
16 the initial terms of the 9 members appointed by the Governor, 3
17 shall serve until the third Monday in January 2015, 3 shall
18 serve until the third Monday in January 2016, and 3 shall serve
19 until the third Monday in January 2017. All successors to the
20 original appointments shall hold office for a term of 4 years
21 commencing the third Monday in January of the year in which
22 their term commences, except in the case of an appointment to
23 fill a vacancy. Vacancies occurring among the members shall be
24 filled for the remainder of the term. In the case of a vacancy
25 when the Senate is not in session, the Governor may make a
26 temporary appointment until the next meeting of the Senate when

1 a person shall be nominated to fill the office, and, upon
2 confirmation by the Senate, he or she shall hold office during
3 the remainder of the term. A member is eligible for
4 reappointment.

5 (d) A member of the Board may be removed from office by the
6 Governor for incompetence, neglect of duty, or malfeasance in
7 office.

8 (e) Five voting members of the Board constitute a quorum.

9 (1) The affirmative vote of 5 members is necessary for
10 any action taken by the Board. The majority shall not
11 include any member who has a conflict of interest, and a
12 statement by a member of a conflict of interest shall be
13 conclusive for this purpose.

14 (2) A vacancy in the membership does not impair the
15 right of a quorum to exercise all rights and perform all
16 duties of the Authority.

17 (f) Members of the Board shall give bond as required under
18 the Official Bond Act.

19 (g) Meetings of the Board shall be held at the call of the
20 chairperson or when 2 members so request in writing.

21 (h) Members shall elect from their number a chairperson and
22 vice chairperson annually, and other officers as they
23 determine, but the Executive Director shall serve as secretary
24 to the Board.

25 (i) Members of the Board shall provide input, and such
26 assistance as may be requested, to the Board of Directors of

1 the Corporation to enable them to develop a strategic plan for
2 economic development in the State.

3 (j) Within 30 days after the occurrence of a vacancy in the
4 office of the Executive Director or Deputy Director of the
5 Authority, the members of the Board shall designate to the
6 Governor 3 nominees to serve as the Executive Director or
7 Deputy Director of the Authority, each of whom shall meet the
8 qualifications for Executive Director or Deputy Director
9 required under Section 40 of this Act.

10 (k) The net earnings of the Authority, beyond the amount
11 necessary to implement the public purposes and programs herein
12 authorized, shall not inure to the benefit of any person other
13 than the State. Upon termination of the existence of the
14 Authority, title to all property owned by the Authority,
15 including any such net earnings of the Authority, shall vest in
16 the State. The State reserves the right at any time to alter,
17 amend, repeal, or otherwise change the structure,
18 organization, programs, or activities of the Authority,
19 including the power to terminate the Authority, except that no
20 law shall impair the obligation of any contract or contracts
21 entered into by the Authority to the extent that any such law
22 would contravene Article I, Section 16, of the Constitution of
23 the State of Illinois, or Article I, Section 10, of the
24 Constitution of the United States.

25 (l) The Authority shall receive the protections from
26 liability provided to a "local public entity", and the members

1 of the Board, employees or agents of the Authority, while
2 acting within the scope of their office or employment by the
3 Authority, shall receive the protections from liability
4 provided to a "public employee" under the Local Governmental
5 and Governmental Employees Tort Immunity Act.

6 Section 20. Successor to the Department of Commerce and
7 Economic Opportunity.

8 (a) The Department of Commerce and Economic Opportunity is
9 hereby abolished. On the effective date of this Act, all
10 powers, duties, rights, and responsibilities of the Department
11 of Commerce and Economic Opportunity shall be transferred to
12 the Illinois Economic Development Authority, as the successor
13 agency to the Department.

14 (b) Notwithstanding any provision of law to the contrary,
15 references to the Department of Commerce and Economic
16 Opportunity or the Department of Commerce and Community Affairs
17 shall be construed as references to the Illinois Economic
18 Development Authority. All references to the Director of the
19 Department of Commerce and Economic Opportunity or the
20 Department of Commerce and Community Affairs shall be construed
21 as references to the Executive Director of the Illinois
22 Economic Development Authority.

23 (c) Unless otherwise provided for by law, the personnel of
24 the Department of Commerce and Economic Opportunity shall be
25 transferred to the Illinois Economic Development Authority.

1 The status and rights of such employees under the Personnel
2 Code shall not be affected by the transfer. The rights of the
3 employees and the State of Illinois and its agencies under the
4 Personnel Code and applicable collective bargaining agreements
5 or under any pension, retirement, or annuity plan shall not be
6 affected by this Act.

7 (d) All books, records, papers, documents, property (real
8 and personal), contracts, causes of action, and pending
9 business pertaining to the powers, duties, rights, and
10 responsibilities transferred by this Act from the Department of
11 Commerce and Economic Opportunity, including, but not limited
12 to, material in electronic or magnetic format and necessary
13 computer hardware and software, shall be transferred to the
14 Illinois Economic Development Authority.

15 (e) All unexpended appropriations and balances and other
16 funds available for use by the Department of Commerce and
17 Economic Opportunity shall be transferred to the Illinois
18 Economic Development Authority to be expended only for the
19 purpose for which the appropriations were originally made.

20 (f) The powers, duties, rights, and responsibilities
21 transferred from the Department of Commerce and Economic
22 Opportunity by this Act shall be vested in and shall be
23 exercised by the Illinois Economic Development Authority.

24 (g) Whenever reports or notices are now required to be made
25 or given or papers or documents furnished or served by any
26 person to or upon the Department of Commerce and Economic

1 Opportunity in connection with any of the powers, duties,
2 rights, and responsibilities transferred by this Act, the same
3 shall be made, given, furnished, or served in the same manner
4 to or upon the Illinois Economic Development Authority.

5 (h) This Act does not affect any act done, ratified, or
6 canceled or any right occurring or established or any action or
7 proceeding had or commenced in an administrative, civil, or
8 criminal cause by the Department of Commerce and Economic
9 Opportunity before this Act takes effect; such actions or
10 proceedings may be prosecuted or defended and continued by the
11 Illinois Economic Development Authority.

12 (i) Any rules of the Department of Commerce and Economic
13 Opportunity that relate to its powers, duties, rights, and
14 responsibilities and are in full force on the effective date of
15 this Act shall become the rules of the Illinois Economic
16 Development Authority. This Act does not affect the legality of
17 any such rules in the Illinois Administrative Code.

18 Any proposed rules filed with the Secretary of State by the
19 Department of Commerce and Economic Opportunity that are
20 pending in the rulemaking process on the effective date of this
21 Act and pertain to the powers, duties, rights, and
22 responsibilities transferred, shall be deemed to have been
23 filed by the Illinois Economic Development Authority. As soon
24 as practicable hereafter, the Illinois Economic Development
25 Authority shall revise and clarify the rules transferred to it
26 under this Act to reflect the reorganization of powers, duties,

1 rights, and responsibilities affected by this Act, using the
2 procedures for recodification of rules available under the
3 Illinois Administrative Procedure Act, except that existing
4 title, part, and section numbering for the affected rules may
5 be retained. The Illinois Economic Development Authority may
6 propose and adopt under the Illinois Administrative Procedure
7 Act such other rules as may be needed for the activities and
8 programs of the Department of Commerce and Economic Opportunity
9 that will now be administered by the Illinois Economic
10 Development Authority.

11 To the extent that, prior to the effective date of this
12 Act, the Director of the Department of Commerce and Economic
13 Opportunity had been empowered to prescribe rules or had other
14 rulemaking authority jointly with the Secretary or Director of
15 another State agency, such duties shall be exercised from and
16 after the effective date of this Act solely by the Executive
17 Director of the Illinois Economic Development Authority.

18 Section 25. Conflicts of interest.

19 (a) If a member of the Board or employee of the Authority
20 has an interest, either direct or indirect, in a contract to
21 which the Authority is, or is to be, a party, the interest
22 shall be disclosed to the Authority in writing and shall be set
23 forth in the minutes of the Board.

24 (1) The member or employee having the interest shall
25 not participate in any action of the Authority with respect

1 to that contract. However, a resolution of the Authority is
2 not invalid because of a vote cast by a member in violation
3 of this subsection or of Section 15 of this Act, unless the
4 vote was decisive in the passage of the resolution.

5 (2) For the purposes of this subsection, "action of the
6 Authority with respect to that contract" means only an
7 action directly affecting a separate contract, and does not
8 include an action which benefits the general public or
9 which affects all or a substantial portion of the contracts
10 included in a program of the Authority.

11 (b) The Executive Director or the Deputy Director shall not
12 receive, in addition to a fixed salary or compensation, any
13 money or valuable thing, either directly or indirectly, or
14 through any substantial interest in any other corporation or
15 business unit, for negotiating, procuring, recommending, or
16 aiding in any purchase or sale of property, or loan, made by
17 the Authority, nor shall the Executive Director or the Deputy
18 Director be pecuniarily interested, either as principal,
19 co-principal, agent, or beneficiary, either directly or
20 indirectly, or through any substantial interest in any other
21 corporation or business unit, in any such purchase, sale, or
22 loan.

23 (c) A person shall not be employed concurrently by both the
24 Authority and the Corporation.

25 (d) A person leaving employment with the Authority shall
26 not be employed by the Corporation until a period of 2 years

1 has passed. A person leaving employment with the Corporation
2 shall not be employed by the Authority until a period of 2
3 years has passed.

4 (e) No individual may serve concurrently on the Board, the
5 Board of Directors of the Corporation, or any combination
6 thereof.

7 (f) Conflict of interest.

8 (1) In addition to the provisions of subsection (a) of
9 Section 50-13 of the Illinois Procurement Code, it is
10 unlawful for a member of the Board, the spouse of, or
11 partner in a civil union with, the member of the Board, or
12 an immediate family member of the member of the Board
13 living in the member's residence to have or acquire a
14 contract, or have or acquire a direct pecuniary interest in
15 a contract with the State, that relates to the Authority or
16 the Corporation, during and for one year after the
17 conclusion of the member's term.

18 (2) If (i) a person subject to paragraph (1) of this
19 subsection is entitled to receive more than 7 1/2% of the
20 total distributable income of a partnership, association,
21 corporation, or other business entity or (ii) a person
22 subject to paragraph (1) of this subsection together with
23 his or her spouse, partner in a civil union, and immediate
24 family members living in that person's residence are
25 entitled to receive more than 15%, in the aggregate, of the
26 total distributable income of a partnership, association,

1 corporation, or other business entity, then it is unlawful
2 for that partnership, association, corporation, or other
3 business entity to have or acquire a contract or a direct
4 pecuniary interest in a contract prohibited by paragraph
5 (1) of this subsection during and for one year after the
6 conclusion of the member's term of office.

7 Section 30. General powers.

8 (a) The Authority possesses all the powers of a body
9 corporate necessary and convenient to accomplish the purposes
10 of this Act, including, without limitation upon the general
11 powers hereby conferred, the following powers:

12 (1) Sue and be sued in its own name.

13 (2) Have and alter a corporate seal.

14 (3) Adopt all needful ordinances, resolutions, bylaws,
15 rules, and regulations for the conduct of its business and
16 affairs.

17 (4) Make and execute agreements, contracts, and other
18 instruments of any and all types on such terms and
19 conditions as the Authority may find necessary or
20 convenient to the purposes of the Authority with any public
21 or private entity, including but not limited to contracts
22 for goods and services. All political subdivisions, other
23 public agencies, and State departments and agencies may
24 enter into contracts and otherwise cooperate with the
25 Authority.

1 (5) Designate a fiscal year for the Authority.

2 (6) Adopt by rule pursuant to the Illinois Procurement
3 Code procedures relating to competitive bidding, including
4 the identification of those circumstances under which
5 competitive bidding, either formally or informally, is
6 required by the Authority. In any bidding process, the
7 Authority may administer its own bidding and procurement or
8 may utilize the services of the Department of Central
9 Management Services or any other agency. Except when such
10 rules apply, the Authority and all contracts made by it in
11 carrying out its public and essential governmental
12 functions with respect to any of its programs shall be
13 exempt from the provisions and requirements of all laws or
14 rules of the State which require competitive bids in
15 connection with the letting of such contracts.

16 (7) Acquire, hold, improve, mortgage, lease, and
17 dispose of real and personal property, including but not
18 limited to the power to sell at public or private sale,
19 with or without public bidding, any such property, or other
20 obligation held by it.

21 (8) Procure insurance against any loss in connection
22 with its operations and property interests.

23 (9) Request, receive and expend appropriations, gifts,
24 grants, loans, or other aid from public or private
25 entities. A record of all gifts or grants, stating the
26 type, amount, and donor, shall be clearly set out in the

1 Authority's annual report along with the record of other
2 receipts.

3 (10) Provide to public and private entities technical
4 assistance and counseling related to the Authority's
5 purposes.

6 (11) In cooperation with other local, State, or federal
7 governmental agencies, conduct research studies, develop
8 estimates of unmet economic development needs, gather and
9 compile data useful to facilitating decision making, and
10 enter into agreements to carry out programs within or
11 without the State which the Authority finds to be
12 consistent with the goals of the Authority.

13 (12) Enter into agreements with the federal government
14 and other states to undertake economic development
15 activities in the State of Illinois.

16 (13) Own or acquire intellectual property rights
17 including but not limited to copyrights, trademarks,
18 service marks, and patents, and enforce the rights of the
19 Authority with respect to such intellectual property
20 rights.

21 (14) Make, alter, interpret, and repeal rules
22 consistent with the provisions of this Act, and subject to
23 the requirements of the Illinois Administrative Procedure
24 Act.

25 (15) Establish a trust fund under the control of the
26 Authority to be held outside of the State Treasury, with

1 the State Treasurer as custodian, which shall be called the
2 Illinois Economic Development Authority Fund.
3 Notwithstanding any provision of law to the contrary,
4 moneys invested by the State Treasurer pursuant to this
5 Section shall not revert to the general revenue of the
6 State, and interest accrued on the moneys shall be moneys
7 of the Authority and shall not be credited to general
8 revenue. The non-reversion of moneys allowed under this
9 paragraph does not apply to moneys appropriated to the
10 Authority by the General Assembly.

11 (16) Select projects to receive assistance by the
12 exercise of diligence and care.

13 (17) Exercise generally all powers typically exercised
14 by private enterprises engaged in business pursuits unless
15 the exercise of such a power would violate the terms of
16 this Section or the Constitution of the State of Illinois.

17 (18) Engage in any activity or operation which is
18 incidental to and in furtherance of efficient operation to
19 accomplish the Authority's primary purpose.

20 (b) The powers enumerated in this Section are cumulative of
21 and in addition to those powers enumerated elsewhere in this
22 Act, or otherwise provided for by law, including but not
23 limited to any powers formerly exercised by the Department of
24 Commerce and Economic Opportunity, and such powers shall not be
25 construed to limit or otherwise restrict any other powers of
26 the Authority.

1 Section 35. Specific program powers.

2 (a) In addition to the general powers described in Section
3 30, the Authority shall have all powers convenient and
4 necessary to carry out its programs.

5 (b) For purposes of this Section, "powers convenient and
6 necessary" includes, but is not limited to, the power to:

7 (1) Provide input and, upon request, assistance to the
8 Board of Directors of the Corporation to facilitate the
9 creation of the strategic plan required under subsection
10 (g) of Section 50.

11 (2) Cooperate with the Corporation in carrying out its
12 stated purposes in order to further the overall development
13 and economic well-being of the State.

14 (3) Cooperate with the Corporation to provide
15 information necessary for the Corporation to market and
16 promote the Authority and other related State programs that
17 may be beneficial to business development in the State.

18 (4) Collaborate with the Corporation to provide
19 direction and supporting documents to allow the
20 Corporation to maintain and develop economic data and
21 research that is beneficial to business development in the
22 State.

23 (5) Execute the strategic plan created under
24 subsection (g) of Section 50.

25 (6) Notwithstanding any provisions of law to the

1 contrary, enter into contracts with the Corporation for the
2 sole source procurement of services. In entering into such
3 sole source contracts, the Authority shall negotiate a fair
4 and reasonable price for the services and shall thoroughly
5 document the circumstances of such sole source
6 procurements.

7 Section 40. Executive Director; Deputy Director.

8 (a) The day to day operations of the Authority shall be
9 administered by the Executive Director of the Illinois Economic
10 Development Authority, who shall be appointed by the Governor,
11 with the advice and consent of the Senate, and who shall serve
12 for a 4-year term beginning on the third Monday in January,
13 2014. An appointment by the Governor to fill a vacancy in the
14 office of the Executive Director shall be for the balance of
15 the unexpired 4-year term. The Governor shall select the
16 individual to appoint as the Executive Director from the 3
17 nominees designated by the Board under subsection (j) of
18 Section 15 of this Act.

19 The individual serving on the effective date of this Act as
20 Director of the Department of Commerce and Economic
21 Opportunity, or his or her successor, shall serve as the
22 Executive Director of the Authority until the third Monday in
23 January 2014.

24 The Deputy Director shall have those responsibilities
25 assigned in this Act and such other responsibilities as the

1 Executive Director or the Board may assign. The Deputy Director
2 shall be appointed by the Governor, with the advice and consent
3 of the Senate, and shall serve for a 4-year term beginning on
4 the third Monday in January, 2014. An appointment by the
5 Governor to fill a vacancy in the office of the Deputy Director
6 shall be for the balance of the unexpired 4-year term. The
7 Governor shall select the individual to appoint as the Deputy
8 Director from the 3 nominees designated by the Board under
9 subsection (j) of Section 15 of this Act.

10 Except as otherwise provided in this subsection (a), the
11 Executive Director and the Deputy Director shall possess the
12 following qualifications:

13 (1) private sector or public sector economic
14 development experience, or a combination thereof, totaling
15 5 years;

16 (2) ten years of experience working in or with the for
17 profit sector of the economy;

18 (3) five years of management experience;

19 (4) an advanced degree in economics, risk management,
20 law, business, or a related field; and

21 (5) shall not hold outside employment.

22 (b) The Executive Director or the Deputy Director shall
23 not, directly or indirectly, exert influence to induce any
24 other officers or employees of the State to adopt a political
25 view or to favor a political candidate for office. The
26 Executive Director and the Deputy Director shall ensure that

1 the Authority is operated free from political influence. The
2 Executive Director and the Deputy Director shall give bond as
3 required under the Official Bond Act.

4 (c) The Executive Director shall advise the Authority on
5 matters relating to economic development and act on the
6 Authority's behalf to carry out all directives from the Board
7 in regard to the operation of the Authority.

8 (d) The Executive Director shall employ personnel as
9 necessary to carry out the duties and responsibilities of the
10 Authority.

11 (e) The Executive Director or the Deputy Director shall not
12 be employed concurrently by both the Authority and the
13 Corporation.

14 (f) Conflict of interest.

15 (1) In addition to the provisions of subsection (a) of
16 Section 50-13 of the Illinois Procurement Code, it is
17 unlawful for the Executive Director or the Deputy Director,
18 the spouse of, or partner in a civil union with, the
19 Executive Director or the Deputy Director, or an immediate
20 family member of the Executive Director or the Deputy
21 Director living in the Executive Director's or the Deputy
22 Director's residence to have or acquire a contract, or have
23 or acquire a direct pecuniary interest in a contract with
24 the State, that relates to the Authority or the
25 Corporation, during and for one year after the conclusion
26 of the Executive Director's or the Deputy Director's term.

1 (2) If (i) a person subject to paragraph (1) of this
2 subsection is entitled to receive more than 7 1/2% of the
3 total distributable income of a partnership, association,
4 corporation, or other business entity or (ii) a person
5 subject to paragraph (1) of this subsection together with
6 his or her spouse, partner in a civil union, and immediate
7 family members living in that person's residence are
8 entitled to receive more than 15%, in the aggregate, of the
9 total distributable income of a partnership, association,
10 corporation, or other business entity, then it is unlawful
11 for that partnership, association, corporation, or other
12 business entity to have or acquire a contract or a direct
13 pecuniary interest in a contract prohibited by paragraph
14 (1) of this subsection during and for one year after the
15 conclusion of the Executive Director's or the Deputy
16 Director's term of office.

17 (g) The Executive Director may create organizational
18 divisions within the Authority in the manner the Executive
19 Director deems most efficient to carry out the duties and
20 responsibilities of the Authority.

21 (h) In structuring the Authority, the Executive Director
22 shall create a small business development division and ensure
23 that the division focuses administrative efforts, program
24 resources, and financial assistance awards on small
25 businesses.

26 (i) In addition, in structuring the Authority, the

1 Executive Director shall create a Division whose sole purpose
2 shall be interacting and coordinating efforts with the Illinois
3 Business and Economic Development Corporation created pursuant
4 to Section 50 of this Act. The Division shall be structured and
5 have responsibilities as follows:

6 (1) The Division shall be administered by the Deputy
7 Director. The Deputy Director shall serve as an ex-officio
8 member of the Board of Directors of the Corporation created
9 pursuant to Section 50.

10 (2) The Division shall be responsible for all
11 communications with the Illinois Business and Economic
12 Development Corporation.

13 (3) The Division shall be responsible for coordinating
14 and exercising the specific program powers enumerated in
15 Section 35.

16 (4) The Division shall coordinate with other State
17 agencies, chief procurement officers, and local entities
18 as well as the Illinois Business and Economic Development
19 Corporation in an effort to achieve policy consistency and
20 ensure that businesses desiring to expand within, or
21 relocate to, the State of Illinois are aware of all
22 potential economic incentives or benefits that may be
23 available to them and are properly assisted in such
24 expansion or relocation efforts.

25 (5) The Division shall be responsible for any other
26 responsibilities assigned by the Executive Director

1 related to cooperation and communications with the
2 Illinois Business and Economic Development Corporation.

3 Section 45. Review of Authority operations.

4 (a) Commencing January 1, 2015, the Commission on
5 Government Forecasting and Accountability shall conduct a
6 review of the Authority and its activities and shall issue a
7 report with findings and recommendations to the General
8 Assembly on or before January 1, 2016.

9 (b) On or before January 1, 2015, and every January 1
10 thereafter, the Authority shall submit a report to the Governor
11 and the General Assembly assessing the extent to which each of
12 the Authority's programs can be used to provide assistance to
13 small businesses and making recommendations for legislative
14 changes to such programs in order to better and more
15 intensively focus economic development efforts on such small
16 businesses. The report shall also address the extent to which
17 the Authority's programs address local economic development
18 needs and efforts.

19 Section 50. Illinois Business and Economic Development
20 Corporation.

21 (a) There is created the Illinois Business and Economic
22 Development Corporation as a non-profit corporation organized
23 under the General Not For Profit Corporation Act of 1986 and
24 qualifying under Section 501(c)(3) of the Internal Revenue Code

1 as an organization exempt from taxation. Unless otherwise
2 provided in this Section, the Corporation is subject to the
3 provisions of the General Not For Profit Corporation Act of
4 1986. The Corporation shall be established for the purpose of
5 receiving and disbursing funds from public or private sources
6 to be used to further the overall economic development and
7 well-being of the State.

8 (b) The Corporation shall collaborate with the Authority as
9 described in this Act, but the Corporation shall not be
10 considered, in whole or in part, an agency, political
11 subdivision, or instrumentality of the State.

12 (1) The Corporation shall have the power (A) to accept
13 grants, loans, or appropriations from the federal
14 government or the State, or any agency or instrumentality
15 thereof, to be used for the operating expenses of the
16 Corporation, and (B) to enter into any agreements with the
17 federal government or the State, or any agency or
18 instrumentality thereof, in relation to those grants,
19 loans, or appropriations.

20 (2) Except as provided in this Act, the Corporation
21 shall not be required to comply with any requirements that
22 apply to a State agency or political subdivision and shall
23 not exercise any sovereign power of the State.

24 (3) The Corporation does not have authority to pledge
25 the credit of the State, and the State shall not be liable
26 for the debts or obligations of the Corporation. All debts

1 and obligations of the Corporation shall be payable solely
2 from the Corporation's funds.

3 (c) The Corporation shall be established, maintained and
4 operated so that donations and bequests to it qualify as tax
5 deductible under State income tax laws and under Section
6 501(c) (3) of the Internal Revenue Code.

7 The Corporation shall be established for the purpose of
8 expanding economic development opportunities in the State of
9 Illinois and for Illinois businesses operating in foreign
10 markets in connection with the public purpose of economic
11 development in Illinois. The Corporation shall, with input from
12 the Authority, create and maintain a strategic economic
13 development plan including marketing, benchmarks, and
14 performance measures.

15 (d) The bylaws of the Corporation shall provide for its
16 governance and its efficient management. In providing for its
17 governance, the bylaws of the Corporation shall provide for or
18 address the following:

19 (1) A Board of Directors to govern the Corporation. The
20 Board of Directors of the Corporation shall be composed of
21 the following 15 members:

22 (A) eleven members appointed by the Governor, with
23 the advice and consent of the Senate. One member shall
24 be appointed representing each of the following:
25 advanced manufacturing, agriculture, biotechnology,
26 energy, engineering, finance, information technology,

1 insurance, medicine, and small business. One
2 additional member shall have senior level management
3 experience in representing the interests of organized
4 labor;

5 (B) one member appointed by the President of the
6 Senate;

7 (C) one member appointed by the Speaker of the
8 House of Representatives;

9 (D) one member appointed by the Minority Leader of
10 the Senate; and

11 (E) one member appointed by the Minority Leader of
12 the House of Representatives.

13 The Deputy Director shall serve as an ex-officio
14 member.

15 The initial members appointed to the Board of Directors
16 shall continue in office until the first Wednesday in
17 February 2015. All successors to the original appointments
18 shall hold office for a term of 2 years commencing the
19 first Wednesday in February of the year in which their term
20 commences, except in the case of an appointment to fill a
21 vacancy. Vacancies occurring among the members shall be
22 filled by the appointing authority for the remainder of the
23 unexpired term. In case of vacancy in the appointments of
24 the Governor when the Senate is not in session, the
25 Governor may make a temporary appointment until the next
26 meeting of the Senate when a person shall be nominated to

1 fill the office, and, upon confirmation by the Senate, he
2 or she shall hold office during the remainder of the term.
3 A member is eligible for reappointment.

4 The members of the Board of Directors of the
5 Corporation shall possess the following qualifications:
6 private sector or public sector economic development
7 experience, or a combination thereof, totaling 5 years; and
8 10 years of experience working in or with the for profit
9 sector of the economy.

10 Should the Governor fail to make an initial appointment
11 to the Board of Directors of the Corporation within 60 days
12 after the effective date of this Act, or to make an
13 appointment to fill a vacancy on the Board of Directors of
14 the Corporation within 60 days after the date that the
15 vacancy first occurred, then the appointment shall be made
16 by a majority of the members of the Board of Directors of
17 the Illinois Economic Development Authority, with the
18 advice and consent of the Senate.

19 (2) No appointing authority shall appoint or select any
20 person who is either the spouse of, a partner in a civil
21 union with, or a relative within the first degree of
22 consanguinity of a serving member of the Board of Directors
23 of the Corporation or the Board of the Authority.

24 (3) The appointment of a Chief Executive Officer by the
25 Board to manage the Corporation's daily operations.

26 (4) The delegation of such powers and responsibilities

1 to the Chief Executive Officer as may be necessary for the
2 Corporation's efficient operation.

3 (e) The Corporation may employ such personnel as may be
4 necessary for the efficient performance of the duties assigned
5 to the Corporation. All such personnel shall be considered
6 employees of a private, nonprofit corporation and shall be
7 exempt from the personnel requirements imposed on State
8 agencies and political subdivisions.

9 (f) The bylaws of the Corporation shall provide for the
10 financial operations of the Corporation, including the
11 authority to receive and expend funds from public and private
12 sources and to use its property, money, or other resources for
13 the purposes of the Corporation.

14 (g) The members of the Board of Directors of the
15 Corporation, with input from the Board of the Authority, shall
16 develop an economic development strategy for the State. By no
17 later than January 1, 2015 and annually thereafter, the
18 Corporation shall make modifications in the economic
19 development strategy as the modifications are warranted by
20 changes in economic conditions or by other factors, including
21 changes in policy. In preparing the strategy and in making
22 modifications to the strategy, the Corporation shall take
23 cognizance of the special economic attributes of the various
24 component areas of the State.

25 (1) The "component areas" shall be determined by the
26 Corporation and shall group counties that are close in

1 geographical proximity and share common economic traits
2 such as commuting zones, labor market areas, or other
3 economically integrated regions.

4 (2) The strategy shall recommend actions for promoting
5 sustained economic growth at or above national rates of
6 economic growth.

7 (3) The strategy shall include an assessment of
8 historical patterns of economic trends using national
9 economic trends and projections for comparative purposes.
10 All assumptions made in the formulation of the economic
11 projections shall be clearly and explicitly set forth in
12 the strategy.

13 (4) The strategy shall recommend actions to foster and
14 promote economic growth, taking into account indigenous
15 resources and prevalent economic factors.

16 (A) The strategy shall identify and include the
17 critical business development approaches being
18 considered or to be considered. The approaches shall
19 include, but need not be limited to: investment
20 recruitment, such as industry attraction, expansion
21 and retention; trade development efforts including
22 international trade, support for small businesses'
23 efforts to export products and services, tourism
24 attraction and development including cultural tourism,
25 technology development efforts including technology
26 commercialization and manufacturing modernization; and

1 business development efforts, including
2 entrepreneurship and entrepreneurial education, small
3 business management assistance, and business
4 financing.

5 (B) The strategy shall identify for the State and
6 for each component area the critical workforce
7 training and development approaches being considered
8 or to be considered. The approaches shall include, but
9 need not be limited to: customized job training,
10 retraining and skill upgrading, economic adjustment,
11 job creation and addressing labor shortages in areas of
12 high demand; the market for and quality of the local
13 labor force; the quality of the education and workforce
14 infrastructure; and related issues.

15 (C) The strategy shall identify and consider the
16 critical public infrastructure improvements and needs
17 for the State and each component area. The strategy
18 shall consider, but need not be limited to: local
19 public services; the local, regional, and State tax and
20 regulatory climate; the physical infrastructure,
21 including communications and transportation systems;
22 the capacity of area utilities; and the quality of
23 public institutions such as schools.

24 (D) The strategy shall identify the other critical
25 marketplace systems, including: the competitive
26 advantages of the component area in terms of

1 marketplace systems, including the financial
2 marketplace; the competitive advantages of the
3 component area in terms of natural resources, capital
4 resources or technology resources; and other factors
5 affecting component area development.

6 (5) In preparing the strategy, or modifications to the
7 strategy, the Corporation shall work with State agencies,
8 boards, and commissions whose programs and activities
9 significantly affect economic activity in the State as
10 appropriate. The Directors of the agencies, boards, and
11 commissions shall provide the assistance to the
12 Corporation as the Governor deems appropriate.

13 (6) In preparing the strategy, or modifications to the
14 strategy, the Department shall consult with local and
15 regional economic development organizations, local elected
16 officials, community-based organizations, service delivery
17 providers, and other organizations whose programs and
18 activities significantly affect economic activity.

19 (7) The economic development strategy shall identify
20 goals for the next calendar year and shall include a set of
21 metrics that will be used to gauge and assess the extent to
22 which the Authority and the Corporation achieve those
23 goals. Such metrics shall include, but need not be limited
24 to:

25 (A) The number of net new jobs created in the
26 State.

1 (B) The average wage and benefit levels for such
2 new jobs created.

3 (C) The impact to average household income for
4 Illinois families as a result of the new jobs created.

5 (D) The number of new businesses investing in the
6 State.

7 (E) The number of business expansions in the State.

8 (F) Business or economic development opportunities
9 lost to other states.

10 (G) Jobs lost to other states due to business
11 relocation.

12 (H) Such other information as the Board of
13 Directors of the Corporation deems relevant.

14 (8) The strategy shall be presented to the Governor,
15 the President and Minority Leader of the Senate, the
16 Speaker and Minority Leader of the House of
17 Representatives, the members of the Illinois Economic
18 Development Authority Board, and the Chair of the
19 Commission on Government Forecasting and Accountability on
20 February 1, 2015 and annually thereafter.

21 (9) The strategy shall be published and made available
22 to the public in both paper and electronic media, on the
23 Corporation's website, and by any other method which the
24 General Assembly deems appropriate.

25 (h) The Board of Directors of the Corporation and the Chief
26 Executive Officer shall act to ensure all of the following:

1 (1) That the Board of the Authority implements the
2 strategic plan developed by the Corporation pursuant to
3 subsection (g) of this Section.

4 (2) That the Corporation prepares an annual budget that
5 includes funding levels for the Corporation's activities
6 and that shows sufficient moneys are available to support
7 those activities.

8 (i) The Corporation shall complete and file all reports and
9 returns required under the General Not For Profit Corporation
10 Act of 1986.

11 Section 55. Duties and responsibilities of the
12 Corporation.

13 (a) The Board of Directors of the Corporation and the Chief
14 Executive Officer shall determine the activities and
15 priorities of the Corporation within the general parameters of
16 the duties and responsibilities described in this Act.

17 (b) The Corporation shall, to the extent that its bylaws
18 provide and within its public purpose, do all of the following:

19 (1) Consult with the Illinois Economic Development
20 Authority in the creation of the comprehensive strategic
21 plan provided for in Section 50 for economic development.

22 (2) Maintain and develop economic data and research
23 that is beneficial to business development in the State of
24 Illinois.

25 (3) Maintain and develop information about specific

1 economic incentives or benefits that may be available to a
2 business to expand within, or relocate to, the State of
3 Illinois. The information shall include incentives and
4 benefits available statewide, as well as those that are
5 only available in specific component areas within the
6 State.

7 (4) Develop and implement effective marketing and
8 promotional programs for the Authority and other related
9 State programs that may be beneficial to business
10 development in the State.

11 (5) Provide pertinent information to prospective new
12 businesses.

13 (6) Formulate and pursue programs for encouraging the
14 location of new businesses in the State and for retaining
15 and fostering the growth of existing businesses.

16 (7) Solicit the involvement of the private sector,
17 including support and funding, for business development
18 initiatives in the State.

19 (8) Cooperate with and provide information to State
20 agencies, local governments, community colleges, and State
21 universities on economic development matters, including
22 the areas of workforce development and job training.

23 (9) Encourage, stimulate, and support the development
24 and expansion of the State's economy.

25 Section 60. Ethical Policies and Principles of the

1 Corporation; conflicts of interest.

2 (a) Ethics Policies and Principles.

3 (1) In the conduct of their service to the Corporation,
4 directors and employees of the Corporation shall behave
5 ethically and in the furtherance of the best interests of
6 the Corporation and its mission.

7 (2) Directors and employees of the Corporation shall
8 base their business decisions on behalf of the Corporation
9 on merit and fairness and shall seek to avoid any actual or
10 potential conflict of interest.

11 (3) Corporation directors and employees shall not use
12 their positions with the Corporation or knowledge gained
13 therefrom to derive any improper personal benefit.

14 (4) In connection with a conflict of interest, a
15 director or employee of the Corporation must disclose the
16 existence of the conflict and all material facts relating
17 to such conflict to the Corporation pursuant to subsection
18 (b) of this Section.

19 (b) Disclosure.

20 (1) Corporation directors and employees shall file a
21 disclosure questionnaire with the Chief Executive Officer
22 of the Corporation when they begin their service with the
23 Corporation and annually thereafter, disclosing or listing
24 all businesses, charitable organizations, firms, or other
25 entities, hereinafter known as "affiliated entities", to
26 which they have a substantial connection. "Substantial

1 connection" means that the individual (i) serves as a
2 director, trustee, executive officer, employee, or partner
3 of an entity, or (ii) holds more than 7 1/2% ownership in
4 the entity. Each Corporation director or employee shall
5 have an ongoing duty to notify the Chief Executive Officer
6 of changes or additions to information previously
7 provided. Ownership is measured by (i) stock ownership
8 (either voting power or value) of a corporation, (ii)
9 profits or capital interest in a partnership or limited
10 liability company, (iii) membership interest in a
11 nonprofit organization, or (iv) beneficial interest in a
12 trust, and, in any case, includes indirect ownership.

13 (c) Advocacy for Economic Incentives for federal, State, or
14 local agencies.

15 (1) Except as otherwise provided in this Section, the
16 Corporation shall not recommend or advocate, whether
17 verbally or in writing, that direct economic incentives
18 shall be allocated to a particular company. Nothing in this
19 Act shall limit the Corporation's ability to advise,
20 provide information to, and otherwise provide assistance
21 to companies regarding how to apply for direct economic
22 incentives or other assistance from governmental entities.

23 (2) Should the Corporation wish to advocate for direct
24 economic incentives for a particular company, the
25 Corporation shall seek the approval of the Board of
26 Directors of the Corporation (or other special committee of

1 the Board formed for such purpose) prior to taking such
2 action. The Board of Directors of the Corporation shall
3 determine, based on the merits, whether to approve the
4 Corporation's advocacy for such direct economic
5 incentives.

6 (3) The limitations created by this subsection (c)
7 shall apply solely to actions taken or statements made for
8 or on behalf of the Corporation. It shall not restrict a
9 director's ability to advocate for direct economic
10 incentives for a particular company in a capacity other
11 than as a director of the Corporation, whether in his or
12 her individual capacity, on behalf of his or her employer,
13 or otherwise.

14 (4) Nothing in the policy shall limit the Corporation's
15 ability to advise, provide information to, and otherwise
16 provide assistance to a company.

17 (d) Assistance to Affiliated Entities.

18 (1) Presumed Conflicts of Interest. If the Corporation
19 is considering providing assistance to an affiliated
20 entity, the Corporation director or employee who is
21 affiliated with the entity shall be presumed to have a
22 conflict of interest on this matter. The Corporation may
23 not provide such assistance unless the Board of Directors
24 of the Corporation approves the action pursuant to
25 subsection (f) of this Section.

26 (2) Potential Conflicts of Interest. If a Corporation

1 director or employee becomes aware of any existing or
2 proposed Corporation assistance to an affiliated entity:

3 (i) that has a "substantial connection" (as
4 defined in paragraph (1) of subsection (b)) with an
5 immediate family member of the director or employee, or

6 (ii) as to which the director or employee has a
7 financial interest or other relationship that does not
8 meet the definition of "substantial connection" but
9 that is so significant that it would reasonably create
10 the perception that the individual has a substantial
11 bias in favor of the entity.

12 The director or employee shall promptly notify the
13 Corporation's Chief Executive Officer that there is a
14 potential conflict of interest and shall disclose the
15 circumstances.

16 The term "immediate family member" means one's (i)
17 spouse or partner in a civil union, (ii) children
18 (including stepchildren) and children's spouses, (iii)
19 parents (including stepparents) and spouse's parents, and
20 (iv) siblings and siblings' spouses.

21 The Corporation's Chief Executive Officer shall determine
22 whether the approval of the Board of Directors of the
23 Corporation of the action is required pursuant to subsection
24 (f) of this Section, based on whether the connection between
25 the entity and the Corporation director or employee is
26 sufficiently significant to create a conflict of interest or

1 the appearance of a conflict of interest. The Chief Executive
2 Officer's determination shall be documented.

3 (e) Transactions With or Payments to Directors or employees
4 of the Corporation. The Corporation may not enter into a
5 transaction with, or provide compensation, payment, or
6 personal benefits to (i) any Corporation director, (ii) any
7 Corporation employee (other than compensation and benefits
8 paid by the Corporation to its employees in their capacities as
9 such), or (iii) one of their immediate family members.

10 (f) Board of Directors of the Corporation; Consideration of
11 Conflicts.

12 (1) In General. When the Corporation is considering an
13 action as to which a Corporation director or employee has a
14 presumed or potential conflict of interest, the
15 Corporation may proceed with the action only if the Board
16 of Directors (excluding all directors and employees with
17 conflicts) conclude by majority vote that the proposal on
18 its merits is fair and in the best interests of the
19 Corporation's mission and the State's economic
20 development, and that any transaction has the same terms as
21 if it were entered into at arm's length.

22 (2) Timing; Temporary Approval. So as not to hinder the
23 effectiveness of Corporation or its staff, the Board of
24 Directors shall meet and make its determination as promptly
25 as practicable, either in person or through communication
26 equipment or interactive technology as permitted by the

1 bylaws of the Corporation.

2 (3) Process. The Board of Directors of the Corporation
3 shall be briefed on the proposed assistance, including an
4 explanation as to why the assistance or transaction is in
5 the best interests of the Corporation and the State's
6 economic development. The Board of Directors of the
7 Corporation shall ensure that any Corporation director or
8 employee with a conflict of interest is absent from the
9 deliberations and vote on the matter, unless directly
10 requested to provide factual information or answer factual
11 questions that are necessary to assist the Board in making
12 an informed decision. In no case shall the conflicted
13 Corporation director or employee vote on such matter or
14 attempt to exert personal influence in connection
15 therewith.

16 (4) Minutes. The minutes of the meeting shall record
17 the Corporation director or employee who had the conflict
18 of interest, the nature of the conflict, a summary of the
19 information received by the Board of Directors of the
20 Corporation in considering the matter, the fact that all
21 conflicted directors and employees were absent for the
22 Board of Directors' deliberations and vote, a summary of
23 the Board of Directors' deliberations and vote, and a
24 summary of the reasons of the Board of Directors of the
25 Corporation for approving or not approving the assistance
26 or transaction.

1 (g) Duty to Report Violations. Each Corporation director
2 and employee has the affirmative responsibility to report to
3 the Chief Executive Officer any and all knowledge of any actual
4 or suspected action or conduct that appears to be contrary to
5 the policies contained in this Section. If the Board of
6 Directors of the Corporation has reason to believe that a
7 Corporation director or employee failed to disclose a conflict
8 of interest, it shall inform the individual of the basis for
9 such belief, afford the individual an opportunity to explain
10 the alleged failure to disclose, and take any further lawful
11 action it deems appropriate.

12 Section 65. Oversight of Corporation.

13 (a) When engaged in activities that utilize public funding,
14 the Corporation shall comply with the provisions of this
15 Section.

16 (b) The Corporation shall submit an annual report to the
17 Governor, the General Assembly, and the Auditor General on
18 January 15 of each year. The report shall include the
19 Corporation's operations and activities during the prior
20 fiscal year, including, but not limited to:

21 (1) The Corporation's complete, audited financial
22 statements, including a description of the Corporation's
23 financial condition and operations.

24 (2) A listing of all public sources of funds received
25 by the Corporation.

1 (3) A listing of all firms and individuals who provided
2 assistance or resources to the Corporation without
3 compensation, including the approximate value of the
4 assistance or resources provided.

5 (4) A description of how the operations and activities
6 serve the interests of the State and further economic
7 development.

8 (c) An annual audit of the Corporation performed by a
9 certified public accountant in accordance with generally
10 accepted accounting principles shall be filed with the office
11 of the Auditor General and made available to the public.

12 (d) The respective parts or portions of deliberations or
13 meetings of the Board of Directors of the Corporation that
14 address the utilization of public funding shall be conducted in
15 accordance with the Open Meetings Act.

16 (e) Minutes of the parts or portions of meetings conducted
17 in accordance with subsection (d) shall be subject to the
18 Freedom of Information Act.

19 Section 75. The Statute on Statutes is amended by adding
20 Section 1.40 as follows:

21 (5 ILCS 70/1.40 new)

22 Sec. 1.40. Department of Commerce and Economic
23 Opportunity. References to the Department of Commerce and
24 Economic Opportunity or the Department of Commerce and

1 Community Affairs shall be construed as references to the
2 Illinois Economic Development Authority created by the
3 Illinois Business and Economic Advocacy and Development Act of
4 2013. All references to the Director of the Department of
5 Commerce and Economic Opportunity or the Department of Commerce
6 and Community Affairs shall be construed as references to the
7 Executive Director of the Illinois Economic Development
8 Authority created by the Illinois Business and Economic
9 Advocacy and Development Act of 2013.

10 Section 80. The Executive Reorganization Implementation
11 Act is amended by changing Section 3.1 as follows:

12 (15 ILCS 15/3.1) (from Ch. 127, par. 1803.1)

13 Sec. 3.1. "Agency directly responsible to the Governor" or
14 "agency" means any office, officer, division, or part thereof,
15 and any other office, nonelective officer, department,
16 division, bureau, board, or commission in the executive branch
17 of State government, except that it does not apply to any
18 agency whose primary function is service to the General
19 Assembly or the Judicial Branch of State government, or to any
20 agency administered by the Attorney General, Secretary of
21 State, State Comptroller or State Treasurer. In addition the
22 term does not apply to the following agencies created by law
23 with the primary responsibility of exercising regulatory or
24 adjudicatory functions independently of the Governor:

- 1 (1) the State Board of Elections;
- 2 (2) the State Board of Education;
- 3 (3) the Illinois Commerce Commission;
- 4 (4) the Illinois Workers' Compensation Commission;
- 5 (5) the Civil Service Commission;
- 6 (6) the Fair Employment Practices Commission;
- 7 (7) the Pollution Control Board;
- 8 (8) the Department of State Police Merit Board;
- 9 (9) the Illinois Racing Board;
- 10 (10) the Illinois Power Agency~~;~~
- 11 (11) the Illinois Economic Development Authority.

12 (Source: P.A. 96-796, eff. 10-29-09; 97-618, eff. 10-26-11.)

13 Section 85. The Civil Administrative Code of Illinois is
14 amended by changing Sections 5-15 and 5-20 as follows:

15 (20 ILCS 5/5-15) (was 20 ILCS 5/3)

16 Sec. 5-15. Departments of State government. The
17 Departments of State government are created as follows:

18 The Department on Aging.

19 The Department of Agriculture.

20 The Department of Central Management Services.

21 The Department of Children and Family Services.

22 ~~The Department of Commerce and Economic Opportunity.~~

23 The Department of Corrections.

24 The Department of Employment Security.

1 The Illinois Emergency Management Agency.
2 The Department of Financial and Professional Regulation.
3 The Department of Healthcare and Family Services.
4 The Department of Human Rights.
5 The Department of Human Services.
6 The Department of Juvenile Justice.
7 The Department of Labor.
8 The Department of the Lottery.
9 The Department of Natural Resources.
10 The Department of Public Health.
11 The Department of Revenue.
12 The Department of State Police.
13 The Department of Transportation.
14 The Department of Veterans' Affairs.

15 (Source: P.A. 96-328, eff. 8-11-09; 97-618, eff. 10-26-11.)

16 (20 ILCS 5/5-20) (was 20 ILCS 5/4)

17 Sec. 5-20. Heads of departments. Each department shall have
18 an officer as its head who shall be known as director or
19 secretary and who shall, subject to the provisions of the Civil
20 Administrative Code of Illinois, execute the powers and
21 discharge the duties vested by law in his or her respective
22 department.

23 The following officers are hereby created:

24 Director of Aging, for the Department on Aging.

25 Director of Agriculture, for the Department of

1 Agriculture.

2 Director of Central Management Services, for the
3 Department of Central Management Services.

4 Director of Children and Family Services, for the
5 Department of Children and Family Services.

6 ~~Director of Commerce and Economic Opportunity, for the~~
7 ~~Department of Commerce and Economic Opportunity.~~

8 Director of Corrections, for the Department of
9 Corrections.

10 Director of the Illinois Emergency Management Agency, for
11 the Illinois Emergency Management Agency.

12 Director of Employment Security, for the Department of
13 Employment Security.

14 Secretary of Financial and Professional Regulation, for
15 the Department of Financial and Professional Regulation.

16 Director of Healthcare and Family Services, for the
17 Department of Healthcare and Family Services.

18 Director of Human Rights, for the Department of Human
19 Rights.

20 Secretary of Human Services, for the Department of Human
21 Services.

22 Director of Juvenile Justice, for the Department of
23 Juvenile Justice.

24 Director of Labor, for the Department of Labor.

25 Director of Natural Resources, for the Department of
26 Natural Resources.

1 Director of Public Health, for the Department of Public
2 Health.

3 Director of Revenue, for the Department of Revenue.

4 Director of State Police, for the Department of State
5 Police.

6 Secretary of Transportation, for the Department of
7 Transportation.

8 Director of Veterans' Affairs, for the Department of
9 Veterans' Affairs.

10 (Source: P.A. 96-328, eff. 8-11-09; 97-464, eff. 10-15-11;
11 97-618, eff. 10-26-11; 97-813, eff. 7-13-12.)

12 Section 90. The Department of Commerce and Economic
13 Opportunity Law of the Civil Administrative Code of Illinois is
14 amended by changing Section 605-5 as follows:

15 (20 ILCS 605/605-5) (was 20 ILCS 605/46.1 in part)

16 Sec. 605-5. Definitions. As used in the Sections following
17 this Section:

18 "Department" means the Department of Commerce and Economic
19 Opportunity. On or after the effective date of this amendatory
20 Act of the 98th General Assembly, "Department" shall be
21 construed to mean the Illinois Economic Development Authority
22 created by the Illinois Business and Economic Advocacy and
23 Development Act of 2013.

24 "Director" means the Director of Commerce and Economic

1 Opportunity. On or after the effective date of this amendatory
2 Act of the 98th General Assembly, "Director" shall be construed
3 to mean the Executive Director of the Illinois Economic
4 Development Authority created by the Illinois Business and
5 Economic Advocacy and Development Act of 2013.

6 "Local government" means every county, municipality,
7 township, school district, and other local political
8 subdivision having authority to enact laws and ordinances, to
9 administer laws and ordinances, to raise taxes, or to expend
10 funds.

11 (Source: P.A. 93-25, eff. 6-20-03.)

12 (20 ILCS 5/5-120 rep.)

13 (20 ILCS 5/5-330 rep.)

14 Section 105. The Civil Administrative Code of Illinois is
15 amended by repealing Sections 5-120 and 5-330.

16 Section 999. Effective date. This Act takes effect upon
17 becoming law."