



Rep. Fred Crespo

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09900HB3492ham002

LRB099 11022 HLH 33095 a

1 AMENDMENT TO HOUSE BILL 3492

2 AMENDMENT NO. _____. Amend House Bill 3492 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Promotion Act is amended by
5 changing Section 4a as follows:

6 (20 ILCS 665/4a) (from Ch. 127, par. 200-24a)

7 Sec. 4a. Funds.

8 (1) All moneys deposited in the Tourism Promotion Fund
9 pursuant to this subsection are allocated to the Department for
10 utilization, as appropriated, in the performance of its powers
11 under Section 4; except that during fiscal year 2013, the
12 Department shall reserve \$9,800,000 of the total funds
13 available for appropriation in the Tourism Promotion Fund for
14 appropriation to the Historic Preservation Agency for the
15 operation of the Abraham Lincoln Presidential Library and
16 Museum and State historic sites.

1 As soon as possible after the first day of each month,
2 beginning July 1, 1997, upon certification of the Department of
3 Revenue, the Comptroller shall order transferred and the
4 Treasurer shall transfer from the General Revenue Fund to the
5 Tourism Promotion Fund an amount equal to 13% of the net
6 revenue realized from the Hotel Operators' Occupation Tax Act
7 plus an amount equal to 13% of the net revenue realized from
8 any tax imposed under Section 4.05 of the Chicago World's
9 Fair-1992 Authority Act during the preceding month. "Net
10 revenue realized for a month" means the revenue collected by
11 the State under that Act during the previous month less the
12 amount paid out during that same month as refunds to taxpayers
13 for overpayment of liability under that Act.

14 (1.1) (Blank).

15 (2) As soon as possible after the first day of each month,
16 beginning July 1, 1997, upon certification of the Department of
17 Revenue, the Comptroller shall order transferred and the
18 Treasurer shall transfer from the General Revenue Fund to the
19 Tourism Promotion Fund an amount equal to 8% of the net revenue
20 realized from the Hotel Operators' Occupation Tax plus an
21 amount equal to 8% of the net revenue realized from any tax
22 imposed under Section 4.05 of the Chicago World's Fair-1992
23 Authority Act during the preceding month. "Net revenue realized
24 for a month" means the revenue collected by the State under
25 that Act during the previous month less the amount paid out
26 during that same month as refunds to taxpayers for overpayment

1 of liability under that Act.

2 All monies deposited in the Tourism Promotion Fund under
3 this subsection (2) shall be used solely as provided in this
4 subsection to advertise and promote tourism throughout
5 Illinois. Appropriations of monies deposited in the Tourism
6 Promotion Fund pursuant to this subsection (2) shall be used
7 solely for advertising to promote tourism, including but not
8 limited to advertising production and direct advertisement
9 costs, but shall not be used to employ any additional staff,
10 finance any individual event, or lease, rent or purchase any
11 physical facilities. The Department shall coordinate its
12 advertising under this subsection (2) with other public and
13 private entities in the State engaged in similar promotion
14 activities. Print or electronic media production made pursuant
15 to this subsection (2) for advertising promotion shall not
16 contain or include the physical appearance of or reference to
17 the name or position of any public officer. "Public officer"
18 means a person who is elected to office pursuant to statute, or
19 who is appointed to an office which is established, and the
20 qualifications and duties of which are prescribed, by statute,
21 to discharge a public duty for the State or any of its
22 political subdivisions.

23 (2-5) The Department shall make grants from the Tourism
24 Promotion Fund, or its successor fund, to a municipality in
25 which a municipal convention center is located, or to a
26 convention center authority, for the purpose of reimbursing the

1 municipality or convention center authority for qualified
2 incentives provided by a municipal convention center or
3 convention center authority. For the purposes of this
4 paragraph, "municipal convention center" means a convention or
5 civic center owned by a unit of local government, or a
6 municipal convention hall as defined in paragraph (1) of
7 Section 11-65-1 of the Illinois Municipal Code, with contiguous
8 exhibition space ranging between 40,000 and 125,000 square
9 feet. For purposes of the paragraph, "convention center
10 authority" means an Authority as defined by the Civic Center
11 Code with contiguous exhibition space ranging between 40,000
12 and 125,000 square feet. For the purposes of this paragraph,
13 "qualified incentive" means an incentive provided for a
14 convention, meeting, or trade show that, but for the incentive,
15 would not have occurred in the State or been retained in the
16 State.

17 No later than May 15 of each year, the municipality where a
18 municipal convention center is located, or convention center
19 authority, shall certify to the Department the amounts of funds
20 expended in the previous fiscal year to provide qualified
21 incentives; however, in no event may the certified amount
22 pursuant to this paragraph exceed \$200,000 in any calendar
23 year. The municipality or convention center authority shall
24 certify (A) the net proceeds received under the Hotel
25 Operators' Occupation Tax Act for the renting, leasing, or
26 letting of hotel rooms in the municipality for the month in

1 which the convention, meeting, or trade show occurs and (B) the
2 average of the net proceeds received under the Hotel Operators'
3 Occupation Tax Act for the renting, leasing, or letting of
4 hotel rooms in the municipality for the same month in the 3
5 immediately preceding years. The Department may request that
6 the Auditor General conduct an audit of the accuracy of the
7 certification.

8 If the Department determines by its process of
9 certification that qualified incentive funds, in whole or in
10 part, were disbursed by the Department by means other than in
11 accordance with the standards of this Section, then the amount
12 transferred to the Tourism Promotion Fund shall be reduced
13 during the next subsequent transfer in direct proportion to
14 that amount determined to be in violation of the terms set
15 forth in this Section.

16 (3) Notwithstanding anything in this Section to the
17 contrary, amounts transferred from the General Revenue Fund to
18 the Tourism Promotion Fund pursuant to this Section shall not
19 exceed \$26,300,000 in State fiscal year 2012.

20 (Source: P.A. 97-641, eff. 12-19-11; 97-732, eff. 6-30-12.)

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