



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB6592

by Rep. Jim Durkin

SYNOPSIS AS INTRODUCED:

See Index

Creates the FY2017 Stopgap Budget Implementation Act. Provides that the purpose of the Act is to make the changes in State programs that are necessary to implement the Governor's FY2017 stopgap budget recommendations. Effective immediately, except certain provisions take effect January 1, 2017.

LRB099 22340 JWD 49731 b

1 AN ACT in relation to budget implementation.

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

4 ARTICLE 1. SHORT TITLE; PURPOSE

5 Section 1-1. Short title. This Act may be cited as the
6 FY2017 Stopgap Budget Implementation Act.

7 Section 1-5. Purpose. It is the purpose of this Act to make
8 changes in State programs that are necessary to implement the
9 Governor's Fiscal Year 2017 stopgap budget recommendations.

10 ARTICLE 5. AMENDATORY PROVISIONS

11 Section 5-5. The Military Code of Illinois is amended by
12 changing Section 22-3 as follows:

13 (20 ILCS 1805/22-3) (from Ch. 129, par. 220.22-3)

14 Sec. 22-3. All monies received from the sale of Illinois
15 National Guard facilities and lands pursuant to authority
16 contained in Section 22-2, all monies received from the
17 transfer or exchange of any realty under the control of the
18 Department pursuant to authority contained in Section 22-5, and
19 all funds received from the Federal government under terms of

1 the Federal Master Cooperative Agreement related to
2 constructing and maintaining real property between the
3 Department of Military Affairs and the United States Property
4 and Fiscal Officer for Illinois shall be paid into the State
5 Treasury without delay and shall be deposited ~~covered~~ into a
6 special fund to be known as the Illinois National Guard
7 Construction Fund. The monies in this fund shall be used
8 exclusively by the Adjutant General for the purpose of
9 acquiring building sites, ~~and~~ constructing new facilities,
10 rehabilitating existing facilities, and making other capital
11 improvements. The provisions directing the distributions from
12 the Illinois National Guard Construction Fund provided for in
13 this Section shall constitute an irrevocable and continuing
14 appropriation of all amounts as provided herein. The State
15 Treasurer and State Comptroller are hereby authorized and
16 directed to make distributions as provided in this Section.
17 ~~Expenditures from this fund shall be subject to appropriation~~
18 ~~by the General Assembly and written release by the Governor.~~

19 (Source: P.A. 97-764, eff. 7-6-12.)

20 (20 ILCS 1805/22-6 rep.)

21 Section 5-10. The Military Code of Illinois is amended by
22 repealing Section 22-6.

23 Section 5-15. The State Finance Act is amended by changing
24 Sections 5k, 6t, 6z-51, 8.3, and 8.25e as follows:

1 (30 ILCS 105/5k)

2 Sec. 5k. Cash flow borrowing and general funds liquidity;
3 FY15.

4 (a) In order to meet cash flow deficits and to maintain
5 liquidity in the General Revenue Fund and the Health Insurance
6 Reserve Fund, on and after July 1, 2014 and through June 30,
7 2015, the State Treasurer and the State Comptroller shall make
8 transfers to the General Revenue Fund and the Health Insurance
9 Reserve Fund, as directed by the Governor, out of special funds
10 of the State, to the extent allowed by federal law. No such
11 transfer may reduce the cumulative balance of all of the
12 special funds of the State to an amount less than the total
13 debt service payable during the 12 months immediately following
14 the date of the transfer on any bonded indebtedness of the
15 State and any certificates issued under the Short Term
16 Borrowing Act. At no time shall the outstanding total transfers
17 made from the special funds of the State to the General Revenue
18 Fund and the Health Insurance Reserve Fund under this Section
19 exceed \$650,000,000; once the amount of \$650,000,000 has been
20 transferred from the special funds of the State to the General
21 Revenue Fund and the Health Insurance Reserve Fund, additional
22 transfers may be made from the special funds of the State to
23 the General Revenue Fund and the Health Insurance Reserve Fund
24 under this Section only to the extent that moneys have first
25 been re-transferred from the General Revenue Fund and the

1 Health Insurance Reserve Fund to those special funds of the
2 State. Notwithstanding any other provision of this Section, no
3 such transfer may be made from any special fund that is
4 exclusively collected by or appropriated to any other
5 constitutional officer without the written approval of that
6 constitutional officer.

7 (b) If moneys have been transferred to the General Revenue
8 Fund and the Health Insurance Reserve Fund pursuant to
9 subsection (a) of this Section, this amendatory Act of the 98th
10 General Assembly shall constitute the continuing authority for
11 and direction to the State Treasurer and State Comptroller to
12 reimburse the funds of origin from the General Revenue Fund by
13 transferring to the funds of origin, at such times and in such
14 amounts as directed by the Governor when necessary to support
15 appropriated expenditures from the funds, an amount equal to
16 that transferred from them plus any interest that would have
17 accrued thereon had the transfer not occurred, ~~except that any~~
18 ~~moneys transferred pursuant to subsection (a) of this Section~~
19 ~~shall be repaid to the fund of origin within 18 months after~~
20 ~~the date on which they were borrowed.~~ When any of the funds
21 from which moneys have been transferred pursuant to subsection
22 (a) have insufficient cash from which the State Comptroller may
23 make expenditures properly supported by appropriations from
24 the fund, then the State Treasurer and State Comptroller shall
25 transfer from the General Revenue Fund to the fund only such
26 amount as is immediately necessary to satisfy outstanding

1 expenditure obligations on a timely basis.

2 (c) On the first day of each quarterly period in each
3 fiscal year, until such time as a report indicates that all
4 moneys borrowed and interest pursuant to this Section have been
5 repaid, the Governor's Office of Management and Budget shall
6 provide to the President and the Minority Leader of the Senate,
7 the Speaker and the Minority Leader of the House of
8 Representatives, and the Commission on Government Forecasting
9 and Accountability a report on all transfers made pursuant to
10 this Section in the prior quarterly period. The report must be
11 provided in electronic format. The report must include all of
12 the following:

13 (1) The date each transfer was made.

14 (2) The amount of each transfer.

15 (3) In the case of a transfer from the General Revenue
16 Fund to a fund of origin pursuant to subsection (b) of this
17 Section, the amount of interest being paid to the fund of
18 origin.

19 (4) The end of day balance of the fund of origin, the
20 General Revenue Fund and the Health Insurance Reserve Fund
21 on the date the transfer was made.

22 (Source: P.A. 98-682, eff. 6-30-14.)

23 (30 ILCS 105/6t) (from Ch. 127, par. 142t)

24 Sec. 6t. The Capital Development Board Contributory Trust
25 Fund is created and there shall be paid into the Capital

1 Development Board Contributory Trust Fund the monies
2 contributed by and received from Public Community College
3 Districts, Elementary, Secondary, and Unit School Districts,
4 and Vocational Education Facilities, provided, however, no
5 monies shall be required from a participating Public Community
6 College District, Elementary, Secondary, or Unit School
7 District, or Vocational Education Facility more than 30 days
8 prior to anticipated need under the particular contract for the
9 Public Community College District, Elementary, Secondary, or
10 Unit School District, or Vocational Education Facility. No
11 monies in any fund in the State Treasury, nor any funds under
12 the control or beneficial control of any state agency,
13 university, college, department, commission, board or any
14 other unit of state government shall be deposited, paid into,
15 or by any other means caused to be placed into the Capital
16 Development Board Contributory Trust Fund, except for federal
17 funds, bid bond forfeitures, and insurance proceeds as provided
18 for below.

19 Except as otherwise provided in Section 22-3 of the
20 Military Code of Illinois, there ~~There~~ shall be paid into the
21 Capital Development Board Contributory Trust Fund all federal
22 funds to be utilized for the construction of capital projects
23 under the jurisdiction of the Capital Development Board, and
24 all proceeds resulting from such federal funds. All such funds
25 shall be remitted to the Capital Development Board within 10
26 working days of their receipt by the receiving authority.

1 There shall also be paid into this Fund all monies
2 designated as gifts, donations or charitable contributions
3 which may be contributed by an individual or entity, whether
4 public or private, for a specific capital improvement project.

5 There shall also be paid into this Fund all proceeds from
6 bid bond forfeitures in connection with any project formally
7 bid and awarded by the Capital Development Board.

8 There shall also be paid into this Fund all builders risk
9 insurance policy proceeds and all other funds recovered from
10 contractors, sureties, architects, material suppliers or other
11 persons contracting with the Capital Development Board for
12 capital improvement projects which are received by way of
13 reimbursement for losses resulting from destruction of or
14 damage to capital improvement projects while under
15 construction by the Capital Development Board or received by
16 way of settlement agreement or court order.

17 The monies in the Capital Development Board Contributory
18 Trust Fund shall be expended only for actual contracts let, and
19 then only for the specific project for which funds were
20 received in accordance with the judgment of the Capital
21 Development Board, compatible with the duties and obligations
22 of the Capital Development Board in furtherance of the specific
23 capital improvement for which such funds were received.
24 Contributions, insured-loss reimbursements or other funds
25 received as damages through settlement or judgement for damage,
26 destruction or loss of capital improvement projects shall be

1 expended for the repair of such projects; or if the projects
2 have been or are being repaired before receipt of the funds,
3 the funds may be used to repair other such capital improvement
4 projects. Any funds not expended for a project within 36 months
5 after the date received shall be paid into the General
6 Obligation Bond Retirement and Interest Fund.

7 Contributions or insured-loss reimbursements not expended
8 in furtherance of the project for which they were received
9 within 36 months of the date received, shall be returned to the
10 contributing party. Proceeds from builders risk insurance
11 shall be expended only for the amelioration of damage arising
12 from the incident for which the proceeds were paid to the State
13 or the Capital Development Contributory Trust Fund. Any
14 residual amounts remaining after the completion of such
15 repairs, renovation, reconstruction or other work necessary to
16 restore the capital improvement project to acceptable
17 condition shall be returned to the proper fund or entity
18 financing or contributing towards the cost of the capital
19 improvement project. Such returns shall be made in amounts
20 proportionate to the contributions made in furtherance of the
21 project.

22 Any monies received as a gift, donation or charitable
23 contribution for a specific capital improvement which have not
24 been expended in furtherance of that project shall be returned
25 to the contributing party after completion of the project or if
26 the legislature fails to authorize the capital improvement.

1 Except as otherwise provided in Section 22-3 of the
2 Military Code of Illinois, the ~~The~~ unused portion of any
3 federal funds received for a capital improvement project which
4 are not contributed, upon its completion, towards the cost of
5 the project, shall remain in the Capital Development Board
6 Contributory Trust Fund and shall be used for capital projects
7 and for no other purpose, subject to appropriation and as
8 directed by the Capital Development Board.

9 (Source: P.A. 97-792, eff. 1-1-13.)

10 (30 ILCS 105/6z-51)

11 Sec. 6z-51. Budget Stabilization Fund.

12 (a) The Budget Stabilization Fund, a special fund in the
13 State Treasury, shall consist of moneys appropriated or
14 transferred to that Fund, as provided in Section 6z-43 and as
15 otherwise provided by law. All earnings on Budget Stabilization
16 Fund investments shall be deposited into that Fund.

17 (b) The State Comptroller may direct the State Treasurer to
18 transfer moneys from the Budget Stabilization Fund to the
19 General Revenue Fund in order to meet cash flow deficits
20 resulting from timing variations between disbursements and the
21 receipt of funds within a fiscal year. Any moneys so borrowed
22 in any fiscal year other than Fiscal Year 2011 shall be repaid
23 by June 30 of the fiscal year in which they were borrowed. Any
24 moneys so borrowed in Fiscal Year 2011 shall be repaid no later
25 than July 15, 2011.

1 (c) During Fiscal Year 2017 only, amounts may be expended
2 from the Budget Stabilization Fund only pursuant to specific
3 authorization by appropriation. Any moneys expended pursuant
4 to appropriation shall not be subject to repayment.

5 (Source: P.A. 97-44, eff. 6-28-11.)

6 (30 ILCS 105/8.3) (from Ch. 127, par. 144.3)

7 Sec. 8.3. Money in the Road Fund shall, if and when the
8 State of Illinois incurs any bonded indebtedness for the
9 construction of permanent highways, be set aside and used for
10 the purpose of paying and discharging annually the principal
11 and interest on that bonded indebtedness then due and payable,
12 and for no other purpose. The surplus, if any, in the Road Fund
13 after the payment of principal and interest on that bonded
14 indebtedness then annually due shall be used as follows:

15 first -- to pay the cost of administration of Chapters
16 2 through 10 of the Illinois Vehicle Code, except the cost
17 of administration of Articles I and II of Chapter 3 of that
18 Code; and

19 secondly -- for expenses of the Department of
20 Transportation for construction, reconstruction,
21 improvement, repair, maintenance, operation, and
22 administration of highways in accordance with the
23 provisions of laws relating thereto, or for any purpose
24 related or incident to and connected therewith, including
25 the separation of grades of those highways with railroads

1 and with highways and including the payment of awards made
2 by the Illinois Workers' Compensation Commission under the
3 terms of the Workers' Compensation Act or Workers'
4 Occupational Diseases Act for injury or death of an
5 employee of the Division of Highways in the Department of
6 Transportation; or for the acquisition of land and the
7 erection of buildings for highway purposes, including the
8 acquisition of highway right-of-way or for investigations
9 to determine the reasonably anticipated future highway
10 needs; or for making of surveys, plans, specifications and
11 estimates for and in the construction and maintenance of
12 flight strips and of highways necessary to provide access
13 to military and naval reservations, to defense industries
14 and defense-industry sites, and to the sources of raw
15 materials and for replacing existing highways and highway
16 connections shut off from general public use at military
17 and naval reservations and defense-industry sites, or for
18 the purchase of right-of-way, except that the State shall
19 be reimbursed in full for any expense incurred in building
20 the flight strips; or for the operating and maintaining of
21 highway garages; or for patrolling and policing the public
22 highways and conserving the peace; or for the operating
23 expenses of the Department relating to the administration
24 of public transportation programs; or, during fiscal year
25 2012 only, for the purposes of a grant not to exceed
26 \$8,500,000 to the Regional Transportation Authority on

1 behalf of PACE for the purpose of ADA/Para-transit
2 expenses; or, during fiscal year 2013 only, for the
3 purposes of a grant not to exceed \$3,825,000 to the
4 Regional Transportation Authority on behalf of PACE for the
5 purpose of ADA/Para-transit expenses; or, during fiscal
6 year 2014 only, for the purposes of a grant not to exceed
7 \$3,825,000 to the Regional Transportation Authority on
8 behalf of PACE for the purpose of ADA/Para-transit
9 expenses; or, during fiscal year 2015 only, for the
10 purposes of a grant not to exceed \$3,825,000 to the
11 Regional Transportation Authority on behalf of PACE for the
12 purpose of ADA/Para-transit expenses; or, during fiscal
13 year 2016 only, for the purposes of a grant not to exceed
14 \$3,825,000 to the Regional Transportation Authority on
15 behalf of PACE for the purpose of ADA/Para-transit
16 expenses; or, during fiscal year 2017 only, for the
17 purposes of a grant not to exceed \$3,825,000 to the
18 Regional Transportation Authority on behalf of PACE for the
19 purpose of ADA/Para-transit expenses; or for any of those
20 purposes or any other purpose that may be provided by law.

21 Appropriations for any of those purposes are payable from
22 the Road Fund. Appropriations may also be made from the Road
23 Fund for the administrative expenses of any State agency that
24 are related to motor vehicles or arise from the use of motor
25 vehicles.

26 Beginning with fiscal year 1980 and thereafter, no Road

1 Fund monies shall be appropriated to the following Departments
2 or agencies of State government for administration, grants, or
3 operations; but this limitation is not a restriction upon
4 appropriating for those purposes any Road Fund monies that are
5 eligible for federal reimbursement;

6 1. Department of Public Health;

7 2. Department of Transportation, only with respect to
8 subsidies for one-half fare Student Transportation and
9 Reduced Fare for Elderly, except during fiscal year 2012
10 only when no more than \$40,000,000 may be expended and
11 except during fiscal year 2013 only when no more than
12 \$17,570,300 may be expended and except during fiscal year
13 2014 only when no more than \$17,570,000 may be expended and
14 except during fiscal year 2015 only when no more than
15 \$17,570,000 may be expended and except during fiscal year
16 2016 only when no more than \$17,570,000 may be expended and
17 except during fiscal year 2017 only when no more than
18 \$17,570,000 may be expended;

19 3. Department of Central Management Services, except
20 for expenditures incurred for group insurance premiums of
21 appropriate personnel;

22 4. Judicial Systems and Agencies.

23 Beginning with fiscal year 1981 and thereafter, no Road
24 Fund monies shall be appropriated to the following Departments
25 or agencies of State government for administration, grants, or
26 operations; but this limitation is not a restriction upon

1 appropriating for those purposes any Road Fund monies that are
2 eligible for federal reimbursement:

3 1. Department of State Police, except for expenditures
4 with respect to the Division of Operations;

5 2. Department of Transportation, only with respect to
6 Intercity Rail Subsidies, except during fiscal year 2012
7 only when no more than \$40,000,000 may be expended and
8 except during fiscal year 2013 only when no more than
9 \$26,000,000 may be expended and except during fiscal year
10 2014 only when no more than \$38,000,000 may be expended and
11 except during fiscal year 2015 only when no more than
12 \$42,000,000 may be expended and except during fiscal year
13 2016 only when no more than \$38,300,000 may be expended and
14 except during fiscal year 2017 only when no more than
15 \$50,000,000 may be expended, and Rail Freight Services.

16 Beginning with fiscal year 1982 and thereafter, no Road
17 Fund monies shall be appropriated to the following Departments
18 or agencies of State government for administration, grants, or
19 operations; but this limitation is not a restriction upon
20 appropriating for those purposes any Road Fund monies that are
21 eligible for federal reimbursement: Department of Central
22 Management Services, except for awards made by the Illinois
23 Workers' Compensation Commission under the terms of the
24 Workers' Compensation Act or Workers' Occupational Diseases
25 Act for injury or death of an employee of the Division of
26 Highways in the Department of Transportation.

1 Beginning with fiscal year 1984 and thereafter, no Road
2 Fund monies shall be appropriated to the following Departments
3 or agencies of State government for administration, grants, or
4 operations; but this limitation is not a restriction upon
5 appropriating for those purposes any Road Fund monies that are
6 eligible for federal reimbursement:

7 1. Department of State Police, except not more than 40%
8 of the funds appropriated for the Division of Operations;

9 2. State Officers.

10 Beginning with fiscal year 1984 and thereafter, no Road
11 Fund monies shall be appropriated to any Department or agency
12 of State government for administration, grants, or operations
13 except as provided hereafter; but this limitation is not a
14 restriction upon appropriating for those purposes any Road Fund
15 monies that are eligible for federal reimbursement. It shall
16 not be lawful to circumvent the above appropriation limitations
17 by governmental reorganization or other methods.
18 Appropriations shall be made from the Road Fund only in
19 accordance with the provisions of this Section.

20 Money in the Road Fund shall, if and when the State of
21 Illinois incurs any bonded indebtedness for the construction of
22 permanent highways, be set aside and used for the purpose of
23 paying and discharging during each fiscal year the principal
24 and interest on that bonded indebtedness as it becomes due and
25 payable as provided in the Transportation Bond Act, and for no
26 other purpose. The surplus, if any, in the Road Fund after the

1 payment of principal and interest on that bonded indebtedness
2 then annually due shall be used as follows:

3 first -- to pay the cost of administration of Chapters
4 2 through 10 of the Illinois Vehicle Code; and

5 secondly -- no Road Fund monies derived from fees,
6 excises, or license taxes relating to registration,
7 operation and use of vehicles on public highways or to
8 fuels used for the propulsion of those vehicles, shall be
9 appropriated or expended other than for costs of
10 administering the laws imposing those fees, excises, and
11 license taxes, statutory refunds and adjustments allowed
12 thereunder, administrative costs of the Department of
13 Transportation, including, but not limited to, the
14 operating expenses of the Department relating to the
15 administration of public transportation programs, payment
16 of debts and liabilities incurred in construction and
17 reconstruction of public highways and bridges, acquisition
18 of rights-of-way for and the cost of construction,
19 reconstruction, maintenance, repair, and operation of
20 public highways and bridges under the direction and
21 supervision of the State, political subdivision, or
22 municipality collecting those monies, or during fiscal
23 year 2012 only for the purposes of a grant not to exceed
24 \$8,500,000 to the Regional Transportation Authority on
25 behalf of PACE for the purpose of ADA/Para-transit
26 expenses, or during fiscal year 2013 only for the purposes

1 of a grant not to exceed \$3,825,000 to the Regional
2 Transportation Authority on behalf of PACE for the purpose
3 of ADA/Para-transit expenses, or during fiscal year 2014
4 only for the purposes of a grant not to exceed \$3,825,000
5 to the Regional Transportation Authority on behalf of PACE
6 for the purpose of ADA/Para-transit expenses, or during
7 fiscal year 2015 only for the purposes of a grant not to
8 exceed \$3,825,000 to the Regional Transportation Authority
9 on behalf of PACE for the purpose of ADA/Para-transit
10 expenses, or during fiscal year 2016 only for the purposes
11 of a grant not to exceed \$3,825,000 to the Regional
12 Transportation Authority on behalf of PACE for the purpose
13 of ADA/Para-transit expenses, or during fiscal year 2017
14 only for the purposes of a grant not to exceed \$3,825,000
15 to the Regional Transportation Authority on behalf of PACE
16 for the purpose of ADA/Para-transit expenses, and the costs
17 for patrolling and policing the public highways (by State,
18 political subdivision, or municipality collecting that
19 money) for enforcement of traffic laws. The separation of
20 grades of such highways with railroads and costs associated
21 with protection of at-grade highway and railroad crossing
22 shall also be permissible.

23 Appropriations for any of such purposes are payable from
24 the Road Fund or the Grade Crossing Protection Fund as provided
25 in Section 8 of the Motor Fuel Tax Law.

26 Except as provided in this paragraph, beginning with fiscal

1 year 1991 and thereafter, no Road Fund monies shall be
2 appropriated to the Department of State Police for the purposes
3 of this Section in excess of its total fiscal year 1990 Road
4 Fund appropriations for those purposes unless otherwise
5 provided in Section 5g of this Act. For fiscal years 2003,
6 2004, 2005, 2006, and 2007 only, no Road Fund monies shall be
7 appropriated to the Department of State Police for the purposes
8 of this Section in excess of \$97,310,000. For fiscal year 2008
9 only, no Road Fund monies shall be appropriated to the
10 Department of State Police for the purposes of this Section in
11 excess of \$106,100,000. For fiscal year 2009 only, no Road Fund
12 monies shall be appropriated to the Department of State Police
13 for the purposes of this Section in excess of \$114,700,000.
14 Beginning in fiscal year 2010, no road fund moneys shall be
15 appropriated to the Department of State Police. It shall not be
16 lawful to circumvent this limitation on appropriations by
17 governmental reorganization or other methods unless otherwise
18 provided in Section 5g of this Act.

19 In fiscal year 1994, no Road Fund monies shall be
20 appropriated to the Secretary of State for the purposes of this
21 Section in excess of the total fiscal year 1991 Road Fund
22 appropriations to the Secretary of State for those purposes,
23 plus \$9,800,000. It shall not be lawful to circumvent this
24 limitation on appropriations by governmental reorganization or
25 other method.

26 Beginning with fiscal year 1995 and thereafter, no Road

1 Fund monies shall be appropriated to the Secretary of State for
2 the purposes of this Section in excess of the total fiscal year
3 1994 Road Fund appropriations to the Secretary of State for
4 those purposes. It shall not be lawful to circumvent this
5 limitation on appropriations by governmental reorganization or
6 other methods.

7 Beginning with fiscal year 2000, total Road Fund
8 appropriations to the Secretary of State for the purposes of
9 this Section shall not exceed the amounts specified for the
10 following fiscal years:

11	Fiscal Year 2000	\$80,500,000;
12	Fiscal Year 2001	\$80,500,000;
13	Fiscal Year 2002	\$80,500,000;
14	Fiscal Year 2003	\$130,500,000;
15	Fiscal Year 2004	\$130,500,000;
16	Fiscal Year 2005	\$130,500,000;
17	Fiscal Year 2006	\$130,500,000;
18	Fiscal Year 2007	\$130,500,000;
19	Fiscal Year 2008	\$130,500,000;
20	Fiscal Year 2009	\$130,500,000.

21 For fiscal year 2010, no road fund moneys shall be
22 appropriated to the Secretary of State.

23 Beginning in fiscal year 2011, moneys in the Road Fund
24 shall be appropriated to the Secretary of State for the
25 exclusive purpose of paying refunds due to overpayment of fees
26 related to Chapter 3 of the Illinois Vehicle Code unless

1 otherwise provided for by law.

2 It shall not be lawful to circumvent this limitation on
3 appropriations by governmental reorganization or other
4 methods.

5 No new program may be initiated in fiscal year 1991 and
6 thereafter that is not consistent with the limitations imposed
7 by this Section for fiscal year 1984 and thereafter, insofar as
8 appropriation of Road Fund monies is concerned.

9 Nothing in this Section prohibits transfers from the Road
10 Fund to the State Construction Account Fund under Section 5e of
11 this Act; nor to the General Revenue Fund, as authorized by
12 this amendatory Act of the 93rd General Assembly.

13 The additional amounts authorized for expenditure in this
14 Section by Public Acts 92-0600, 93-0025, 93-0839, and 94-91
15 shall be repaid to the Road Fund from the General Revenue Fund
16 in the next succeeding fiscal year that the General Revenue
17 Fund has a positive budgetary balance, as determined by
18 generally accepted accounting principles applicable to
19 government.

20 The additional amounts authorized for expenditure by the
21 Secretary of State and the Department of State Police in this
22 Section by this amendatory Act of the 94th General Assembly
23 shall be repaid to the Road Fund from the General Revenue Fund
24 in the next succeeding fiscal year that the General Revenue
25 Fund has a positive budgetary balance, as determined by
26 generally accepted accounting principles applicable to

1 government.

2 (Source: P.A. 97-72, eff. 7-1-11; 97-732, eff. 6-30-12; 98-24,
3 eff. 6-19-13; 98-674, eff. 6-30-14.)

4 (30 ILCS 105/8.25e) (from Ch. 127, par. 144.25e)

5 Sec. 8.25e. (a) The State Comptroller and the State
6 Treasurer shall automatically transfer on the first day of each
7 month, beginning on February 1, 1988, from the General Revenue
8 Fund to each of the funds then supplemented by the pari-mutuel
9 tax pursuant to Section 28 of the Illinois Horse Racing Act of
10 1975, an amount equal to (i) the amount of pari-mutuel tax
11 deposited into such fund during the month in fiscal year 1986
12 which corresponds to the month preceding such transfer, minus
13 (ii) the amount of pari-mutuel tax (or the replacement transfer
14 authorized by subsection (d) of Section 8g ~~Section 8g(d)~~ of
15 this Act and subsection (d) of Section 28.1 ~~Section 28.1(d)~~ of
16 the Illinois Horse Racing Act of 1975) deposited into such fund
17 during the month preceding such transfer; provided, however,
18 that no transfer shall be made to a fund if such amount for
19 that fund is equal to or less than zero and provided that no
20 transfer shall be made to a fund in any fiscal year after the
21 amount deposited into such fund exceeds the amount of
22 pari-mutuel tax deposited into such fund during fiscal year
23 1986.

24 (b) The State Comptroller and the State Treasurer shall
25 automatically transfer on the last day of each month, beginning

1 on October 1, 1989 and ending on June 30, 2016, from the
2 General Revenue Fund to the Metropolitan Exposition,
3 Auditorium and Office Building Fund, the amount of \$2,750,000
4 plus any cumulative deficiencies in such transfers for prior
5 months, until the sum of \$16,500,000 has been transferred for
6 the fiscal year beginning July 1, 1989 and until the sum of
7 \$22,000,000 has been transferred for each fiscal year
8 thereafter.

9 (b-5) The State Comptroller and the State Treasurer shall
10 automatically transfer on the last day of each month, beginning
11 on July 1, 2016, from the General Revenue Fund to the
12 Metropolitan Exposition, Auditorium and Office Building Fund,
13 the amount of \$1,500,000 plus any cumulative deficiencies in
14 such transfers for prior months, until the sum of \$12,000,000
15 has been transferred for each fiscal year thereafter.

16 (c) After the transfer of funds from the Metropolitan
17 Exposition, Auditorium and Office Building Fund to the Bond
18 Retirement Fund pursuant to subsection (b) of Section 15
19 ~~Section 15(b)~~ of the Metropolitan Civic Center Support Act, the
20 State Comptroller and the State Treasurer shall automatically
21 transfer on the last day of each month, beginning on October 1,
22 1989 and ending on June 30, 2016, from the Metropolitan
23 Exposition, Auditorium and Office Building Fund to the Park and
24 Conservation Fund the amount of \$1,250,000 plus any cumulative
25 deficiencies in such transfers for prior months, until the sum
26 of \$7,500,000 has been transferred for the fiscal year

1 beginning July 1, 1989 and until the sum of \$10,000,000 has
2 been transferred for each fiscal year thereafter.

3 (Source: P.A. 91-25, eff. 6-9-99.)

4 Section 5-20. The State Revenue Sharing Act is amended by
5 changing Section 12 and by adding Section 11.1 as follows:

6 (30 ILCS 115/11.1 new)

7 Sec. 11.1. Funding of certain school districts.

8 (a) Beginning July 1, 2016, or as soon as practical
9 thereafter, the State Board of Education shall annually
10 identify to the Department of Revenue school districts having
11 Personal Property Tax Replacement Fund receipts totaling 15% or
12 more of their total revenues in fiscal year 2015.

13 (b) Beginning in fiscal year 2017, and in each fiscal year
14 thereafter, any school district identified under subsection
15 (a) shall receive, in addition to its annual distributions from
16 the Personal Property Tax Replacement Fund, 7% of the total
17 amount distributed to the school district from the Personal
18 Property Tax Replacement Fund during fiscal year 2015, provided
19 that the total amount of additional distributions under this
20 Section shall not exceed \$2,900,000 in any year. If the total
21 additional distributions exceed \$2,900,000 in any year, such
22 distributions shall be calculated on a pro rata basis, based on
23 the percentage of each district's total fiscal year 2015
24 revenues to the total fiscal year 2015 revenues of all

1 districts qualifying for an additional distribution under this
2 Section.

3 (30 ILCS 115/12) (from Ch. 85, par. 616)

4 Sec. 12. Personal Property Tax Replacement Fund. There is
5 hereby created the Personal Property Tax Replacement Fund, a
6 special fund in the State Treasury into which shall be paid all
7 revenue realized:

8 (a) all amounts realized from the additional personal
9 property tax replacement income tax imposed by subsections (c)
10 and (d) of Section 201 of the Illinois Income Tax Act, except
11 for those amounts deposited into the Income Tax Refund Fund
12 pursuant to subsection (c) of Section 901 of the Illinois
13 Income Tax Act; and

14 (b) all amounts realized from the additional personal
15 property replacement invested capital taxes imposed by Section
16 2a.1 of the Messages Tax Act, Section 2a.1 of the Gas Revenue
17 Tax Act, Section 2a.1 of the Public Utilities Revenue Act, and
18 Section 3 of the Water Company Invested Capital Tax Act, and
19 amounts payable to the Department of Revenue under the
20 Telecommunications Infrastructure Maintenance Fee Act.

21 As soon as may be after the end of each month, the
22 Department of Revenue shall certify to the Treasurer and the
23 Comptroller the amount of all refunds paid out of the General
24 Revenue Fund through the preceding month on account of
25 overpayment of liability on taxes paid into the Personal

1 Property Tax Replacement Fund. Upon receipt of such
2 certification, the Treasurer and the Comptroller shall
3 transfer the amount so certified from the Personal Property Tax
4 Replacement Fund into the General Revenue Fund.

5 The payments of revenue into the Personal Property Tax
6 Replacement Fund shall be used exclusively for distribution to
7 taxing districts, regional offices and officials, and local
8 officials as provided in this Section and in the School Code,
9 payment of the ordinary and contingent expenses of the Property
10 Tax Appeal Board, payment of the expenses of the Department of
11 Revenue incurred in administering the collection and
12 distribution of monies paid into the Personal Property Tax
13 Replacement Fund and transfers due to refunds to taxpayers for
14 overpayment of liability for taxes paid into the Personal
15 Property Tax Replacement Fund.

16 In addition, moneys in the Personal Property Tax
17 Replacement Fund may be used to pay any of the following: (i)
18 salary, stipends, and additional compensation as provided by
19 law for chief election clerks, county clerks, and county
20 recorders; (ii) costs associated with regional offices of
21 education and educational service centers; (iii)
22 reimbursements payable by the State Board of Elections under
23 Section 4-25, 5-35, 6-71, 13-10, 13-10a, or 13-11 of the
24 Election Code; (iv) expenses of the Illinois Educational Labor
25 Relations Board; ~~and~~ (v) salary, personal services, and
26 additional compensation as provided by law for court reporters

1 under the Court Reporters Act; and (vi) amounts as appropriated
2 to the Illinois Community College Board for distribution of
3 base operating and equalization grants to qualifying public
4 community colleges and the City Colleges of Chicago for
5 educational related expenses.

6 As soon as may be after the effective date of this
7 amendatory Act of 1980, the Department of Revenue shall certify
8 to the Treasurer the amount of net replacement revenue paid
9 into the General Revenue Fund prior to that effective date from
10 the additional tax imposed by Section 2a.1 of the Messages Tax
11 Act; Section 2a.1 of the Gas Revenue Tax Act; Section 2a.1 of
12 the Public Utilities Revenue Act; Section 3 of the Water
13 Company Invested Capital Tax Act; amounts collected by the
14 Department of Revenue under the Telecommunications
15 Infrastructure Maintenance Fee Act; and the additional
16 personal property tax replacement income tax imposed by the
17 Illinois Income Tax Act, as amended by Public Act 81-1st
18 Special Session-1. Net replacement revenue shall be defined as
19 the total amount paid into and remaining in the General Revenue
20 Fund as a result of those Acts minus the amount outstanding and
21 obligated from the General Revenue Fund in state vouchers or
22 warrants prior to the effective date of this amendatory Act of
23 1980 as refunds to taxpayers for overpayment of liability under
24 those Acts.

25 All interest earned by monies accumulated in the Personal
26 Property Tax Replacement Fund shall be deposited in such Fund.

1 All amounts allocated pursuant to this Section are appropriated
2 on a continuing basis.

3 Prior to December 31, 1980, as soon as may be after the end
4 of each quarter beginning with the quarter ending December 31,
5 1979, and on and after December 31, 1980, as soon as may be
6 after January 1, March 1, April 1, May 1, July 1, August 1,
7 October 1 and December 1 of each year, the Department of
8 Revenue shall allocate to each taxing district as defined in
9 Section 1-150 of the Property Tax Code, in accordance with the
10 provisions of paragraph (2) of this Section the portion of the
11 funds held in the Personal Property Tax Replacement Fund which
12 is required to be distributed, as provided in paragraph (1),
13 for each quarter. Provided, however, under no circumstances
14 shall any taxing district during each of the first two years of
15 distribution of the taxes imposed by this amendatory Act of
16 1979 be entitled to an annual allocation which is less than the
17 funds such taxing district collected from the 1978 personal
18 property tax. Provided further that under no circumstances
19 shall any taxing district during the third year of distribution
20 of the taxes imposed by this amendatory Act of 1979 receive
21 less than 60% of the funds such taxing district collected from
22 the 1978 personal property tax. In the event that the total of
23 the allocations made as above provided for all taxing
24 districts, during either of such 3 years, exceeds the amount
25 available for distribution the allocation of each taxing
26 district shall be proportionately reduced. Except as provided

1 in Section 13 of this Act, the Department shall then certify,
2 pursuant to appropriation, such allocations to the State
3 Comptroller who shall pay over to the several taxing districts
4 the respective amounts allocated to them.

5 Any township which receives an allocation based in whole or
6 in part upon personal property taxes which it levied pursuant
7 to Section 6-507 or 6-512 of the Illinois Highway Code and
8 which was previously required to be paid over to a municipality
9 shall immediately pay over to that municipality a proportionate
10 share of the personal property replacement funds which such
11 township receives.

12 Any municipality or township, other than a municipality
13 with a population in excess of 500,000, which receives an
14 allocation based in whole or in part on personal property taxes
15 which it levied pursuant to Sections 3-1, 3-4 and 3-6 of the
16 Illinois Local Library Act and which was previously required to
17 be paid over to a public library shall immediately pay over to
18 that library a proportionate share of the personal property tax
19 replacement funds which such municipality or township
20 receives; provided that if such a public library has converted
21 to a library organized under The Illinois Public Library
22 District Act, regardless of whether such conversion has
23 occurred on, after or before January 1, 1988, such
24 proportionate share shall be immediately paid over to the
25 library district which maintains and operates the library.
26 However, any library that has converted prior to January 1,

1 1988, and which hitherto has not received the personal property
2 tax replacement funds, shall receive such funds commencing on
3 January 1, 1988.

4 Any township which receives an allocation based in whole or
5 in part on personal property taxes which it levied pursuant to
6 Section 1c of the Public Graveyards Act and which taxes were
7 previously required to be paid over to or used for such public
8 cemetery or cemeteries shall immediately pay over to or use for
9 such public cemetery or cemeteries a proportionate share of the
10 personal property tax replacement funds which the township
11 receives.

12 Any taxing district which receives an allocation based in
13 whole or in part upon personal property taxes which it levied
14 for another governmental body or school district in Cook County
15 in 1976 or for another governmental body or school district in
16 the remainder of the State in 1977 shall immediately pay over
17 to that governmental body or school district the amount of
18 personal property replacement funds which such governmental
19 body or school district would receive directly under the
20 provisions of paragraph (2) of this Section, had it levied its
21 own taxes.

22 (1) The portion of the Personal Property Tax
23 Replacement Fund required to be distributed as of the time
24 allocation is required to be made shall be the amount
25 available in such Fund as of the time allocation is
26 required to be made.

1 The amount available for distribution shall be the
2 total amount in the fund at such time minus the necessary
3 administrative and other authorized expenses as limited by
4 the appropriation and the amount determined by: (a) \$2.8
5 million for fiscal year 1981; (b) for fiscal year 1982,
6 .54% of the funds distributed from the fund during the
7 preceding fiscal year; (c) for fiscal year 1983 through
8 fiscal year 1988, .54% of the funds distributed from the
9 fund during the preceding fiscal year less .02% of such
10 fund for fiscal year 1983 and less .02% of such funds for
11 each fiscal year thereafter; (d) for fiscal year 1989
12 through fiscal year 2011 no more than 105% of the actual
13 administrative expenses of the prior fiscal year; (e) for
14 fiscal year 2012 and beyond, a sufficient amount to pay (i)
15 stipends, additional compensation, salary reimbursements,
16 and other amounts directed to be paid out of this Fund for
17 local officials as authorized or required by statute and
18 (ii) no more than 105% of the actual administrative
19 expenses of the prior fiscal year, including payment of the
20 ordinary and contingent expenses of the Property Tax Appeal
21 Board and payment of the expenses of the Department of
22 Revenue incurred in administering the collection and
23 distribution of moneys paid into the Fund; or (f) for
24 fiscal years 2012 and 2013 only, a sufficient amount to pay
25 stipends, additional compensation, salary reimbursements,
26 and other amounts directed to be paid out of this Fund for

1 regional offices and officials as authorized or required by
2 statute. Such portion of the fund shall be determined after
3 the transfer into the General Revenue Fund due to refunds,
4 if any, paid from the General Revenue Fund during the
5 preceding quarter. If at any time, for any reason, there is
6 insufficient amount in the Personal Property Tax
7 Replacement Fund for payments for regional offices and
8 officials or local officials or payment of costs of
9 administration or for transfers due to refunds at the end
10 of any particular month, the amount of such insufficiency
11 shall be carried over for the purposes of payments for
12 regional offices and officials, local officials, transfers
13 into the General Revenue Fund, and costs of administration
14 to the following month or months. Net replacement revenue
15 held, and defined above, shall be transferred by the
16 Treasurer and Comptroller to the Personal Property Tax
17 Replacement Fund within 10 days of such certification.

18 (2) Each quarterly allocation shall first be
19 apportioned in the following manner: 51.65% for taxing
20 districts in Cook County and 48.35% for taxing districts in
21 the remainder of the State.

22 The Personal Property Replacement Ratio of each taxing
23 district outside Cook County shall be the ratio which the Tax
24 Base of that taxing district bears to the Downstate Tax Base.
25 The Tax Base of each taxing district outside of Cook County is
26 the personal property tax collections for that taxing district

1 for the 1977 tax year. The Downstate Tax Base is the personal
2 property tax collections for all taxing districts in the State
3 outside of Cook County for the 1977 tax year. The Department of
4 Revenue shall have authority to review for accuracy and
5 completeness the personal property tax collections for each
6 taxing district outside Cook County for the 1977 tax year.

7 The Personal Property Replacement Ratio of each Cook County
8 taxing district shall be the ratio which the Tax Base of that
9 taxing district bears to the Cook County Tax Base. The Tax Base
10 of each Cook County taxing district is the personal property
11 tax collections for that taxing district for the 1976 tax year.
12 The Cook County Tax Base is the personal property tax
13 collections for all taxing districts in Cook County for the
14 1976 tax year. The Department of Revenue shall have authority
15 to review for accuracy and completeness the personal property
16 tax collections for each taxing district within Cook County for
17 the 1976 tax year.

18 For all purposes of this Section 12, amounts paid to a
19 taxing district for such tax years as may be applicable by a
20 foreign corporation under the provisions of Section 7-202 of
21 the Public Utilities Act, as amended, shall be deemed to be
22 personal property taxes collected by such taxing district for
23 such tax years as may be applicable. The Director shall
24 determine from the Illinois Commerce Commission, for any tax
25 year as may be applicable, the amounts so paid by any such
26 foreign corporation to any and all taxing districts. The

1 Illinois Commerce Commission shall furnish such information to
2 the Director. For all purposes of this Section 12, the Director
3 shall deem such amounts to be collected personal property taxes
4 of each such taxing district for the applicable tax year or
5 years.

6 Taxing districts located both in Cook County and in one or
7 more other counties shall receive both a Cook County allocation
8 and a Downstate allocation determined in the same way as all
9 other taxing districts.

10 If any taxing district in existence on July 1, 1979 ceases
11 to exist, or discontinues its operations, its Tax Base shall
12 thereafter be deemed to be zero. If the powers, duties and
13 obligations of the discontinued taxing district are assumed by
14 another taxing district, the Tax Base of the discontinued
15 taxing district shall be added to the Tax Base of the taxing
16 district assuming such powers, duties and obligations.

17 If two or more taxing districts in existence on July 1,
18 1979, or a successor or successors thereto shall consolidate
19 into one taxing district, the Tax Base of such consolidated
20 taxing district shall be the sum of the Tax Bases of each of
21 the taxing districts which have consolidated.

22 If a single taxing district in existence on July 1, 1979,
23 or a successor or successors thereto shall be divided into two
24 or more separate taxing districts, the tax base of the taxing
25 district so divided shall be allocated to each of the resulting
26 taxing districts in proportion to the then current equalized

1 assessed value of each resulting taxing district.

2 If a portion of the territory of a taxing district is
3 disconnected and annexed to another taxing district of the same
4 type, the Tax Base of the taxing district from which
5 disconnection was made shall be reduced in proportion to the
6 then current equalized assessed value of the disconnected
7 territory as compared with the then current equalized assessed
8 value within the entire territory of the taxing district prior
9 to disconnection, and the amount of such reduction shall be
10 added to the Tax Base of the taxing district to which
11 annexation is made.

12 If a community college district is created after July 1,
13 1979, beginning on the effective date of this amendatory Act of
14 1995, its Tax Base shall be 3.5% of the sum of the personal
15 property tax collected for the 1977 tax year within the
16 territorial jurisdiction of the district.

17 The amounts allocated and paid to taxing districts pursuant
18 to the provisions of this amendatory Act of 1979 shall be
19 deemed to be substitute revenues for the revenues derived from
20 taxes imposed on personal property pursuant to the provisions
21 of the "Revenue Act of 1939" or "An Act for the assessment and
22 taxation of private car line companies", approved July 22,
23 1943, as amended, or Section 414 of the Illinois Insurance
24 Code, prior to the abolition of such taxes and shall be used
25 for the same purposes as the revenues derived from ad valorem
26 taxes on real estate.

1 Monies received by any taxing districts from the Personal
2 Property Tax Replacement Fund shall be first applied toward
3 payment of the proportionate amount of debt service which was
4 previously levied and collected from extensions against
5 personal property on bonds outstanding as of December 31, 1978
6 and next applied toward payment of the proportionate share of
7 the pension or retirement obligations of the taxing district
8 which were previously levied and collected from extensions
9 against personal property. For each such outstanding bond
10 issue, the County Clerk shall determine the percentage of the
11 debt service which was collected from extensions against real
12 estate in the taxing district for 1978 taxes payable in 1979,
13 as related to the total amount of such levies and collections
14 from extensions against both real and personal property. For
15 1979 and subsequent years' taxes, the County Clerk shall levy
16 and extend taxes against the real estate of each taxing
17 district which will yield the said percentage or percentages of
18 the debt service on such outstanding bonds. The balance of the
19 amount necessary to fully pay such debt service shall
20 constitute a first and prior lien upon the monies received by
21 each such taxing district through the Personal Property Tax
22 Replacement Fund and shall be first applied or set aside for
23 such purpose. In counties having fewer than 3,000,000
24 inhabitants, the amendments to this paragraph as made by this
25 amendatory Act of 1980 shall be first applicable to 1980 taxes
26 to be collected in 1981.

1 (Source: P.A. 97-72, eff. 7-1-11; 97-619, eff. 11-14-11;
2 97-732, eff. 6-30-12; 98-24, eff. 6-19-13; 98-674, eff.
3 6-30-14.)

4 Section 5-25. The General Obligation Bond Act is amended by
5 changing Section 15 as follows:

6 (30 ILCS 330/15) (from Ch. 127, par. 665)

7 Sec. 15. Computation of Principal and Interest; transfers.

8 (a) Upon each delivery of Bonds authorized to be issued
9 under this Act, the Comptroller shall compute and certify to
10 the Treasurer the total amount of principal of, interest on,
11 and premium, if any, on Bonds issued that will be payable in
12 order to retire such Bonds, the amount of principal of,
13 interest on and premium, if any, on such Bonds that will be
14 payable on each payment date according to the tenor of such
15 Bonds during the then current and each succeeding fiscal year,
16 and the amount of sinking fund payments needed to be deposited
17 in connection with Qualified School Construction Bonds
18 authorized by subsection (e) of Section 9. With respect to the
19 interest payable on variable rate bonds, such certifications
20 shall be calculated at the maximum rate of interest that may be
21 payable during the fiscal year, after taking into account any
22 credits permitted in the related indenture or other instrument
23 against the amount of such interest required to be appropriated
24 for such period pursuant to subsection (c) of Section 14 of

1 this Act. With respect to the interest payable, such
2 certifications shall include the amounts certified by the
3 Director of the Governor's Office of Management and Budget
4 under subsection (b) of Section 9 of this Act.

5 On or before the last day of each month the State Treasurer
6 and Comptroller shall transfer from (1) the Road Fund with
7 respect to Bonds issued under paragraph (a) of Section 4 of
8 this Act or Bonds issued for the purpose of refunding such
9 bonds, and from (2) the General Revenue Fund, with respect to
10 all other Bonds issued under this Act, to the General
11 Obligation Bond Retirement and Interest Fund an amount
12 sufficient to pay the aggregate of the principal of, interest
13 on, and premium, if any, on Bonds payable, by their terms on
14 the next payment date divided by the number of full calendar
15 months between the date of such Bonds and the first such
16 payment date, and thereafter, divided by the number of months
17 between each succeeding payment date after the first. Such
18 computations and transfers shall be made for each series of
19 Bonds issued and delivered. Interest payable on variable rate
20 bonds shall be calculated at the maximum rate of interest that
21 may be payable for the relevant period, after taking into
22 account any credits permitted in the related indenture or other
23 instrument against the amount of such interest required to be
24 appropriated for such period pursuant to subsection (c) of
25 Section 14 of this Act. Computations of interest shall include
26 the amounts certified by the Director of the Governor's Office

1 of Management and Budget under subsection (b) of Section 9 of
2 this Act. Interest for which moneys have already been deposited
3 into the capitalized interest account within the General
4 Obligation Bond Retirement and Interest Fund shall not be
5 included in the calculation of the amounts to be transferred
6 under this subsection. Notwithstanding any other provision in
7 this Section, the transfer provisions provided in this
8 paragraph shall not apply to transfers made in fiscal year 2010
9 or fiscal year 2011 with respect to Bonds issued in fiscal year
10 2010 or fiscal year 2011 pursuant to Section 7.2 of this Act.
11 In the case of transfers made in fiscal year 2010 or fiscal
12 year 2011 with respect to the Bonds issued in fiscal year 2010
13 or fiscal year 2011 pursuant to Section 7.2 of this Act, on or
14 before the 15th day of the month prior to the required debt
15 service payment, the State Treasurer and Comptroller shall
16 transfer from the General Revenue Fund to the General
17 Obligation Bond Retirement and Interest Fund an amount
18 sufficient to pay the aggregate of the principal of, interest
19 on, and premium, if any, on the Bonds payable in that next
20 month.

21 The transfer of monies herein and above directed is not
22 required if monies in the General Obligation Bond Retirement
23 and Interest Fund are more than the amount otherwise to be
24 transferred as herein above provided, and if the Governor or
25 his authorized representative notifies the State Treasurer and
26 Comptroller of such fact in writing.

1 (b) After the effective date of this Act, the balance of,
2 and monies directed to be included in the Capital Development
3 Bond Retirement and Interest Fund, Anti-Pollution Bond
4 Retirement and Interest Fund, Transportation Bond, Series A
5 Retirement and Interest Fund, Transportation Bond, Series B
6 Retirement and Interest Fund, and Coal Development Bond
7 Retirement and Interest Fund shall be transferred to and
8 deposited in the General Obligation Bond Retirement and
9 Interest Fund. This Fund shall be used to make debt service
10 payments on the State's general obligation Bonds heretofore
11 issued which are now outstanding and payable from the Funds
12 herein listed as well as on Bonds issued under this Act.

13 (c) Except as otherwise provided in Section 22-3 of the
14 Military Code of Illinois, the ~~The~~ unused portion of federal
15 funds received for, or as a reimbursement for, a capital
16 facilities project, as authorized by Section 3 of this Act, for
17 which monies from the Capital Development Fund have been
18 expended shall remain in the Capital Development Board
19 Contributory Trust Fund and shall be used for capital projects
20 and for no other purpose, subject to appropriation and as
21 directed by the Capital Development Board. ~~Any federal funds~~
22 ~~received as reimbursement for the completed construction of a~~
23 ~~capital facilities project, as authorized by Section 3 of this~~
24 ~~Act, for which monies from the Capital Development Fund have~~
25 ~~been expended shall be deposited in the General Obligation Bond~~
26 ~~Retirement and Interest Fund.~~

1 (Source: P.A. 98-245, eff. 1-1-14.)

2 Section 5-30. The Capital Development Bond Act of 1972 is
3 amended by changing Section 9a as follows:

4 (30 ILCS 420/9a) (from Ch. 127, par. 759a)

5 Sec. 9a. Except as otherwise provided in Section 22-3 of
6 the Military Code of Illinois, the ~~The~~ unused portion of
7 federal funds received for, or as a reimbursement for, a
8 capital improvement project for which moneys from the Capital
9 Development Fund have been expended shall remain in the Capital
10 Development Board Contributory Trust Fund and shall be used for
11 capital projects and for no other purpose, subject to
12 appropriation and as directed by the Capital Development Board.
13 ~~Any federal funds received as reimbursement for the completed~~
14 ~~construction of a capital improvement project for which moneys~~
15 ~~from the Capital Development Fund have been expended shall be~~
16 ~~deposited in the Capital Development Bond Retirement and~~
17 ~~Interest Fund.~~

18 (Source: P.A. 98-245, eff. 1-1-14.)

19 Section 5-35. The Illinois Coal Technology Development
20 Assistance Act is amended by changing Section 4 as follows:

21 (30 ILCS 730/4) (from Ch. 96 1/2, par. 8204)

22 Sec. 4. Expenditures from Coal Technology Development

1 Assistance Fund.

2 (a) The contents of the Coal Technology Development
3 Assistance Fund may be expended, subject to appropriation by
4 the General Assembly, in such amounts and at such times as the
5 Department, with the advice and recommendation of the Board,
6 may deem necessary or desirable for the purposes of this Act.

7 (b) The Department shall develop a written plan containing
8 measurable 3-year and 10-year goals and objectives in regard to
9 the funding of coal research and coal demonstration and
10 commercialization projects, and programs designed to preserve
11 and enhance markets for Illinois coal. In developing these
12 goals and objectives, the Department shall consider and
13 determine the appropriate balance for the achievement of
14 near-term and long-term goals and objectives and of ensuring
15 the timely commercial application of cost-effective
16 technologies or energy and chemical production processes or
17 systems utilizing coal. The Department shall develop the
18 initial goals and objectives no later than December 1, 1993,
19 and develop revised goals and objectives no later than July 1
20 annually thereafter.

21 (c) (Blank).

22 (d) Subject to appropriation, the Department of Natural
23 Resources may use moneys in the Coal Technology Development
24 Assistance Fund to administer its responsibilities under the
25 Surface Coal Mining Land Conservation and Reclamation Act.

26 (Source: P.A. 89-499, eff. 6-28-96; 90-348, eff. 1-1-98;

1 90-372, eff. 7-1-98; 90-655, eff. 7-30-98.)

2 Section 5-40. The Illinois Police Training Act is amended
3 by changing Section 9 as follows:

4 (50 ILCS 705/9) (from Ch. 85, par. 509)

5 Sec. 9. A special fund is hereby established in the State
6 Treasury to be known as the Traffic and Criminal Conviction
7 Surcharge Fund and shall be financed as provided in Section 9.1
8 of this Act and Section 5-9-1 of the Unified Code of
9 Corrections, unless the fines, costs, or additional amounts
10 imposed are subject to disbursement by the circuit clerk under
11 Section 27.5 of the Clerks of Courts Act. Moneys in this Fund
12 shall be expended as follows:

13 (1) a portion of the total amount deposited in the Fund
14 may be used, as appropriated by the General Assembly, for
15 the ordinary and contingent expenses of the Illinois Law
16 Enforcement Training Standards Board;

17 (2) a portion of the total amount deposited in the Fund
18 shall be appropriated for the reimbursement of local
19 governmental agencies participating in training programs
20 certified by the Board, in an amount equaling 1/2 of the
21 total sum paid by such agencies during the State's previous
22 fiscal year for mandated training for probationary police
23 officers or probationary county corrections officers and
24 for optional advanced and specialized law enforcement or

1 county corrections training; these reimbursements may
2 include the costs for tuition at training schools, the
3 salaries of trainees while in schools, and the necessary
4 travel and room and board expenses for each trainee; if the
5 appropriations under this paragraph (2) are not sufficient
6 to fully reimburse the participating local governmental
7 agencies, the available funds shall be apportioned among
8 such agencies, with priority first given to repayment of
9 the costs of mandatory training given to law enforcement
10 officer or county corrections officer recruits, then to
11 repayment of costs of advanced or specialized training for
12 permanent police officers or permanent county corrections
13 officers;

14 (3) a portion of the total amount deposited in the Fund
15 may be used to fund the Intergovernmental Law Enforcement
16 Officer's In-Service Training Act, veto overridden October
17 29, 1981, as now or hereafter amended, at a rate and method
18 to be determined by the board;

19 (4) a portion of the Fund also may be used by the
20 Illinois Department of State Police for expenses incurred
21 in the training of employees from any State, county or
22 municipal agency whose function includes enforcement of
23 criminal or traffic law;

24 (5) a portion of the Fund may be used by the Board to
25 fund grant-in-aid programs and services for the training of
26 employees from any county or municipal agency whose

1 functions include corrections or the enforcement of
2 criminal or traffic law;

3 (6) for fiscal years 2013 through 2017 ~~, 2014, and 2015~~
4 only, a portion of the Fund also may be used by the
5 Department of State Police to finance any of its lawful
6 purposes or functions; and

7 (7) a portion of the Fund may be used by the Board,
8 subject to appropriation, to administer grants to local law
9 enforcement agencies for the purpose of purchasing
10 bulletproof vests under the Law Enforcement Officer
11 Bulletproof Vest Act.

12 All payments from the Traffic and Criminal Conviction
13 Surcharge Fund shall be made each year from moneys appropriated
14 for the purposes specified in this Section. No more than 50% of
15 any appropriation under this Act shall be spent in any city
16 having a population of more than 500,000. The State Comptroller
17 and the State Treasurer shall from time to time, at the
18 direction of the Governor, transfer from the Traffic and
19 Criminal Conviction Surcharge Fund to the General Revenue Fund
20 in the State Treasury such amounts as the Governor determines
21 are in excess of the amounts required to meet the obligations
22 of the Traffic and Criminal Conviction Surcharge Fund.

23 (Source: P.A. 98-24, eff. 6-19-13; 98-674, eff. 6-30-14;
24 98-743, eff. 1-1-15; 99-78, eff. 7-20-15.)

25 Section 5-45. The Law Enforcement Camera Grant Act is

1 amended by changing Section 25 as follows:

2 (50 ILCS 707/25)

3 Sec. 25. No fund sweep. Notwithstanding any other provision
4 of law, moneys in the Law Enforcement Camera Grant Fund may not
5 be appropriated, assigned, or transferred to another State
6 fund, except that, notwithstanding any other provision of law,
7 in addition to any other transfers that may be provided by law,
8 on the effective date of this amendatory Act of the 99th
9 General Assembly, or as soon thereafter as practical, the State
10 Comptroller shall direct and the State Treasurer shall transfer
11 the sum of \$2,000,000 from the Law Enforcement Camera Grant
12 Fund to the Traffic and Criminal Conviction Surcharge Fund.

13 (Source: P.A. 99-352, eff. 1-1-16.)

14 Section 5-50. The School Code is amended by changing
15 Section 18-8.05 as follows:

16 (105 ILCS 5/18-8.05)

17 Sec. 18-8.05. Basis for apportionment of general State
18 financial aid and supplemental general State aid to the common
19 schools for the 1998-1999 and subsequent school years.

20 (A) General Provisions.

21 (1) The provisions of this Section apply to the 1998-1999
22 and subsequent school years. The system of general State

1 financial aid provided for in this Section is designed to
2 assure that, through a combination of State financial aid and
3 required local resources, the financial support provided each
4 pupil in Average Daily Attendance equals or exceeds a
5 prescribed per pupil Foundation Level. This formula approach
6 imputes a level of per pupil Available Local Resources and
7 provides for the basis to calculate a per pupil level of
8 general State financial aid that, when added to Available Local
9 Resources, equals or exceeds the Foundation Level. The amount
10 of per pupil general State financial aid for school districts,
11 in general, varies in inverse relation to Available Local
12 Resources. Per pupil amounts are based upon each school
13 district's Average Daily Attendance as that term is defined in
14 this Section.

15 (2) In addition to general State financial aid, school
16 districts with specified levels or concentrations of pupils
17 from low income households are eligible to receive supplemental
18 general State financial aid grants as provided pursuant to
19 subsection (H). The supplemental State aid grants provided for
20 school districts under subsection (H) shall be appropriated for
21 distribution to school districts as part of the same line item
22 in which the general State financial aid of school districts is
23 appropriated under this Section.

24 (3) To receive financial assistance under this Section,
25 school districts are required to file claims with the State
26 Board of Education, subject to the following requirements:

1 (a) Any school district which fails for any given
2 school year to maintain school as required by law, or to
3 maintain a recognized school is not eligible to file for
4 such school year any claim upon the Common School Fund. In
5 case of nonrecognition of one or more attendance centers in
6 a school district otherwise operating recognized schools,
7 the claim of the district shall be reduced in the
8 proportion which the Average Daily Attendance in the
9 attendance center or centers bear to the Average Daily
10 Attendance in the school district. A "recognized school"
11 means any public school which meets the standards as
12 established for recognition by the State Board of
13 Education. A school district or attendance center not
14 having recognition status at the end of a school term is
15 entitled to receive State aid payments due upon a legal
16 claim which was filed while it was recognized.

17 (b) School district claims filed under this Section are
18 subject to Sections 18-9 and 18-12, except as otherwise
19 provided in this Section.

20 (c) If a school district operates a full year school
21 under Section 10-19.1, the general State aid to the school
22 district shall be determined by the State Board of
23 Education in accordance with this Section as near as may be
24 applicable.

25 (d) (Blank).

26 (4) Except as provided in subsections (H) and (L), the

1 board of any district receiving any of the grants provided for
2 in this Section may apply those funds to any fund so received
3 for which that board is authorized to make expenditures by law.

4 School districts are not required to exert a minimum
5 Operating Tax Rate in order to qualify for assistance under
6 this Section.

7 (5) As used in this Section the following terms, when
8 capitalized, shall have the meaning ascribed herein:

9 (a) "Average Daily Attendance": A count of pupil
10 attendance in school, averaged as provided for in
11 subsection (C) and utilized in deriving per pupil financial
12 support levels.

13 (b) "Available Local Resources": A computation of
14 local financial support, calculated on the basis of Average
15 Daily Attendance and derived as provided pursuant to
16 subsection (D).

17 (c) "Corporate Personal Property Replacement Taxes":
18 Funds paid to local school districts pursuant to "An Act in
19 relation to the abolition of ad valorem personal property
20 tax and the replacement of revenues lost thereby, and
21 amending and repealing certain Acts and parts of Acts in
22 connection therewith", certified August 14, 1979, as
23 amended (Public Act 81-1st S.S.-1).

24 (d) "Foundation Level": A prescribed level of per pupil
25 financial support as provided for in subsection (B).

26 (e) "Operating Tax Rate": All school district property

1 taxes extended for all purposes, except Bond and Interest,
2 Summer School, Rent, Capital Improvement, and Vocational
3 Education Building purposes.

4 (B) Foundation Level.

5 (1) The Foundation Level is a figure established by the
6 State representing the minimum level of per pupil financial
7 support that should be available to provide for the basic
8 education of each pupil in Average Daily Attendance. As set
9 forth in this Section, each school district is assumed to exert
10 a sufficient local taxing effort such that, in combination with
11 the aggregate of general State financial aid provided the
12 district, an aggregate of State and local resources are
13 available to meet the basic education needs of pupils in the
14 district.

15 (2) For the 1998-1999 school year, the Foundation Level of
16 support is \$4,225. For the 1999-2000 school year, the
17 Foundation Level of support is \$4,325. For the 2000-2001 school
18 year, the Foundation Level of support is \$4,425. For the
19 2001-2002 school year and 2002-2003 school year, the Foundation
20 Level of support is \$4,560. For the 2003-2004 school year, the
21 Foundation Level of support is \$4,810. For the 2004-2005 school
22 year, the Foundation Level of support is \$4,964. For the
23 2005-2006 school year, the Foundation Level of support is
24 \$5,164. For the 2006-2007 school year, the Foundation Level of
25 support is \$5,334. For the 2007-2008 school year, the

1 Foundation Level of support is \$5,734. For the 2008-2009 school
2 year, the Foundation Level of support is \$5,959.

3 (3) For the 2009-2010 school year and each school year
4 thereafter, the Foundation Level of support is \$6,119 or such
5 greater amount as may be established by law by the General
6 Assembly.

7 (C) Average Daily Attendance.

8 (1) For purposes of calculating general State aid pursuant
9 to subsection (E), an Average Daily Attendance figure shall be
10 utilized. The Average Daily Attendance figure for formula
11 calculation purposes shall be the monthly average of the actual
12 number of pupils in attendance of each school district, as
13 further averaged for the best 3 months of pupil attendance for
14 each school district. In compiling the figures for the number
15 of pupils in attendance, school districts and the State Board
16 of Education shall, for purposes of general State aid funding,
17 conform attendance figures to the requirements of subsection
18 (F).

19 (2) The Average Daily Attendance figures utilized in
20 subsection (E) shall be the requisite attendance data for the
21 school year immediately preceding the school year for which
22 general State aid is being calculated or the average of the
23 attendance data for the 3 preceding school years, whichever is
24 greater. The Average Daily Attendance figures utilized in
25 subsection (H) shall be the requisite attendance data for the

1 school year immediately preceding the school year for which
2 general State aid is being calculated.

3 (D) Available Local Resources.

4 (1) For purposes of calculating general State aid pursuant
5 to subsection (E), a representation of Available Local
6 Resources per pupil, as that term is defined and determined in
7 this subsection, shall be utilized. Available Local Resources
8 per pupil shall include a calculated dollar amount representing
9 local school district revenues from local property taxes and
10 from Corporate Personal Property Replacement Taxes, expressed
11 on the basis of pupils in Average Daily Attendance. Calculation
12 of Available Local Resources shall exclude any tax amnesty
13 funds received as a result of Public Act 93-26.

14 (2) In determining a school district's revenue from local
15 property taxes, the State Board of Education shall utilize the
16 equalized assessed valuation of all taxable property of each
17 school district as of September 30 of the previous year. The
18 equalized assessed valuation utilized shall be obtained and
19 determined as provided in subsection (G).

20 (3) For school districts maintaining grades kindergarten
21 through 12, local property tax revenues per pupil shall be
22 calculated as the product of the applicable equalized assessed
23 valuation for the district multiplied by 3.00%, and divided by
24 the district's Average Daily Attendance figure. For school
25 districts maintaining grades kindergarten through 8, local

1 property tax revenues per pupil shall be calculated as the
2 product of the applicable equalized assessed valuation for the
3 district multiplied by 2.30%, and divided by the district's
4 Average Daily Attendance figure. For school districts
5 maintaining grades 9 through 12, local property tax revenues
6 per pupil shall be the applicable equalized assessed valuation
7 of the district multiplied by 1.05%, and divided by the
8 district's Average Daily Attendance figure.

9 For partial elementary unit districts created pursuant to
10 Article 11E of this Code, local property tax revenues per pupil
11 shall be calculated as the product of the equalized assessed
12 valuation for property within the partial elementary unit
13 district for elementary purposes, as defined in Article 11E of
14 this Code, multiplied by 2.06% and divided by the district's
15 Average Daily Attendance figure, plus the product of the
16 equalized assessed valuation for property within the partial
17 elementary unit district for high school purposes, as defined
18 in Article 11E of this Code, multiplied by 0.94% and divided by
19 the district's Average Daily Attendance figure.

20 (4) The Corporate Personal Property Replacement Taxes paid
21 to each school district during the calendar year one year
22 before the calendar year in which a school year begins, divided
23 by the Average Daily Attendance figure for that district, shall
24 be added to the local property tax revenues per pupil as
25 derived by the application of the immediately preceding
26 paragraph (3). The sum of these per pupil figures for each

1 school district shall constitute Available Local Resources as
2 that term is utilized in subsection (E) in the calculation of
3 general State aid.

4 (E) Computation of General State Aid.

5 (1) For each school year, the amount of general State aid
6 allotted to a school district shall be computed by the State
7 Board of Education as provided in this subsection.

8 (2) For any school district for which Available Local
9 Resources per pupil is less than the product of 0.93 times the
10 Foundation Level, general State aid for that district shall be
11 calculated as an amount equal to the Foundation Level minus
12 Available Local Resources, multiplied by the Average Daily
13 Attendance of the school district.

14 (3) For any school district for which Available Local
15 Resources per pupil is equal to or greater than the product of
16 0.93 times the Foundation Level and less than the product of
17 1.75 times the Foundation Level, the general State aid per
18 pupil shall be a decimal proportion of the Foundation Level
19 derived using a linear algorithm. Under this linear algorithm,
20 the calculated general State aid per pupil shall decline in
21 direct linear fashion from 0.07 times the Foundation Level for
22 a school district with Available Local Resources equal to the
23 product of 0.93 times the Foundation Level, to 0.05 times the
24 Foundation Level for a school district with Available Local
25 Resources equal to the product of 1.75 times the Foundation

1 Level. The allocation of general State aid for school districts
2 subject to this paragraph 3 shall be the calculated general
3 State aid per pupil figure multiplied by the Average Daily
4 Attendance of the school district.

5 (4) For any school district for which Available Local
6 Resources per pupil equals or exceeds the product of 1.75 times
7 the Foundation Level, the general State aid for the school
8 district shall be calculated as the product of \$218 multiplied
9 by the Average Daily Attendance of the school district.

10 (5) The amount of general State aid allocated to a school
11 district for the 1999-2000 school year meeting the requirements
12 set forth in paragraph (4) of subsection (G) shall be increased
13 by an amount equal to the general State aid that would have
14 been received by the district for the 1998-1999 school year by
15 utilizing the Extension Limitation Equalized Assessed
16 Valuation as calculated in paragraph (4) of subsection (G) less
17 the general State aid allotted for the 1998-1999 school year.
18 This amount shall be deemed a one time increase, and shall not
19 affect any future general State aid allocations.

20 (F) Compilation of Average Daily Attendance.

21 (1) Each school district shall, by July 1 of each year,
22 submit to the State Board of Education, on forms prescribed by
23 the State Board of Education, attendance figures for the school
24 year that began in the preceding calendar year. The attendance
25 information so transmitted shall identify the average daily

1 attendance figures for each month of the school year. Beginning
2 with the general State aid claim form for the 2002-2003 school
3 year, districts shall calculate Average Daily Attendance as
4 provided in subdivisions (a), (b), and (c) of this paragraph
5 (1).

6 (a) In districts that do not hold year-round classes,
7 days of attendance in August shall be added to the month of
8 September and any days of attendance in June shall be added
9 to the month of May.

10 (b) In districts in which all buildings hold year-round
11 classes, days of attendance in July and August shall be
12 added to the month of September and any days of attendance
13 in June shall be added to the month of May.

14 (c) In districts in which some buildings, but not all,
15 hold year-round classes, for the non-year-round buildings,
16 days of attendance in August shall be added to the month of
17 September and any days of attendance in June shall be added
18 to the month of May. The average daily attendance for the
19 year-round buildings shall be computed as provided in
20 subdivision (b) of this paragraph (1). To calculate the
21 Average Daily Attendance for the district, the average
22 daily attendance for the year-round buildings shall be
23 multiplied by the days in session for the non-year-round
24 buildings for each month and added to the monthly
25 attendance of the non-year-round buildings.

26 Except as otherwise provided in this Section, days of

1 attendance by pupils shall be counted only for sessions of not
2 less than 5 clock hours of school work per day under direct
3 supervision of: (i) teachers, or (ii) non-teaching personnel or
4 volunteer personnel when engaging in non-teaching duties and
5 supervising in those instances specified in subsection (a) of
6 Section 10-22.34 and paragraph 10 of Section 34-18, with pupils
7 of legal school age and in kindergarten and grades 1 through
8 12. Days of attendance by pupils through verified participation
9 in an e-learning program approved by the State Board of
10 Education under Section 10-20.56 of the Code shall be
11 considered as full days of attendance for purposes of this
12 Section.

13 Days of attendance by tuition pupils shall be accredited
14 only to the districts that pay the tuition to a recognized
15 school.

16 (2) Days of attendance by pupils of less than 5 clock hours
17 of school shall be subject to the following provisions in the
18 compilation of Average Daily Attendance.

19 (a) Pupils regularly enrolled in a public school for
20 only a part of the school day may be counted on the basis
21 of 1/6 day for every class hour of instruction of 40
22 minutes or more attended pursuant to such enrollment,
23 unless a pupil is enrolled in a block-schedule format of 80
24 minutes or more of instruction, in which case the pupil may
25 be counted on the basis of the proportion of minutes of
26 school work completed each day to the minimum number of

1 minutes that school work is required to be held that day.

2 (b) (Blank).

3 (c) A session of 4 or more clock hours may be counted
4 as a day of attendance upon certification by the regional
5 superintendent, and approved by the State Superintendent
6 of Education to the extent that the district has been
7 forced to use daily multiple sessions.

8 (d) A session of 3 or more clock hours may be counted
9 as a day of attendance (1) when the remainder of the school
10 day or at least 2 hours in the evening of that day is
11 utilized for an in-service training program for teachers,
12 up to a maximum of 5 days per school year, provided a
13 district conducts an in-service training program for
14 teachers in accordance with Section 10-22.39 of this Code;
15 or, in lieu of 4 such days, 2 full days may be used, in
16 which event each such day may be counted as a day required
17 for a legal school calendar pursuant to Section 10-19 of
18 this Code; (1.5) when, of the 5 days allowed under item
19 (1), a maximum of 4 days are used for parent-teacher
20 conferences, or, in lieu of 4 such days, 2 full days are
21 used, in which case each such day may be counted as a
22 calendar day required under Section 10-19 of this Code,
23 provided that the full-day, parent-teacher conference
24 consists of (i) a minimum of 5 clock hours of
25 parent-teacher conferences, (ii) both a minimum of 2 clock
26 hours of parent-teacher conferences held in the evening

1 following a full day of student attendance, as specified in
2 subsection (F)(1)(c), and a minimum of 3 clock hours of
3 parent-teacher conferences held on the day immediately
4 following evening parent-teacher conferences, or (iii)
5 multiple parent-teacher conferences held in the evenings
6 following full days of student attendance, as specified in
7 subsection (F)(1)(c), in which the time used for the
8 parent-teacher conferences is equivalent to a minimum of 5
9 clock hours; and (2) when days in addition to those
10 provided in items (1) and (1.5) are scheduled by a school
11 pursuant to its school improvement plan adopted under
12 Article 34 or its revised or amended school improvement
13 plan adopted under Article 2, provided that (i) such
14 sessions of 3 or more clock hours are scheduled to occur at
15 regular intervals, (ii) the remainder of the school days in
16 which such sessions occur are utilized for in-service
17 training programs or other staff development activities
18 for teachers, and (iii) a sufficient number of minutes of
19 school work under the direct supervision of teachers are
20 added to the school days between such regularly scheduled
21 sessions to accumulate not less than the number of minutes
22 by which such sessions of 3 or more clock hours fall short
23 of 5 clock hours. Any full days used for the purposes of
24 this paragraph shall not be considered for computing
25 average daily attendance. Days scheduled for in-service
26 training programs, staff development activities, or

1 parent-teacher conferences may be scheduled separately for
2 different grade levels and different attendance centers of
3 the district.

4 (e) A session of not less than one clock hour of
5 teaching hospitalized or homebound pupils on-site or by
6 telephone to the classroom may be counted as 1/2 day of
7 attendance, however these pupils must receive 4 or more
8 clock hours of instruction to be counted for a full day of
9 attendance.

10 (f) A session of at least 4 clock hours may be counted
11 as a day of attendance for first grade pupils, and pupils
12 in full day kindergartens, and a session of 2 or more hours
13 may be counted as 1/2 day of attendance by pupils in
14 kindergartens which provide only 1/2 day of attendance.

15 (g) For children with disabilities who are below the
16 age of 6 years and who cannot attend 2 or more clock hours
17 because of their disability or immaturity, a session of not
18 less than one clock hour may be counted as 1/2 day of
19 attendance; however for such children whose educational
20 needs so require a session of 4 or more clock hours may be
21 counted as a full day of attendance.

22 (h) A recognized kindergarten which provides for only
23 1/2 day of attendance by each pupil shall not have more
24 than 1/2 day of attendance counted in any one day. However,
25 kindergartens may count 2 1/2 days of attendance in any 5
26 consecutive school days. When a pupil attends such a

1 kindergarten for 2 half days on any one school day, the
2 pupil shall have the following day as a day absent from
3 school, unless the school district obtains permission in
4 writing from the State Superintendent of Education.
5 Attendance at kindergartens which provide for a full day of
6 attendance by each pupil shall be counted the same as
7 attendance by first grade pupils. Only the first year of
8 attendance in one kindergarten shall be counted, except in
9 case of children who entered the kindergarten in their
10 fifth year whose educational development requires a second
11 year of kindergarten as determined under the rules and
12 regulations of the State Board of Education.

13 (i) On the days when the assessment that includes a
14 college and career ready determination is administered
15 under subsection (c) of Section 2-3.64a-5 of this Code, the
16 day of attendance for a pupil whose school day must be
17 shortened to accommodate required testing procedures may
18 be less than 5 clock hours and shall be counted towards the
19 176 days of actual pupil attendance required under Section
20 10-19 of this Code, provided that a sufficient number of
21 minutes of school work in excess of 5 clock hours are first
22 completed on other school days to compensate for the loss
23 of school work on the examination days.

24 (j) Pupils enrolled in a remote educational program
25 established under Section 10-29 of this Code may be counted
26 on the basis of one-fifth day of attendance for every clock

1 hour of instruction attended in the remote educational
2 program, provided that, in any month, the school district
3 may not claim for a student enrolled in a remote
4 educational program more days of attendance than the
5 maximum number of days of attendance the district can claim
6 (i) for students enrolled in a building holding year-round
7 classes if the student is classified as participating in
8 the remote educational program on a year-round schedule or
9 (ii) for students enrolled in a building not holding
10 year-round classes if the student is not classified as
11 participating in the remote educational program on a
12 year-round schedule.

13 (G) Equalized Assessed Valuation Data.

14 (1) For purposes of the calculation of Available Local
15 Resources required pursuant to subsection (D), the State Board
16 of Education shall secure from the Department of Revenue the
17 value as equalized or assessed by the Department of Revenue of
18 all taxable property of every school district, together with
19 (i) the applicable tax rate used in extending taxes for the
20 funds of the district as of September 30 of the previous year
21 and (ii) the limiting rate for all school districts subject to
22 property tax extension limitations as imposed under the
23 Property Tax Extension Limitation Law.

24 The Department of Revenue shall add to the equalized
25 assessed value of all taxable property of each school district

1 situated entirely or partially within a county that is or was
2 subject to the provisions of Section 15-176 or 15-177 of the
3 Property Tax Code (a) an amount equal to the total amount by
4 which the homestead exemption allowed under Section 15-176 or
5 15-177 of the Property Tax Code for real property situated in
6 that school district exceeds the total amount that would have
7 been allowed in that school district if the maximum reduction
8 under Section 15-176 was (i) \$4,500 in Cook County or \$3,500 in
9 all other counties in tax year 2003 or (ii) \$5,000 in all
10 counties in tax year 2004 and thereafter and (b) an amount
11 equal to the aggregate amount for the taxable year of all
12 additional exemptions under Section 15-175 of the Property Tax
13 Code for owners with a household income of \$30,000 or less. The
14 county clerk of any county that is or was subject to the
15 provisions of Section 15-176 or 15-177 of the Property Tax Code
16 shall annually calculate and certify to the Department of
17 Revenue for each school district all homestead exemption
18 amounts under Section 15-176 or 15-177 of the Property Tax Code
19 and all amounts of additional exemptions under Section 15-175
20 of the Property Tax Code for owners with a household income of
21 \$30,000 or less. It is the intent of this paragraph that if the
22 general homestead exemption for a parcel of property is
23 determined under Section 15-176 or 15-177 of the Property Tax
24 Code rather than Section 15-175, then the calculation of
25 Available Local Resources shall not be affected by the
26 difference, if any, between the amount of the general homestead

1 exemption allowed for that parcel of property under Section
2 15-176 or 15-177 of the Property Tax Code and the amount that
3 would have been allowed had the general homestead exemption for
4 that parcel of property been determined under Section 15-175 of
5 the Property Tax Code. It is further the intent of this
6 paragraph that if additional exemptions are allowed under
7 Section 15-175 of the Property Tax Code for owners with a
8 household income of less than \$30,000, then the calculation of
9 Available Local Resources shall not be affected by the
10 difference, if any, because of those additional exemptions.

11 This equalized assessed valuation, as adjusted further by
12 the requirements of this subsection, shall be utilized in the
13 calculation of Available Local Resources.

14 (2) The equalized assessed valuation in paragraph (1) shall
15 be adjusted, as applicable, in the following manner:

16 (a) For the purposes of calculating State aid under
17 this Section, with respect to any part of a school district
18 within a redevelopment project area in respect to which a
19 municipality has adopted tax increment allocation
20 financing pursuant to the Tax Increment Allocation
21 Redevelopment Act, Sections 11-74.4-1 through 11-74.4-11
22 of the Illinois Municipal Code or the Industrial Jobs
23 Recovery Law, Sections 11-74.6-1 through 11-74.6-50 of the
24 Illinois Municipal Code, no part of the current equalized
25 assessed valuation of real property located in any such
26 project area which is attributable to an increase above the

1 total initial equalized assessed valuation of such
2 property shall be used as part of the equalized assessed
3 valuation of the district, until such time as all
4 redevelopment project costs have been paid, as provided in
5 Section 11-74.4-8 of the Tax Increment Allocation
6 Redevelopment Act or in Section 11-74.6-35 of the
7 Industrial Jobs Recovery Law. For the purpose of the
8 equalized assessed valuation of the district, the total
9 initial equalized assessed valuation or the current
10 equalized assessed valuation, whichever is lower, shall be
11 used until such time as all redevelopment project costs
12 have been paid.

13 (b) The real property equalized assessed valuation for
14 a school district shall be adjusted by subtracting from the
15 real property value as equalized or assessed by the
16 Department of Revenue for the district an amount computed
17 by dividing the amount of any abatement of taxes under
18 Section 18-170 of the Property Tax Code by 3.00% for a
19 district maintaining grades kindergarten through 12, by
20 2.30% for a district maintaining grades kindergarten
21 through 8, or by 1.05% for a district maintaining grades 9
22 through 12 and adjusted by an amount computed by dividing
23 the amount of any abatement of taxes under subsection (a)
24 of Section 18-165 of the Property Tax Code by the same
25 percentage rates for district type as specified in this
26 subparagraph (b).

1 (3) For the 1999-2000 school year and each school year
2 thereafter, if a school district meets all of the criteria of
3 this subsection (G) (3), the school district's Available Local
4 Resources shall be calculated under subsection (D) using the
5 district's Extension Limitation Equalized Assessed Valuation
6 as calculated under this subsection (G) (3).

7 For purposes of this subsection (G) (3) the following terms
8 shall have the following meanings:

9 "Budget Year": The school year for which general State
10 aid is calculated and awarded under subsection (E).

11 "Base Tax Year": The property tax levy year used to
12 calculate the Budget Year allocation of general State aid.

13 "Preceding Tax Year": The property tax levy year
14 immediately preceding the Base Tax Year.

15 "Base Tax Year's Tax Extension": The product of the
16 equalized assessed valuation utilized by the County Clerk
17 in the Base Tax Year multiplied by the limiting rate as
18 calculated by the County Clerk and defined in the Property
19 Tax Extension Limitation Law.

20 "Preceding Tax Year's Tax Extension": The product of
21 the equalized assessed valuation utilized by the County
22 Clerk in the Preceding Tax Year multiplied by the Operating
23 Tax Rate as defined in subsection (A).

24 "Extension Limitation Ratio": A numerical ratio,
25 certified by the County Clerk, in which the numerator is
26 the Base Tax Year's Tax Extension and the denominator is

1 the Preceding Tax Year's Tax Extension.

2 "Operating Tax Rate": The operating tax rate as defined
3 in subsection (A).

4 If a school district is subject to property tax extension
5 limitations as imposed under the Property Tax Extension
6 Limitation Law, the State Board of Education shall calculate
7 the Extension Limitation Equalized Assessed Valuation of that
8 district. For the 1999-2000 school year, the Extension
9 Limitation Equalized Assessed Valuation of a school district as
10 calculated by the State Board of Education shall be equal to
11 the product of the district's 1996 Equalized Assessed Valuation
12 and the district's Extension Limitation Ratio. Except as
13 otherwise provided in this paragraph for a school district that
14 has approved or does approve an increase in its limiting rate,
15 for the 2000-2001 school year and each school year thereafter,
16 the Extension Limitation Equalized Assessed Valuation of a
17 school district as calculated by the State Board of Education
18 shall be equal to the product of the Equalized Assessed
19 Valuation last used in the calculation of general State aid and
20 the district's Extension Limitation Ratio. If the Extension
21 Limitation Equalized Assessed Valuation of a school district as
22 calculated under this subsection (G)(3) is less than the
23 district's equalized assessed valuation as calculated pursuant
24 to subsections (G)(1) and (G)(2), then for purposes of
25 calculating the district's general State aid for the Budget
26 Year pursuant to subsection (E), that Extension Limitation

1 Equalized Assessed Valuation shall be utilized to calculate the
2 district's Available Local Resources under subsection (D). For
3 the 2009-2010 school year and each school year thereafter, if a
4 school district has approved or does approve an increase in its
5 limiting rate, pursuant to Section 18-190 of the Property Tax
6 Code, affecting the Base Tax Year, the Extension Limitation
7 Equalized Assessed Valuation of the school district, as
8 calculated by the State Board of Education, shall be equal to
9 the product of the Equalized Assessed Valuation last used in
10 the calculation of general State aid times an amount equal to
11 one plus the percentage increase, if any, in the Consumer Price
12 Index for all Urban Consumers for all items published by the
13 United States Department of Labor for the 12-month calendar
14 year preceding the Base Tax Year, plus the Equalized Assessed
15 Valuation of new property, annexed property, and recovered tax
16 increment value and minus the Equalized Assessed Valuation of
17 disconnected property. New property and recovered tax
18 increment value shall have the meanings set forth in the
19 Property Tax Extension Limitation Law.

20 Partial elementary unit districts created in accordance
21 with Article 11E of this Code shall not be eligible for the
22 adjustment in this subsection (G)(3) until the fifth year
23 following the effective date of the reorganization.

24 (3.5) For the 2010-2011 school year and each school year
25 thereafter, if a school district's boundaries span multiple
26 counties, then the Department of Revenue shall send to the

1 State Board of Education, for the purpose of calculating
2 general State aid, the limiting rate and individual rates by
3 purpose for the county that contains the majority of the school
4 district's Equalized Assessed Valuation.

5 (4) For the purposes of calculating general State aid for
6 the 1999-2000 school year only, if a school district
7 experienced a triennial reassessment on the equalized assessed
8 valuation used in calculating its general State financial aid
9 apportionment for the 1998-1999 school year, the State Board of
10 Education shall calculate the Extension Limitation Equalized
11 Assessed Valuation that would have been used to calculate the
12 district's 1998-1999 general State aid. This amount shall equal
13 the product of the equalized assessed valuation used to
14 calculate general State aid for the 1997-1998 school year and
15 the district's Extension Limitation Ratio. If the Extension
16 Limitation Equalized Assessed Valuation of the school district
17 as calculated under this paragraph (4) is less than the
18 district's equalized assessed valuation utilized in
19 calculating the district's 1998-1999 general State aid
20 allocation, then for purposes of calculating the district's
21 general State aid pursuant to paragraph (5) of subsection (E),
22 that Extension Limitation Equalized Assessed Valuation shall
23 be utilized to calculate the district's Available Local
24 Resources.

25 (5) For school districts having a majority of their
26 equalized assessed valuation in any county except Cook, DuPage,

1 Kane, Lake, McHenry, or Will, if the amount of general State
2 aid allocated to the school district for the 1999-2000 school
3 year under the provisions of subsection (E), (H), and (J) of
4 this Section is less than the amount of general State aid
5 allocated to the district for the 1998-1999 school year under
6 these subsections, then the general State aid of the district
7 for the 1999-2000 school year only shall be increased by the
8 difference between these amounts. The total payments made under
9 this paragraph (5) shall not exceed \$14,000,000. Claims shall
10 be prorated if they exceed \$14,000,000.

11 (H) Supplemental General State Aid.

12 (1) In addition to the general State aid a school district
13 is allotted pursuant to subsection (E), qualifying school
14 districts shall receive a grant, paid in conjunction with a
15 district's payments of general State aid, for supplemental
16 general State aid based upon the concentration level of
17 children from low-income households within the school
18 district. Supplemental State aid grants provided for school
19 districts under this subsection shall be appropriated for
20 distribution to school districts as part of the same line item
21 in which the general State financial aid of school districts is
22 appropriated under this Section.

23 (1.5) This paragraph (1.5) applies only to those school
24 years preceding the 2003-2004 school year. For purposes of this
25 subsection (H), the term "Low-Income Concentration Level"

1 shall be the low-income eligible pupil count from the most
2 recently available federal census divided by the Average Daily
3 Attendance of the school district. If, however, (i) the
4 percentage decrease from the 2 most recent federal censuses in
5 the low-income eligible pupil count of a high school district
6 with fewer than 400 students exceeds by 75% or more the
7 percentage change in the total low-income eligible pupil count
8 of contiguous elementary school districts, whose boundaries
9 are coterminous with the high school district, or (ii) a high
10 school district within 2 counties and serving 5 elementary
11 school districts, whose boundaries are coterminous with the
12 high school district, has a percentage decrease from the 2 most
13 recent federal censuses in the low-income eligible pupil count
14 and there is a percentage increase in the total low-income
15 eligible pupil count of a majority of the elementary school
16 districts in excess of 50% from the 2 most recent federal
17 censuses, then the high school district's low-income eligible
18 pupil count from the earlier federal census shall be the number
19 used as the low-income eligible pupil count for the high school
20 district, for purposes of this subsection (H). The changes made
21 to this paragraph (1) by Public Act 92-28 shall apply to
22 supplemental general State aid grants for school years
23 preceding the 2003-2004 school year that are paid in fiscal
24 year 1999 or thereafter and to any State aid payments made in
25 fiscal year 1994 through fiscal year 1998 pursuant to
26 subsection 1(n) of Section 18-8 of this Code (which was

1 repealed on July 1, 1998), and any high school district that is
2 affected by Public Act 92-28 is entitled to a recomputation of
3 its supplemental general State aid grant or State aid paid in
4 any of those fiscal years. This recomputation shall not be
5 affected by any other funding.

6 (1.10) This paragraph (1.10) applies to the 2003-2004
7 school year and each school year thereafter. For purposes of
8 this subsection (H), the term "Low-Income Concentration Level"
9 shall, for each fiscal year, be the low-income eligible pupil
10 count as of July 1 of the immediately preceding fiscal year (as
11 determined by the Department of Human Services based on the
12 number of pupils who are eligible for at least one of the
13 following low income programs: Medicaid, the Children's Health
14 Insurance Program, TANF, or Food Stamps, excluding pupils who
15 are eligible for services provided by the Department of
16 Children and Family Services, averaged over the 2 immediately
17 preceding fiscal years for fiscal year 2004 and over the 3
18 immediately preceding fiscal years for each fiscal year
19 thereafter) divided by the Average Daily Attendance of the
20 school district.

21 (2) Supplemental general State aid pursuant to this
22 subsection (H) shall be provided as follows for the 1998-1999,
23 1999-2000, and 2000-2001 school years only:

24 (a) For any school district with a Low Income
25 Concentration Level of at least 20% and less than 35%, the
26 grant for any school year shall be \$800 multiplied by the

1 low income eligible pupil count.

2 (b) For any school district with a Low Income
3 Concentration Level of at least 35% and less than 50%, the
4 grant for the 1998-1999 school year shall be \$1,100
5 multiplied by the low income eligible pupil count.

6 (c) For any school district with a Low Income
7 Concentration Level of at least 50% and less than 60%, the
8 grant for the 1998-99 school year shall be \$1,500
9 multiplied by the low income eligible pupil count.

10 (d) For any school district with a Low Income
11 Concentration Level of 60% or more, the grant for the
12 1998-99 school year shall be \$1,900 multiplied by the low
13 income eligible pupil count.

14 (e) For the 1999-2000 school year, the per pupil amount
15 specified in subparagraphs (b), (c), and (d) immediately
16 above shall be increased to \$1,243, \$1,600, and \$2,000,
17 respectively.

18 (f) For the 2000-2001 school year, the per pupil
19 amounts specified in subparagraphs (b), (c), and (d)
20 immediately above shall be \$1,273, \$1,640, and \$2,050,
21 respectively.

22 (2.5) Supplemental general State aid pursuant to this
23 subsection (H) shall be provided as follows for the 2002-2003
24 school year:

25 (a) For any school district with a Low Income
26 Concentration Level of less than 10%, the grant for each

1 school year shall be \$355 multiplied by the low income
2 eligible pupil count.

3 (b) For any school district with a Low Income
4 Concentration Level of at least 10% and less than 20%, the
5 grant for each school year shall be \$675 multiplied by the
6 low income eligible pupil count.

7 (c) For any school district with a Low Income
8 Concentration Level of at least 20% and less than 35%, the
9 grant for each school year shall be \$1,330 multiplied by
10 the low income eligible pupil count.

11 (d) For any school district with a Low Income
12 Concentration Level of at least 35% and less than 50%, the
13 grant for each school year shall be \$1,362 multiplied by
14 the low income eligible pupil count.

15 (e) For any school district with a Low Income
16 Concentration Level of at least 50% and less than 60%, the
17 grant for each school year shall be \$1,680 multiplied by
18 the low income eligible pupil count.

19 (f) For any school district with a Low Income
20 Concentration Level of 60% or more, the grant for each
21 school year shall be \$2,080 multiplied by the low income
22 eligible pupil count.

23 (2.10) Except as otherwise provided, supplemental general
24 State aid pursuant to this subsection (H) shall be provided as
25 follows for the 2003-2004 school year and each school year
26 thereafter:

1 (a) For any school district with a Low Income
2 Concentration Level of 15% or less, the grant for each
3 school year shall be \$355 multiplied by the low income
4 eligible pupil count.

5 (b) For any school district with a Low Income
6 Concentration Level greater than 15%, the grant for each
7 school year shall be \$294.25 added to the product of \$2,700
8 and the square of the Low Income Concentration Level, all
9 multiplied by the low income eligible pupil count.

10 For the 2003-2004 school year and each school year
11 thereafter through the 2008-2009 school year only, the grant
12 shall be no less than the grant for the 2002-2003 school year.
13 For the 2009-2010 school year only, the grant shall be no less
14 than the grant for the 2002-2003 school year multiplied by
15 0.66. For the 2010-2011 school year only, the grant shall be no
16 less than the grant for the 2002-2003 school year multiplied by
17 0.33. Notwithstanding the provisions of this paragraph to the
18 contrary, if for any school year supplemental general State aid
19 grants are prorated as provided in paragraph (1) of this
20 subsection (H), then the grants under this paragraph shall be
21 prorated.

22 For the 2003-2004 school year only, the grant shall be no
23 greater than the grant received during the 2002-2003 school
24 year added to the product of 0.25 multiplied by the difference
25 between the grant amount calculated under subsection (a) or (b)
26 of this paragraph (2.10), whichever is applicable, and the

1 grant received during the 2002-2003 school year. For the
2 2004-2005 school year only, the grant shall be no greater than
3 the grant received during the 2002-2003 school year added to
4 the product of 0.50 multiplied by the difference between the
5 grant amount calculated under subsection (a) or (b) of this
6 paragraph (2.10), whichever is applicable, and the grant
7 received during the 2002-2003 school year. For the 2005-2006
8 school year only, the grant shall be no greater than the grant
9 received during the 2002-2003 school year added to the product
10 of 0.75 multiplied by the difference between the grant amount
11 calculated under subsection (a) or (b) of this paragraph
12 (2.10), whichever is applicable, and the grant received during
13 the 2002-2003 school year.

14 (3) School districts with an Average Daily Attendance of
15 more than 1,000 and less than 50,000 that qualify for
16 supplemental general State aid pursuant to this subsection
17 shall submit a plan to the State Board of Education prior to
18 October 30 of each year for the use of the funds resulting from
19 this grant of supplemental general State aid for the
20 improvement of instruction in which priority is given to
21 meeting the education needs of disadvantaged children. Such
22 plan shall be submitted in accordance with rules and
23 regulations promulgated by the State Board of Education.

24 (4) School districts with an Average Daily Attendance of
25 50,000 or more that qualify for supplemental general State aid
26 pursuant to this subsection shall be required to distribute

1 from funds available pursuant to this Section, no less than
2 \$261,000,000 in accordance with the following requirements:

3 (a) The required amounts shall be distributed to the
4 attendance centers within the district in proportion to the
5 number of pupils enrolled at each attendance center who are
6 eligible to receive free or reduced-price lunches or
7 breakfasts under the federal Child Nutrition Act of 1966
8 and under the National School Lunch Act during the
9 immediately preceding school year.

10 (b) The distribution of these portions of supplemental
11 and general State aid among attendance centers according to
12 these requirements shall not be compensated for or
13 contravened by adjustments of the total of other funds
14 appropriated to any attendance centers, and the Board of
15 Education shall utilize funding from one or several sources
16 in order to fully implement this provision annually prior
17 to the opening of school.

18 (c) Each attendance center shall be provided by the
19 school district a distribution of noncategorical funds and
20 other categorical funds to which an attendance center is
21 entitled under law in order that the general State aid and
22 supplemental general State aid provided by application of
23 this subsection supplements rather than supplants the
24 noncategorical funds and other categorical funds provided
25 by the school district to the attendance centers.

26 (d) Any funds made available under this subsection that

1 by reason of the provisions of this subsection are not
2 required to be allocated and provided to attendance centers
3 may be used and appropriated by the board of the district
4 for any lawful school purpose.

5 (e) Funds received by an attendance center pursuant to
6 this subsection shall be used by the attendance center at
7 the discretion of the principal and local school council
8 for programs to improve educational opportunities at
9 qualifying schools through the following programs and
10 services: early childhood education, reduced class size or
11 improved adult to student classroom ratio, enrichment
12 programs, remedial assistance, attendance improvement, and
13 other educationally beneficial expenditures which
14 supplement the regular and basic programs as determined by
15 the State Board of Education. Funds provided shall not be
16 expended for any political or lobbying purposes as defined
17 by board rule.

18 (f) Each district subject to the provisions of this
19 subdivision (H) (4) shall submit an acceptable plan to meet
20 the educational needs of disadvantaged children, in
21 compliance with the requirements of this paragraph, to the
22 State Board of Education prior to July 15 of each year.
23 This plan shall be consistent with the decisions of local
24 school councils concerning the school expenditure plans
25 developed in accordance with part 4 of Section 34-2.3. The
26 State Board shall approve or reject the plan within 60 days

1 after its submission. If the plan is rejected, the district
2 shall give written notice of intent to modify the plan
3 within 15 days of the notification of rejection and then
4 submit a modified plan within 30 days after the date of the
5 written notice of intent to modify. Districts may amend
6 approved plans pursuant to rules promulgated by the State
7 Board of Education.

8 Upon notification by the State Board of Education that
9 the district has not submitted a plan prior to July 15 or a
10 modified plan within the time period specified herein, the
11 State aid funds affected by that plan or modified plan
12 shall be withheld by the State Board of Education until a
13 plan or modified plan is submitted.

14 If the district fails to distribute State aid to
15 attendance centers in accordance with an approved plan, the
16 plan for the following year shall allocate funds, in
17 addition to the funds otherwise required by this
18 subsection, to those attendance centers which were
19 underfunded during the previous year in amounts equal to
20 such underfunding.

21 For purposes of determining compliance with this
22 subsection in relation to the requirements of attendance
23 center funding, each district subject to the provisions of
24 this subsection shall submit as a separate document by
25 December 1 of each year a report of expenditure data for
26 the prior year in addition to any modification of its

1 current plan. If it is determined that there has been a
2 failure to comply with the expenditure provisions of this
3 subsection regarding contravention or supplanting, the
4 State Superintendent of Education shall, within 60 days of
5 receipt of the report, notify the district and any affected
6 local school council. The district shall within 45 days of
7 receipt of that notification inform the State
8 Superintendent of Education of the remedial or corrective
9 action to be taken, whether by amendment of the current
10 plan, if feasible, or by adjustment in the plan for the
11 following year. Failure to provide the expenditure report
12 or the notification of remedial or corrective action in a
13 timely manner shall result in a withholding of the affected
14 funds.

15 The State Board of Education shall promulgate rules and
16 regulations to implement the provisions of this
17 subsection. No funds shall be released under this
18 subdivision (H) (4) to any district that has not submitted a
19 plan that has been approved by the State Board of
20 Education.

21 (I) (Blank).

22 (J) (Blank).

23 (K) Grants to Laboratory and Alternative Schools.

1 In calculating the amount to be paid to the governing board
2 of a public university that operates a laboratory school under
3 this Section or to any alternative school that is operated by a
4 regional superintendent of schools, the State Board of
5 Education shall require by rule such reporting requirements as
6 it deems necessary.

7 As used in this Section, "laboratory school" means a public
8 school which is created and operated by a public university and
9 approved by the State Board of Education. The governing board
10 of a public university which receives funds from the State
11 Board under this subsection (K) may not increase the number of
12 students enrolled in its laboratory school from a single
13 district, if that district is already sending 50 or more
14 students, except under a mutual agreement between the school
15 board of a student's district of residence and the university
16 which operates the laboratory school. A laboratory school may
17 not have more than 1,000 students, excluding students with
18 disabilities in a special education program.

19 As used in this Section, "alternative school" means a
20 public school which is created and operated by a Regional
21 Superintendent of Schools and approved by the State Board of
22 Education. Such alternative schools may offer courses of
23 instruction for which credit is given in regular school
24 programs, courses to prepare students for the high school
25 equivalency testing program or vocational and occupational
26 training. A regional superintendent of schools may contract

1 with a school district or a public community college district
2 to operate an alternative school. An alternative school serving
3 more than one educational service region may be established by
4 the regional superintendents of schools of the affected
5 educational service regions. An alternative school serving
6 more than one educational service region may be operated under
7 such terms as the regional superintendents of schools of those
8 educational service regions may agree.

9 Each laboratory and alternative school shall file, on forms
10 provided by the State Superintendent of Education, an annual
11 State aid claim which states the Average Daily Attendance of
12 the school's students by month. The best 3 months' Average
13 Daily Attendance shall be computed for each school. The general
14 State aid entitlement shall be computed by multiplying the
15 applicable Average Daily Attendance by the Foundation Level as
16 determined under this Section.

17 (L) Payments, Additional Grants in Aid and Other Requirements.

18 (1) For a school district operating under the financial
19 supervision of an Authority created under Article 34A, the
20 general State aid otherwise payable to that district under this
21 Section, but not the supplemental general State aid, shall be
22 reduced by an amount equal to the budget for the operations of
23 the Authority as certified by the Authority to the State Board
24 of Education, and an amount equal to such reduction shall be
25 paid to the Authority created for such district for its

1 operating expenses in the manner provided in Section 18-11. The
2 remainder of general State school aid for any such district
3 shall be paid in accordance with Article 34A when that Article
4 provides for a disposition other than that provided by this
5 Article.

6 (2) (Blank).

7 (3) Summer school. Summer school payments shall be made as
8 provided in Section 18-4.3.

9 (M) Education Funding Advisory Board.

10 The Education Funding Advisory Board, hereinafter in this
11 subsection (M) referred to as the "Board", is hereby created.
12 The Board shall consist of 5 members who are appointed by the
13 Governor, by and with the advice and consent of the Senate. The
14 members appointed shall include representatives of education,
15 business, and the general public. One of the members so
16 appointed shall be designated by the Governor at the time the
17 appointment is made as the chairperson of the Board. The
18 initial members of the Board may be appointed any time after
19 the effective date of this amendatory Act of 1997. The regular
20 term of each member of the Board shall be for 4 years from the
21 third Monday of January of the year in which the term of the
22 member's appointment is to commence, except that of the 5
23 initial members appointed to serve on the Board, the member who
24 is appointed as the chairperson shall serve for a term that
25 commences on the date of his or her appointment and expires on

1 the third Monday of January, 2002, and the remaining 4 members,
2 by lots drawn at the first meeting of the Board that is held
3 after all 5 members are appointed, shall determine 2 of their
4 number to serve for terms that commence on the date of their
5 respective appointments and expire on the third Monday of
6 January, 2001, and 2 of their number to serve for terms that
7 commence on the date of their respective appointments and
8 expire on the third Monday of January, 2000. All members
9 appointed to serve on the Board shall serve until their
10 respective successors are appointed and confirmed. Vacancies
11 shall be filled in the same manner as original appointments. If
12 a vacancy in membership occurs at a time when the Senate is not
13 in session, the Governor shall make a temporary appointment
14 until the next meeting of the Senate, when he or she shall
15 appoint, by and with the advice and consent of the Senate, a
16 person to fill that membership for the unexpired term. If the
17 Senate is not in session when the initial appointments are
18 made, those appointments shall be made as in the case of
19 vacancies.

20 The Education Funding Advisory Board shall be deemed
21 established, and the initial members appointed by the Governor
22 to serve as members of the Board shall take office, on the date
23 that the Governor makes his or her appointment of the fifth
24 initial member of the Board, whether those initial members are
25 then serving pursuant to appointment and confirmation or
26 pursuant to temporary appointments that are made by the

1 Governor as in the case of vacancies.

2 The State Board of Education shall provide such staff
3 assistance to the Education Funding Advisory Board as is
4 reasonably required for the proper performance by the Board of
5 its responsibilities.

6 For school years after the 2000-2001 school year, the
7 Education Funding Advisory Board, in consultation with the
8 State Board of Education, shall make recommendations as
9 provided in this subsection (M) to the General Assembly for the
10 foundation level under subdivision (B)(3) of this Section and
11 for the supplemental general State aid grant level under
12 subsection (H) of this Section for districts with high
13 concentrations of children from poverty. The recommended
14 foundation level shall be determined based on a methodology
15 which incorporates the basic education expenditures of
16 low-spending schools exhibiting high academic performance. The
17 Education Funding Advisory Board shall make such
18 recommendations to the General Assembly on January 1 of odd
19 numbered years, beginning January 1, 2001.

20 (N) (Blank).

21 (O) References.

22 (1) References in other laws to the various subdivisions of
23 Section 18-8 as that Section existed before its repeal and
24 replacement by this Section 18-8.05 shall be deemed to refer to

1 the corresponding provisions of this Section 18-8.05, to the
2 extent that those references remain applicable.

3 (2) References in other laws to State Chapter 1 funds shall
4 be deemed to refer to the supplemental general State aid
5 provided under subsection (H) of this Section.

6 (P) Public Act 93-838 and Public Act 93-808 make inconsistent
7 changes to this Section. Under Section 6 of the Statute on
8 Statutes there is an irreconcilable conflict between Public Act
9 93-808 and Public Act 93-838. Public Act 93-838, being the last
10 acted upon, is controlling. The text of Public Act 93-838 is
11 the law regardless of the text of Public Act 93-808.

12 (Q) State Fiscal Year 2015 Payments.

13 For payments made for State fiscal year 2015, the State
14 Board of Education shall, for each school district, calculate
15 that district's pro-rata share of a minimum sum of \$13,600,000
16 or additional amounts as needed from the total net General
17 State Aid funding as calculated under this Section that shall
18 be deemed attributable to the provision of special educational
19 facilities and services, as defined in Section 14-1.08 of this
20 Code, in a manner that ensures compliance with maintenance of
21 State financial support requirements under the federal
22 Individuals with Disabilities Education Act. Each school
23 district must use such funds only for the provision of special
24 educational facilities and services, as defined in Section

1 14-1.08 of this Code, and must comply with any expenditure
2 verification procedures adopted by the State Board of
3 Education.

4 (R) State Fiscal Year 2016 Payments.

5 For payments made for State fiscal year 2016, the State
6 Board of Education shall, for each school district, calculate
7 that district's pro rata share of a minimum sum of \$1 or
8 additional amounts as needed from the total net General State
9 Aid funding as calculated under this Section that shall be
10 deemed attributable to the provision of special educational
11 facilities and services, as defined in Section 14-1.08 of this
12 Code, in a manner that ensures compliance with maintenance of
13 State financial support requirements under the federal
14 Individuals with Disabilities Education Act. Each school
15 district must use such funds only for the provision of special
16 educational facilities and services, as defined in Section
17 14-1.08 of this Code, and must comply with any expenditure
18 verification procedures adopted by the State Board of
19 Education.

20 (S) State Fiscal Year 2017 Payments.

21 For payments made for State fiscal year 2017, the State
22 Board of Education shall, for each school district, calculate
23 that district's pro rata share of a minimum sum of \$1 or
24 additional amounts as needed from the total net General State

1 Aid funding as calculated under this Section that shall be
2 deemed attributable to the provision of special educational
3 facilities and services, as defined in Section 14-1.08 of this
4 Code, in a manner that ensures compliance with maintenance of
5 State financial support requirements under the federal
6 Individuals with Disabilities Education Act. Each school
7 district must use such funds only for the provision of special
8 educational facilities and services, as defined in Section
9 14-1.08 of this Code, and must comply with any expenditure
10 verification procedures adopted by the State Board of
11 Education.

12 (Source: P.A. 98-972, eff. 8-15-14; 99-2, eff. 3-26-15; 99-194,
13 eff. 7-30-15.)

14 Section 5-55. The Board of Higher Education Act is amended
15 by adding Section 9.35 as follows:

16 (110 ILCS 205/9.35 new)

17 Sec. 9.35. Allocation for essential operations. For fiscal
18 year 2017 only, the Board of Higher Education may expend funds
19 that are appropriated to the Board of Higher Education for
20 payment to public universities or community colleges for
21 essential operations as determined by the Board of Higher
22 Education pursuant to this Section. The Board of Higher
23 Education shall adopt procedures and criteria for allocation to
24 eligible institutions that request payments for essential

1 operations. These criteria shall include, but are not limited
2 to, a review of financial deficiencies in meeting payroll
3 schedules, debt service payments, critical vendor payments, or
4 diminishing balance levels of unrestricted funds or other
5 sources. Each eligible institution seeking payment for
6 essential operations from the Board of Higher Education shall
7 obtain prior approval from its board of trustees to request
8 funds under this Section. The Illinois Community College Board
9 shall provide its recommendation to the Board of Higher
10 Education for any payments to community colleges prior to
11 consideration by the Board of Higher Education. The Board of
12 Higher Education may enter into intergovernmental agreements
13 with each institution to facilitate payments authorized under
14 this Section. The Board of Higher Education shall notify the
15 Governor, the Director of the Governor's Office of Management
16 and Budget, the President of the Senate, the Speaker of the
17 House of Representatives, the Minority Leader of the Senate,
18 and the Minority Leader of the House of Representatives of the
19 amounts of payments authorized under this Section within 10
20 days after submitting any voucher for payment to the State
21 Comptroller. The State Comptroller, to the extent possible,
22 shall give priority consideration for processing such vouchers
23 for payment as requested by the Board of Higher Education.

24 Section 5-60. The Public Community College Act is amended
25 by changing Section 5-11 and by adding Section 5-13 as follows:

1 (110 ILCS 805/5-11) (from Ch. 122, par. 105-11)

2 Sec. 5-11. Any public community college which subsequent to
3 July 1, 1972, commenced construction of any facilities approved
4 by the State Board and the Illinois Board of Higher Education
5 may, after completion thereof, apply to the State for a grant
6 for expenditures made by the community college from its own
7 funds for building purposes for such facilities in excess of
8 25% of the cost of such facilities as approved by the State
9 Board and the Illinois Board of Higher Education. Such grant
10 shall be contingent upon said community college having
11 otherwise complied with Sections 5-3, 5-4, 5-5 and 5-10 of this
12 Act.

13 If any payments or contributions of any kind which are
14 based upon, or are to be applied to, the cost of such
15 construction are received from the Federal government, or an
16 agency thereof, subsequent to receipt of the grant herein
17 provided, the amount of such subsequent payment or
18 contributions shall be paid over to the Capital Development
19 Board by the community college for deposit in the Capital
20 Development Board Contributory Trust ~~Bond Interest and~~
21 ~~Retirement~~ Fund.

22 (Source: P.A. 80-1200.)

23 (110 ILCS 805/5-13 new)

24 Sec. 5-13. Notwithstanding other provisions in this

1 Article, the costs determined by the Capital Development Board
2 to be directly attributable to the halting of and restarting of
3 a project covered by this Article shall not be included in the
4 basis for determining the community college district's
5 obligation to contribute a percentage of the total amount
6 necessary to finance the project in Sections 5-7, 5-8, and
7 5-11. This Section is repealed on July 1, 2020.

8 ARTICLE 10. RETIREMENT CONTRIBUTIONS

9 Section 10-5. The State Finance Act is amended by changing
10 Sections 8.12 and 14.1 as follows:

11 (30 ILCS 105/8.12) (from Ch. 127, par. 144.12)

12 Sec. 8.12. State Pensions Fund.

13 (a) The moneys in the State Pensions Fund shall be used
14 exclusively for the administration of the Uniform Disposition
15 of Unclaimed Property Act and for the expenses incurred by the
16 Auditor General for administering the provisions of Section
17 2-8.1 of the Illinois State Auditing Act and for the funding of
18 the unfunded liabilities of the designated retirement systems.
19 Beginning in State fiscal year 2018 ~~2017~~, payments to the
20 designated retirement systems under this Section shall be in
21 addition to, and not in lieu of, any State contributions
22 required under the Illinois Pension Code.

23 "Designated retirement systems" means:

1 (1) the State Employees' Retirement System of
2 Illinois;

3 (2) the Teachers' Retirement System of the State of
4 Illinois;

5 (3) the State Universities Retirement System;

6 (4) the Judges Retirement System of Illinois; and

7 (5) the General Assembly Retirement System.

8 (b) Each year the General Assembly may make appropriations
9 from the State Pensions Fund for the administration of the
10 Uniform Disposition of Unclaimed Property Act.

11 Each month, the Commissioner of the Office of Banks and
12 Real Estate shall certify to the State Treasurer the actual
13 expenditures that the Office of Banks and Real Estate incurred
14 conducting unclaimed property examinations under the Uniform
15 Disposition of Unclaimed Property Act during the immediately
16 preceding month. Within a reasonable time following the
17 acceptance of such certification by the State Treasurer, the
18 State Treasurer shall pay from its appropriation from the State
19 Pensions Fund to the Bank and Trust Company Fund, the Savings
20 Bank Regulatory Fund, and the Residential Finance Regulatory
21 Fund an amount equal to the expenditures incurred by each Fund
22 for that month.

23 Each month, the Director of Financial Institutions shall
24 certify to the State Treasurer the actual expenditures that the
25 Department of Financial Institutions incurred conducting
26 unclaimed property examinations under the Uniform Disposition

1 of Unclaimed Property Act during the immediately preceding
2 month. Within a reasonable time following the acceptance of
3 such certification by the State Treasurer, the State Treasurer
4 shall pay from its appropriation from the State Pensions Fund
5 to the Financial Institution Fund and the Credit Union Fund an
6 amount equal to the expenditures incurred by each Fund for that
7 month.

8 (c) As soon as possible after the effective date of this
9 amendatory Act of the 93rd General Assembly, the General
10 Assembly shall appropriate from the State Pensions Fund (1) to
11 the State Universities Retirement System the amount certified
12 under Section 15-165 during the prior year, (2) to the Judges
13 Retirement System of Illinois the amount certified under
14 Section 18-140 during the prior year, and (3) to the General
15 Assembly Retirement System the amount certified under Section
16 2-134 during the prior year as part of the required State
17 contributions to each of those designated retirement systems;
18 except that amounts appropriated under this subsection (c) in
19 State fiscal year 2005 shall not reduce the amount in the State
20 Pensions Fund below \$5,000,000. If the amount in the State
21 Pensions Fund does not exceed the sum of the amounts certified
22 in Sections 15-165, 18-140, and 2-134 by at least \$5,000,000,
23 the amount paid to each designated retirement system under this
24 subsection shall be reduced in proportion to the amount
25 certified by each of those designated retirement systems.

26 (c-5) For fiscal years 2006 through 2017 ~~2016~~, the General

1 Assembly shall appropriate from the State Pensions Fund to the
2 State Universities Retirement System the amount estimated to be
3 available during the fiscal year in the State Pensions Fund;
4 provided, however, that the amounts appropriated under this
5 subsection (c-5) shall not reduce the amount in the State
6 Pensions Fund below \$5,000,000.

7 (c-6) For fiscal year 2018 ~~2017~~ and each fiscal year
8 thereafter, as soon as may be practical after any money is
9 deposited into the State Pensions Fund from the Unclaimed
10 Property Trust Fund, the State Treasurer shall apportion the
11 deposited amount among the designated retirement systems as
12 defined in subsection (a) to reduce their actuarial reserve
13 deficiencies. The State Comptroller and State Treasurer shall
14 pay the apportioned amounts to the designated retirement
15 systems to fund the unfunded liabilities of the designated
16 retirement systems. The amount apportioned to each designated
17 retirement system shall constitute a portion of the amount
18 estimated to be available for appropriation from the State
19 Pensions Fund that is the same as that retirement system's
20 portion of the total actual reserve deficiency of the systems,
21 as determined annually by the Governor's Office of Management
22 and Budget at the request of the State Treasurer. The amounts
23 apportioned under this subsection shall not reduce the amount
24 in the State Pensions Fund below \$5,000,000.

25 (d) The Governor's Office of Management and Budget shall
26 determine the individual and total reserve deficiencies of the

1 designated retirement systems. For this purpose, the
2 Governor's Office of Management and Budget shall utilize the
3 latest available audit and actuarial reports of each of the
4 retirement systems and the relevant reports and statistics of
5 the Public Employee Pension Fund Division of the Department of
6 Insurance.

7 (d-1) As soon as practicable after the effective date of
8 this amendatory Act of the 93rd General Assembly, the
9 Comptroller shall direct and the Treasurer shall transfer from
10 the State Pensions Fund to the General Revenue Fund, as funds
11 become available, a sum equal to the amounts that would have
12 been paid from the State Pensions Fund to the Teachers'
13 Retirement System of the State of Illinois, the State
14 Universities Retirement System, the Judges Retirement System
15 of Illinois, the General Assembly Retirement System, and the
16 State Employees' Retirement System of Illinois after the
17 effective date of this amendatory Act during the remainder of
18 fiscal year 2004 to the designated retirement systems from the
19 appropriations provided for in this Section if the transfers
20 provided in Section 6z-61 had not occurred. The transfers
21 described in this subsection (d-1) are to partially repay the
22 General Revenue Fund for the costs associated with the bonds
23 used to fund the moneys transferred to the designated
24 retirement systems under Section 6z-61.

25 (e) The changes to this Section made by this amendatory Act
26 of 1994 shall first apply to distributions from the Fund for

1 State fiscal year 1996.

2 (Source: P.A. 98-24, eff. 6-19-13; 98-463, eff. 8-16-13;
3 98-674, eff. 6-30-14; 98-1081, eff. 1-1-15; 99-8, eff. 7-9-15;
4 99-78, eff. 7-20-15.)

5 (30 ILCS 105/14.1) (from Ch. 127, par. 150.1)

6 Sec. 14.1. Appropriations for State contributions to the
7 State Employees' Retirement System; payroll requirements.

8 (a) Appropriations for State contributions to the State
9 Employees' Retirement System of Illinois shall be expended in
10 the manner provided in this Section. Except as otherwise
11 provided in subsections (a-1), (a-2), (a-3), and (a-4) at the
12 time of each payment of salary to an employee under the
13 personal services line item, payment shall be made to the State
14 Employees' Retirement System, from the amount appropriated for
15 State contributions to the State Employees' Retirement System,
16 of an amount calculated at the rate certified for the
17 applicable fiscal year by the Board of Trustees of the State
18 Employees' Retirement System under Section 14-135.08 of the
19 Illinois Pension Code. If a line item appropriation to an
20 employer for this purpose is exhausted or is unavailable due to
21 any limitation on appropriations that may apply, (including,
22 but not limited to, limitations on appropriations from the Road
23 Fund under Section 8.3 of the State Finance Act), the amounts
24 shall be paid under the continuing appropriation for this
25 purpose contained in the State Pension Funds Continuing

1 Appropriation Act.

2 (a-1) Beginning on the effective date of this amendatory
3 Act of the 93rd General Assembly through the payment of the
4 final payroll from fiscal year 2004 appropriations,
5 appropriations for State contributions to the State Employees'
6 Retirement System of Illinois shall be expended in the manner
7 provided in this subsection (a-1). At the time of each payment
8 of salary to an employee under the personal services line item
9 from a fund other than the General Revenue Fund, payment shall
10 be made for deposit into the General Revenue Fund from the
11 amount appropriated for State contributions to the State
12 Employees' Retirement System of an amount calculated at the
13 rate certified for fiscal year 2004 by the Board of Trustees of
14 the State Employees' Retirement System under Section 14-135.08
15 of the Illinois Pension Code. This payment shall be made to the
16 extent that a line item appropriation to an employer for this
17 purpose is available or unexhausted. No payment from
18 appropriations for State contributions shall be made in
19 conjunction with payment of salary to an employee under the
20 personal services line item from the General Revenue Fund.

21 (a-2) For fiscal year 2010 only, at the time of each
22 payment of salary to an employee under the personal services
23 line item from a fund other than the General Revenue Fund,
24 payment shall be made for deposit into the State Employees'
25 Retirement System of Illinois from the amount appropriated for
26 State contributions to the State Employees' Retirement System

1 of Illinois of an amount calculated at the rate certified for
2 fiscal year 2010 by the Board of Trustees of the State
3 Employees' Retirement System of Illinois under Section
4 14-135.08 of the Illinois Pension Code. This payment shall be
5 made to the extent that a line item appropriation to an
6 employer for this purpose is available or unexhausted. For
7 fiscal year 2010 only, no payment from appropriations for State
8 contributions shall be made in conjunction with payment of
9 salary to an employee under the personal services line item
10 from the General Revenue Fund.

11 (a-3) For fiscal year 2011 only, at the time of each
12 payment of salary to an employee under the personal services
13 line item from a fund other than the General Revenue Fund,
14 payment shall be made for deposit into the State Employees'
15 Retirement System of Illinois from the amount appropriated for
16 State contributions to the State Employees' Retirement System
17 of Illinois of an amount calculated at the rate certified for
18 fiscal year 2011 by the Board of Trustees of the State
19 Employees' Retirement System of Illinois under Section
20 14-135.08 of the Illinois Pension Code. This payment shall be
21 made to the extent that a line item appropriation to an
22 employer for this purpose is available or unexhausted. For
23 fiscal year 2011 only, no payment from appropriations for State
24 contributions shall be made in conjunction with payment of
25 salary to an employee under the personal services line item
26 from the General Revenue Fund.

1 (a-4) In fiscal years 2012 through 2017 ~~2016~~ only, at the
2 time of each payment of salary to an employee under the
3 personal services line item from a fund other than the General
4 Revenue Fund, payment shall be made for deposit into the State
5 Employees' Retirement System of Illinois from the amount
6 appropriated for State contributions to the State Employees'
7 Retirement System of Illinois of an amount calculated at the
8 rate certified for the applicable fiscal year by the Board of
9 Trustees of the State Employees' Retirement System of Illinois
10 under Section 14-135.08 of the Illinois Pension Code. In fiscal
11 years 2012 through 2017 ~~2016~~ only, no payment from
12 appropriations for State contributions shall be made in
13 conjunction with payment of salary to an employee under the
14 personal services line item from the General Revenue Fund.

15 (b) Except during the period beginning on the effective
16 date of this amendatory Act of the 93rd General Assembly and
17 ending at the time of the payment of the final payroll from
18 fiscal year 2004 appropriations, the State Comptroller shall
19 not approve for payment any payroll voucher that (1) includes
20 payments of salary to eligible employees in the State
21 Employees' Retirement System of Illinois and (2) does not
22 include the corresponding payment of State contributions to
23 that retirement system at the full rate certified under Section
24 14-135.08 for that fiscal year for eligible employees, unless
25 the balance in the fund on which the payroll voucher is drawn
26 is insufficient to pay the total payroll voucher, or

1 unavailable due to any limitation on appropriations that may
2 apply, including, but not limited to, limitations on
3 appropriations from the Road Fund under Section 8.3 of the
4 State Finance Act. If the State Comptroller approves a payroll
5 voucher under this Section for which the fund balance is
6 insufficient to pay the full amount of the required State
7 contribution to the State Employees' Retirement System, the
8 Comptroller shall promptly so notify the Retirement System.

9 (b-1) For fiscal year 2010 and fiscal year 2011 only, the
10 State Comptroller shall not approve for payment any non-General
11 Revenue Fund payroll voucher that (1) includes payments of
12 salary to eligible employees in the State Employees' Retirement
13 System of Illinois and (2) does not include the corresponding
14 payment of State contributions to that retirement system at the
15 full rate certified under Section 14-135.08 for that fiscal
16 year for eligible employees, unless the balance in the fund on
17 which the payroll voucher is drawn is insufficient to pay the
18 total payroll voucher, or unavailable due to any limitation on
19 appropriations that may apply, including, but not limited to,
20 limitations on appropriations from the Road Fund under Section
21 8.3 of the State Finance Act. If the State Comptroller approves
22 a payroll voucher under this Section for which the fund balance
23 is insufficient to pay the full amount of the required State
24 contribution to the State Employees' Retirement System of
25 Illinois, the Comptroller shall promptly so notify the
26 retirement system.

1 (c) Notwithstanding any other provisions of law, beginning
2 July 1, 2007, required State and employee contributions to the
3 State Employees' Retirement System of Illinois relating to
4 affected legislative staff employees shall be paid out of
5 moneys appropriated for that purpose to the Commission on
6 Government Forecasting and Accountability, rather than out of
7 the lump-sum appropriations otherwise made for the payroll and
8 other costs of those employees.

9 These payments must be made pursuant to payroll vouchers
10 submitted by the employing entity as part of the regular
11 payroll voucher process.

12 For the purpose of this subsection, "affected legislative
13 staff employees" means legislative staff employees paid out of
14 lump-sum appropriations made to the General Assembly, an
15 Officer of the General Assembly, or the Senate Operations
16 Commission, but does not include district-office staff or
17 employees of legislative support services agencies.

18 (Source: P.A. 98-24, eff. 6-19-13; 98-674, eff. 6-30-14; 99-8,
19 eff. 7-9-15.)

20 Section 10-10. The Illinois Pension Code is amended by
21 changing Section 14-131 as follows:

22 (40 ILCS 5/14-131)

23 Sec. 14-131. Contributions by State.

24 (a) The State shall make contributions to the System by

1 appropriations of amounts which, together with other employer
2 contributions from trust, federal, and other funds, employee
3 contributions, investment income, and other income, will be
4 sufficient to meet the cost of maintaining and administering
5 the System on a 90% funded basis in accordance with actuarial
6 recommendations.

7 For the purposes of this Section and Section 14-135.08,
8 references to State contributions refer only to employer
9 contributions and do not include employee contributions that
10 are picked up or otherwise paid by the State or a department on
11 behalf of the employee.

12 (b) The Board shall determine the total amount of State
13 contributions required for each fiscal year on the basis of the
14 actuarial tables and other assumptions adopted by the Board,
15 using the formula in subsection (e).

16 The Board shall also determine a State contribution rate
17 for each fiscal year, expressed as a percentage of payroll,
18 based on the total required State contribution for that fiscal
19 year (less the amount received by the System from
20 appropriations under Section 8.12 of the State Finance Act and
21 Section 1 of the State Pension Funds Continuing Appropriation
22 Act, if any, for the fiscal year ending on the June 30
23 immediately preceding the applicable November 15 certification
24 deadline), the estimated payroll (including all forms of
25 compensation) for personal services rendered by eligible
26 employees, and the recommendations of the actuary.

1 For the purposes of this Section and Section 14.1 of the
2 State Finance Act, the term "eligible employees" includes
3 employees who participate in the System, persons who may elect
4 to participate in the System but have not so elected, persons
5 who are serving a qualifying period that is required for
6 participation, and annuitants employed by a department as
7 described in subdivision (a) (1) or (a) (2) of Section 14-111.

8 (c) Contributions shall be made by the several departments
9 for each pay period by warrants drawn by the State Comptroller
10 against their respective funds or appropriations based upon
11 vouchers stating the amount to be so contributed. These amounts
12 shall be based on the full rate certified by the Board under
13 Section 14-135.08 for that fiscal year. From the effective date
14 of this amendatory Act of the 93rd General Assembly through the
15 payment of the final payroll from fiscal year 2004
16 appropriations, the several departments shall not make
17 contributions for the remainder of fiscal year 2004 but shall
18 instead make payments as required under subsection (a-1) of
19 Section 14.1 of the State Finance Act. The several departments
20 shall resume those contributions at the commencement of fiscal
21 year 2005.

22 (c-1) Notwithstanding subsection (c) of this Section, for
23 fiscal years 2010, 2012, 2013, 2014, 2015, ~~and 2016,~~ and 2017
24 only, contributions by the several departments are not required
25 to be made for General Revenue Funds payrolls processed by the
26 Comptroller. Payrolls paid by the several departments from all

1 other State funds must continue to be processed pursuant to
2 subsection (c) of this Section.

3 (c-2) For State fiscal years 2010, 2012, 2013, 2014, 2015,
4 ~~and~~ 2016, and 2017 only, on or as soon as possible after the
5 15th day of each month, the Board shall submit vouchers for
6 payment of State contributions to the System, in a total
7 monthly amount of one-twelfth of the fiscal year General
8 Revenue Fund contribution as certified by the System pursuant
9 to Section 14-135.08 of the Illinois Pension Code.

10 (d) If an employee is paid from trust funds or federal
11 funds, the department or other employer shall pay employer
12 contributions from those funds to the System at the certified
13 rate, unless the terms of the trust or the federal-State
14 agreement preclude the use of the funds for that purpose, in
15 which case the required employer contributions shall be paid by
16 the State. From the effective date of this amendatory Act of
17 the 93rd General Assembly through the payment of the final
18 payroll from fiscal year 2004 appropriations, the department or
19 other employer shall not pay contributions for the remainder of
20 fiscal year 2004 but shall instead make payments as required
21 under subsection (a-1) of Section 14.1 of the State Finance
22 Act. The department or other employer shall resume payment of
23 contributions at the commencement of fiscal year 2005.

24 (e) For State fiscal years 2012 through 2045, the minimum
25 contribution to the System to be made by the State for each
26 fiscal year shall be an amount determined by the System to be

1 sufficient to bring the total assets of the System up to 90% of
2 the total actuarial liabilities of the System by the end of
3 State fiscal year 2045. In making these determinations, the
4 required State contribution shall be calculated each year as a
5 level percentage of payroll over the years remaining to and
6 including fiscal year 2045 and shall be determined under the
7 projected unit credit actuarial cost method.

8 For State fiscal years 1996 through 2005, the State
9 contribution to the System, as a percentage of the applicable
10 employee payroll, shall be increased in equal annual increments
11 so that by State fiscal year 2011, the State is contributing at
12 the rate required under this Section; except that (i) for State
13 fiscal year 1998, for all purposes of this Code and any other
14 law of this State, the certified percentage of the applicable
15 employee payroll shall be 5.052% for employees earning eligible
16 creditable service under Section 14-110 and 6.500% for all
17 other employees, notwithstanding any contrary certification
18 made under Section 14-135.08 before the effective date of this
19 amendatory Act of 1997, and (ii) in the following specified
20 State fiscal years, the State contribution to the System shall
21 not be less than the following indicated percentages of the
22 applicable employee payroll, even if the indicated percentage
23 will produce a State contribution in excess of the amount
24 otherwise required under this subsection and subsection (a):
25 9.8% in FY 1999; 10.0% in FY 2000; 10.2% in FY 2001; 10.4% in FY
26 2002; 10.6% in FY 2003; and 10.8% in FY 2004.

1 Notwithstanding any other provision of this Article, the
2 total required State contribution to the System for State
3 fiscal year 2006 is \$203,783,900.

4 Notwithstanding any other provision of this Article, the
5 total required State contribution to the System for State
6 fiscal year 2007 is \$344,164,400.

7 For each of State fiscal years 2008 through 2009, the State
8 contribution to the System, as a percentage of the applicable
9 employee payroll, shall be increased in equal annual increments
10 from the required State contribution for State fiscal year
11 2007, so that by State fiscal year 2011, the State is
12 contributing at the rate otherwise required under this Section.

13 Notwithstanding any other provision of this Article, the
14 total required State General Revenue Fund contribution for
15 State fiscal year 2010 is \$723,703,100 and shall be made from
16 the proceeds of bonds sold in fiscal year 2010 pursuant to
17 Section 7.2 of the General Obligation Bond Act, less (i) the
18 pro rata share of bond sale expenses determined by the System's
19 share of total bond proceeds, (ii) any amounts received from
20 the General Revenue Fund in fiscal year 2010, and (iii) any
21 reduction in bond proceeds due to the issuance of discounted
22 bonds, if applicable.

23 Notwithstanding any other provision of this Article, the
24 total required State General Revenue Fund contribution for
25 State fiscal year 2011 is the amount recertified by the System
26 on or before April 1, 2011 pursuant to Section 14-135.08 and

1 shall be made from the proceeds of bonds sold in fiscal year
2 2011 pursuant to Section 7.2 of the General Obligation Bond
3 Act, less (i) the pro rata share of bond sale expenses
4 determined by the System's share of total bond proceeds, (ii)
5 any amounts received from the General Revenue Fund in fiscal
6 year 2011, and (iii) any reduction in bond proceeds due to the
7 issuance of discounted bonds, if applicable.

8 Beginning in State fiscal year 2046, the minimum State
9 contribution for each fiscal year shall be the amount needed to
10 maintain the total assets of the System at 90% of the total
11 actuarial liabilities of the System.

12 Amounts received by the System pursuant to Section 25 of
13 the Budget Stabilization Act or Section 8.12 of the State
14 Finance Act in any fiscal year do not reduce and do not
15 constitute payment of any portion of the minimum State
16 contribution required under this Article in that fiscal year.
17 Such amounts shall not reduce, and shall not be included in the
18 calculation of, the required State contributions under this
19 Article in any future year until the System has reached a
20 funding ratio of at least 90%. A reference in this Article to
21 the "required State contribution" or any substantially similar
22 term does not include or apply to any amounts payable to the
23 System under Section 25 of the Budget Stabilization Act.

24 Notwithstanding any other provision of this Section, the
25 required State contribution for State fiscal year 2005 and for
26 fiscal year 2008 and each fiscal year thereafter, as calculated

1 under this Section and certified under Section 14-135.08, shall
2 not exceed an amount equal to (i) the amount of the required
3 State contribution that would have been calculated under this
4 Section for that fiscal year if the System had not received any
5 payments under subsection (d) of Section 7.2 of the General
6 Obligation Bond Act, minus (ii) the portion of the State's
7 total debt service payments for that fiscal year on the bonds
8 issued in fiscal year 2003 for the purposes of that Section
9 7.2, as determined and certified by the Comptroller, that is
10 the same as the System's portion of the total moneys
11 distributed under subsection (d) of Section 7.2 of the General
12 Obligation Bond Act. In determining this maximum for State
13 fiscal years 2008 through 2010, however, the amount referred to
14 in item (i) shall be increased, as a percentage of the
15 applicable employee payroll, in equal increments calculated
16 from the sum of the required State contribution for State
17 fiscal year 2007 plus the applicable portion of the State's
18 total debt service payments for fiscal year 2007 on the bonds
19 issued in fiscal year 2003 for the purposes of Section 7.2 of
20 the General Obligation Bond Act, so that, by State fiscal year
21 2011, the State is contributing at the rate otherwise required
22 under this Section.

23 (f) After the submission of all payments for eligible
24 employees from personal services line items in fiscal year 2004
25 have been made, the Comptroller shall provide to the System a
26 certification of the sum of all fiscal year 2004 expenditures

1 for personal services that would have been covered by payments
2 to the System under this Section if the provisions of this
3 amendatory Act of the 93rd General Assembly had not been
4 enacted. Upon receipt of the certification, the System shall
5 determine the amount due to the System based on the full rate
6 certified by the Board under Section 14-135.08 for fiscal year
7 2004 in order to meet the State's obligation under this
8 Section. The System shall compare this amount due to the amount
9 received by the System in fiscal year 2004 through payments
10 under this Section and under Section 6z-61 of the State Finance
11 Act. If the amount due is more than the amount received, the
12 difference shall be termed the "Fiscal Year 2004 Shortfall" for
13 purposes of this Section, and the Fiscal Year 2004 Shortfall
14 shall be satisfied under Section 1.2 of the State Pension Funds
15 Continuing Appropriation Act. If the amount due is less than
16 the amount received, the difference shall be termed the "Fiscal
17 Year 2004 Overpayment" for purposes of this Section, and the
18 Fiscal Year 2004 Overpayment shall be repaid by the System to
19 the Pension Contribution Fund as soon as practicable after the
20 certification.

21 (g) For purposes of determining the required State
22 contribution to the System, the value of the System's assets
23 shall be equal to the actuarial value of the System's assets,
24 which shall be calculated as follows:

25 As of June 30, 2008, the actuarial value of the System's
26 assets shall be equal to the market value of the assets as of

1 that date. In determining the actuarial value of the System's
2 assets for fiscal years after June 30, 2008, any actuarial
3 gains or losses from investment return incurred in a fiscal
4 year shall be recognized in equal annual amounts over the
5 5-year period following that fiscal year.

6 (h) For purposes of determining the required State
7 contribution to the System for a particular year, the actuarial
8 value of assets shall be assumed to earn a rate of return equal
9 to the System's actuarially assumed rate of return.

10 (i) After the submission of all payments for eligible
11 employees from personal services line items paid from the
12 General Revenue Fund in fiscal year 2010 have been made, the
13 Comptroller shall provide to the System a certification of the
14 sum of all fiscal year 2010 expenditures for personal services
15 that would have been covered by payments to the System under
16 this Section if the provisions of this amendatory Act of the
17 96th General Assembly had not been enacted. Upon receipt of the
18 certification, the System shall determine the amount due to the
19 System based on the full rate certified by the Board under
20 Section 14-135.08 for fiscal year 2010 in order to meet the
21 State's obligation under this Section. The System shall compare
22 this amount due to the amount received by the System in fiscal
23 year 2010 through payments under this Section. If the amount
24 due is more than the amount received, the difference shall be
25 termed the "Fiscal Year 2010 Shortfall" for purposes of this
26 Section, and the Fiscal Year 2010 Shortfall shall be satisfied

1 under Section 1.2 of the State Pension Funds Continuing
2 Appropriation Act. If the amount due is less than the amount
3 received, the difference shall be termed the "Fiscal Year 2010
4 Overpayment" for purposes of this Section, and the Fiscal Year
5 2010 Overpayment shall be repaid by the System to the General
6 Revenue Fund as soon as practicable after the certification.

7 (j) After the submission of all payments for eligible
8 employees from personal services line items paid from the
9 General Revenue Fund in fiscal year 2011 have been made, the
10 Comptroller shall provide to the System a certification of the
11 sum of all fiscal year 2011 expenditures for personal services
12 that would have been covered by payments to the System under
13 this Section if the provisions of this amendatory Act of the
14 96th General Assembly had not been enacted. Upon receipt of the
15 certification, the System shall determine the amount due to the
16 System based on the full rate certified by the Board under
17 Section 14-135.08 for fiscal year 2011 in order to meet the
18 State's obligation under this Section. The System shall compare
19 this amount due to the amount received by the System in fiscal
20 year 2011 through payments under this Section. If the amount
21 due is more than the amount received, the difference shall be
22 termed the "Fiscal Year 2011 Shortfall" for purposes of this
23 Section, and the Fiscal Year 2011 Shortfall shall be satisfied
24 under Section 1.2 of the State Pension Funds Continuing
25 Appropriation Act. If the amount due is less than the amount
26 received, the difference shall be termed the "Fiscal Year 2011

1 Overpayment" for purposes of this Section, and the Fiscal Year
2 2011 Overpayment shall be repaid by the System to the General
3 Revenue Fund as soon as practicable after the certification.

4 (k) For fiscal years 2012 through 2017 ~~2016~~ only, after the
5 submission of all payments for eligible employees from personal
6 services line items paid from the General Revenue Fund in the
7 fiscal year have been made, the Comptroller shall provide to
8 the System a certification of the sum of all expenditures in
9 the fiscal year for personal services. Upon receipt of the
10 certification, the System shall determine the amount due to the
11 System based on the full rate certified by the Board under
12 Section 14-135.08 for the fiscal year in order to meet the
13 State's obligation under this Section. The System shall compare
14 this amount due to the amount received by the System for the
15 fiscal year. If the amount due is more than the amount
16 received, the difference shall be termed the "Prior Fiscal Year
17 Shortfall" for purposes of this Section, and the Prior Fiscal
18 Year Shortfall shall be satisfied under Section 1.2 of the
19 State Pension Funds Continuing Appropriation Act. If the amount
20 due is less than the amount received, the difference shall be
21 termed the "Prior Fiscal Year Overpayment" for purposes of this
22 Section, and the Prior Fiscal Year Overpayment shall be repaid
23 by the System to the General Revenue Fund as soon as
24 practicable after the certification.

25 (Source: P.A. 98-24, eff. 6-19-13; 98-674, eff. 6-30-14; 99-8,
26 eff. 7-9-15.)

1 Section 10-15. The State Pension Funds Continuing
2 Appropriation Act is amended by changing Section 1.2 as
3 follows:

4 (40 ILCS 15/1.2)

5 Sec. 1.2. Appropriations for the State Employees'
6 Retirement System.

7 (a) From each fund from which an amount is appropriated for
8 personal services to a department or other employer under
9 Article 14 of the Illinois Pension Code, there is hereby
10 appropriated to that department or other employer, on a
11 continuing annual basis for each State fiscal year, an
12 additional amount equal to the amount, if any, by which (1) an
13 amount equal to the percentage of the personal services line
14 item for that department or employer from that fund for that
15 fiscal year that the Board of Trustees of the State Employees'
16 Retirement System of Illinois has certified under Section
17 14-135.08 of the Illinois Pension Code to be necessary to meet
18 the State's obligation under Section 14-131 of the Illinois
19 Pension Code for that fiscal year, exceeds (2) the amounts
20 otherwise appropriated to that department or employer from that
21 fund for State contributions to the State Employees' Retirement
22 System for that fiscal year. From the effective date of this
23 amendatory Act of the 93rd General Assembly through the final
24 payment from a department or employer's personal services line

1 item for fiscal year 2004, payments to the State Employees'
2 Retirement System that otherwise would have been made under
3 this subsection (a) shall be governed by the provisions in
4 subsection (a-1).

5 (a-1) If a Fiscal Year 2004 Shortfall is certified under
6 subsection (f) of Section 14-131 of the Illinois Pension Code,
7 there is hereby appropriated to the State Employees' Retirement
8 System of Illinois on a continuing basis from the General
9 Revenue Fund an additional aggregate amount equal to the Fiscal
10 Year 2004 Shortfall.

11 (a-2) If a Fiscal Year 2010 Shortfall is certified under
12 subsection (i) of Section 14-131 of the Illinois Pension Code,
13 there is hereby appropriated to the State Employees' Retirement
14 System of Illinois on a continuing basis from the General
15 Revenue Fund an additional aggregate amount equal to the Fiscal
16 Year 2010 Shortfall.

17 (a-3) If a Prior Fiscal Year Shortfall is certified under
18 subsection (k) of Section 14-131 of the Illinois Pension Code,
19 there is hereby appropriated to the State Employees' Retirement
20 System of Illinois on a continuing basis from the General
21 Revenue Fund an additional aggregate amount equal to the Prior
22 Fiscal Year Shortfall.

23 (b) The continuing appropriations provided for by this
24 Section shall first be available in State fiscal year 1996.

25 (c) Beginning in Fiscal Year 2005, any continuing
26 appropriation under this Section arising out of an

1 appropriation for personal services from the Road Fund to the
2 Department of State Police or the Secretary of State shall be
3 payable from the General Revenue Fund rather than the Road
4 Fund.

5 (d) For State fiscal year 2010 only, a continuing
6 appropriation is provided to the State Employees' Retirement
7 System equal to the amount certified by the System on or before
8 December 31, 2008, less the gross proceeds of the bonds sold in
9 fiscal year 2010 under the authorization contained in
10 subsection (a) of Section 7.2 of the General Obligation Bond
11 Act.

12 (e) For State fiscal year 2011 only, the continuing
13 appropriation under this Section provided to the State
14 Employees' Retirement System is limited to an amount equal to
15 the amount certified by the System on or before December 31,
16 2009, less any amounts received pursuant to subsection (a-3) of
17 Section 14.1 of the State Finance Act.

18 (f) For State fiscal year 2011 only, a continuing
19 appropriation is provided to the State Employees' Retirement
20 System equal to the amount certified by the System on or before
21 April 1, 2011, less the gross proceeds of the bonds sold in
22 fiscal year 2011 under the authorization contained in
23 subsection (a) of Section 7.2 of the General Obligation Bond
24 Act.

25 (Source: P.A. 97-813, eff. 7-13-12; 98-674, eff. 6-30-14.)

1 Section 10-20. The Uniform Disposition of Unclaimed
2 Property Act is amended by changing Section 18 as follows:

3 (765 ILCS 1025/18) (from Ch. 141, par. 118)

4 Sec. 18. Deposit of funds received under the Act.

5 (a) The State Treasurer shall retain all funds received
6 under this Act, including the proceeds from the sale of
7 abandoned property under Section 17, in a trust fund known as
8 the Unclaimed Property Trust Fund. The State Treasurer may
9 deposit any amount in the Unclaimed Property Trust Fund into
10 the State Pensions Fund during the fiscal year at his or her
11 discretion; however, he or she shall, on April 15 and October
12 15 of each year, deposit any amount in the Unclaimed Property
13 Trust Fund ~~trust fund~~ exceeding \$2,500,000 into the State
14 Pensions Fund. If on either April 15 or October 15, the State
15 Treasurer determines that a balance of \$2,500,000 is
16 insufficient for the prompt payment of unclaimed property
17 claims authorized under this Act, the Treasurer may retain more
18 than \$2,500,000 in the Unclaimed Property Trust Fund in order
19 to ensure the prompt payment of claims. Beginning in State
20 fiscal year 2018 ~~2017~~, all amounts that are deposited into the
21 State Pensions Fund from the Unclaimed Property Trust Fund
22 shall be apportioned to the designated retirement systems as
23 provided in subsection (c-6) of Section 8.12 of the State
24 Finance Act to reduce their actuarial reserve deficiencies. He
25 or she shall make prompt payment of claims he or she duly

1 allows as provided for in this Act for the Unclaimed Property
2 Trust Fund ~~trust fund~~. Before making the deposit the State
3 Treasurer shall record the name and last known address of each
4 person appearing from the holders' reports to be entitled to
5 the abandoned property. The record shall be available for
6 public inspection during reasonable business hours.

7 (b) Before making any deposit to the credit of the State
8 Pensions Fund, the State Treasurer may deduct: (1) any costs in
9 connection with sale of abandoned property, (2) any costs of
10 mailing and publication in connection with any abandoned
11 property, and (3) any costs in connection with the maintenance
12 of records or disposition of claims made pursuant to this Act.
13 The State Treasurer shall semiannually file an itemized report
14 of all such expenses with the Legislative Audit Commission.

15 (Source: P.A. 98-19, eff. 6-10-13; 98-24, eff. 6-19-13; 98-674,
16 eff. 6-30-14; 98-756, eff. 7-16-14; 99-8, eff. 7-9-15.)

17 ARTICLE 15. TOURISM FUNDS CONSOLIDATION

18 Section 15-5. The Department of Commerce and Economic
19 Opportunity Law of the Civil Administrative Code of Illinois is
20 amended by changing Sections 605-705, 605-707, and 605-710 as
21 follows:

22 (20 ILCS 605/605-705) (was 20 ILCS 605/46.6a)

23 Sec. 605-705. Grants to local tourism and convention

1 bureaus.

2 (a) To establish a grant program for local tourism and
3 convention bureaus. The Department will develop and implement a
4 program for the use of funds, as authorized under this Act, by
5 local tourism and convention bureaus. For the purposes of this
6 Act, bureaus eligible to receive funds are those local tourism
7 and convention bureaus that are (i) either units of local
8 government or incorporated as not-for-profit organizations;
9 (ii) in legal existence for a minimum of 2 years before July 1,
10 2001; (iii) operating with a paid, full-time staff whose sole
11 purpose is to promote tourism in the designated service area;
12 and (iv) affiliated with one or more municipalities or counties
13 that support the bureau with local hotel-motel taxes. After
14 July 1, 2001, bureaus requesting certification in order to
15 receive funds for the first time must be local tourism and
16 convention bureaus that are (i) either units of local
17 government or incorporated as not-for-profit organizations;
18 (ii) in legal existence for a minimum of 2 years before the
19 request for certification; (iii) operating with a paid,
20 full-time staff whose sole purpose is to promote tourism in the
21 designated service area; and (iv) affiliated with multiple
22 municipalities or counties that support the bureau with local
23 hotel-motel taxes. Each bureau receiving funds under this Act
24 will be certified by the Department as the designated recipient
25 to serve an area of the State. Notwithstanding the criteria set
26 forth in this subsection (a), or any rule adopted under this

1 subsection (a), the Director of the Department may provide for
2 the award of grant funds to one or more entities if in the
3 Department's judgment that action is necessary in order to
4 prevent a loss of funding critical to promoting tourism in a
5 designated geographic area of the State.

6 (b) To distribute grants to local tourism and convention
7 bureaus from appropriations made from the Local Tourism Fund or
8 the Tourism Promotion Fund for that purpose. Of the amounts
9 appropriated annually to the Department for expenditure under
10 this Section prior to July 1, 2011, one-third of those monies
11 shall be used for grants to convention and tourism bureaus in
12 cities with a population greater than 500,000. The remaining
13 two-thirds of the annual appropriation prior to July 1, 2011
14 shall be used for grants to convention and tourism bureaus in
15 the remainder of the State, in accordance with a formula based
16 upon the population served. Of the amounts appropriated
17 annually to the Department for expenditure under this Section
18 beginning July 1, 2011, 18% of such moneys shall be used for
19 grants to convention and tourism bureaus in cities with a
20 population greater than 500,000. Of the amounts appropriated
21 annually to the Department for expenditure under this Section
22 beginning July 1, 2011, 82% of such moneys shall be used for
23 grants to convention bureaus in the remainder of the State, in
24 accordance with a formula based upon the population served. The
25 Department may reserve up to 10% of total local tourism funds
26 available for costs of administering the program to conduct

1 audits of grants, to provide incentive funds to those bureaus
2 that will conduct promotional activities designed to further
3 the Department's statewide advertising campaign, to fund
4 special statewide promotional activities, and to fund
5 promotional activities that support an increased use of the
6 State's parks or historic sites. The Department shall require
7 that any convention and tourism bureau receiving a grant under
8 this Section that requires matching funds shall provide
9 matching funds equal to no less than 50% of the grant amount.
10 During fiscal year 2013, the Department shall reserve
11 \$2,000,000 of the available local tourism funds for
12 appropriation to the Historic Preservation Agency for the
13 operation of the Abraham Lincoln Presidential Library and
14 Museum and State historic sites.

15 (c) Notwithstanding any other provision of law, in addition
16 to any other transfers that may be provided by law, on July 1,
17 2016, or as soon thereafter as practical, the State Comptroller
18 shall direct and the State Treasurer shall transfer the
19 remaining balance from the Local Tourism Fund into the Tourism
20 Promotion Fund. Upon completion of the transfers, the Local
21 Tourism Fund is dissolved, and any future deposits due to that
22 Fund and any outstanding obligations or liabilities of that
23 Fund pass to the Tourism Promotion Fund.

24 (Source: P.A. 97-617, eff. 10-26-11; 97-732, eff. 6-30-12;
25 98-252, eff. 8-9-13.)

1 (20 ILCS 605/605-707) (was 20 ILCS 605/46.6d)

2 Sec. 605-707. International Tourism Program.

3 (a) The Department of Commerce and Economic Opportunity
4 must establish a program for international tourism. The
5 Department shall develop and implement the program on January
6 1, 2000 by rule. As part of the program, the Department may
7 work in cooperation with local convention and tourism bureaus
8 in Illinois in the coordination of international tourism
9 efforts at the State and local level. The Department may (i)
10 work in cooperation with local convention and tourism bureaus
11 for efficient use of their international tourism marketing
12 resources, (ii) promote Illinois in international meetings and
13 tourism markets, (iii) work with convention and tourism bureaus
14 throughout the State to increase the number of international
15 tourists to Illinois, (iv) provide training, research,
16 technical support, and grants to certified convention and
17 tourism bureaus, (v) provide staff, administration, and
18 related support required to manage the programs under this
19 Section, and (vi) provide grants for the development of or the
20 enhancement of international tourism attractions.

21 (b) The Department shall make grants for expenses related
22 to international tourism and pay for the staffing,
23 administration, and related support from the International
24 Tourism Fund, a special fund created in the State Treasury, or
25 the Tourism Promotion Fund. Of the amounts deposited into the
26 Fund in fiscal year 2000 after January 1, 2000 through fiscal

1 year 2011, 55% shall be used for grants to convention and
2 tourism bureaus in Chicago (other than the City of Chicago's
3 Office of Tourism) and 45% shall be used for development of
4 international tourism in areas outside of Chicago. Of the
5 amounts deposited into the Fund in fiscal year 2001 and
6 thereafter, 55% shall be used for grants to convention and
7 tourism bureaus in Chicago, and of that amount not less than
8 27.5% shall be used for grants to convention and tourism
9 bureaus in Chicago other than the City of Chicago's Office of
10 Tourism, and 45% shall be used for administrative expenses and
11 grants authorized under this Section and development of
12 international tourism in areas outside of Chicago, of which not
13 less than \$1,000,000 shall be used annually to make grants to
14 convention and tourism bureaus in cities other than Chicago
15 that demonstrate their international tourism appeal and
16 request to develop or expand their international tourism
17 marketing program, and may also be used to provide grants under
18 item (vi) of subsection (a) of this Section. All of the amounts
19 deposited into the Fund in fiscal year 2012 and thereafter
20 shall be used for administrative expenses and grants authorized
21 under this Section and development of international tourism in
22 areas outside of Chicago, of which not less than \$1,000,000
23 shall be used annually to make grants to convention and tourism
24 bureaus in cities other than Chicago that demonstrate their
25 international tourism appeal and request to develop or expand
26 their international tourism marketing program, and may also be

1 used to provide grants under item (vi) of subsection (a) of
2 this Section. Amounts appropriated to the State Comptroller for
3 administrative expenses and grants authorized by the Illinois
4 Global Partnership Act are payable from the International
5 Tourism Fund.

6 (c) A convention and tourism bureau is eligible to receive
7 grant moneys under this Section if the bureau is certified to
8 receive funds under Title 14 of the Illinois Administrative
9 Code, Section 550.35. To be eligible for a grant, a convention
10 and tourism bureau must provide matching funds equal to the
11 grant amount. The Department shall require that any convention
12 and tourism bureau receiving a grant under this Section that
13 requires matching funds shall provide matching funds equal to
14 no less than 50% of the grant amount. In certain circumstances
15 as determined by the Director of Commerce and Economic
16 Opportunity, however, the City of Chicago's Office of Tourism
17 or any other convention and tourism bureau may provide matching
18 funds equal to no less than 50% of the grant amount to be
19 eligible to receive the grant. One-half of this 50% may be
20 provided through in-kind contributions. Grants received by the
21 City of Chicago's Office of Tourism and by convention and
22 tourism bureaus in Chicago may be expended for the general
23 purposes of promoting conventions and tourism.

24 (d) Notwithstanding any other provision of law, in addition
25 to any other transfers that may be provided by law, on July 1,
26 2016, or as soon thereafter as practical, the State Comptroller

1 shall direct and the State Treasurer shall transfer the
2 remaining balance from the International Tourism Fund into the
3 Tourism Promotion Fund. Upon completion of the transfers, the
4 International Tourism Fund is dissolved, and any future
5 deposits due to that Fund and any outstanding obligations or
6 liabilities of that Fund pass to the Tourism Promotion Fund.

7 (Source: P.A. 97-617, eff. 10-26-11; 97-732, eff. 6-30-12;
8 98-252, eff. 8-9-13.)

9 (20 ILCS 605/605-710)

10 Sec. 605-710. Regional tourism development organizations.

11 (a) The Department may, subject to appropriation, provide
12 grants from the Tourism Promotion Fund for the administrative
13 costs of not-for-profit regional tourism development
14 organizations that assist the Department in developing tourism
15 throughout a multi-county geographical area designated by the
16 Department. Regional tourism development organizations
17 receiving funds under this Section may be required by the
18 Department to submit to audits of contracts awarded by the
19 Department to determine whether the regional tourism
20 development organization has performed all contractual
21 obligations under those contracts.

22 Every employee of a regional tourism development
23 organization receiving funds under this Section shall disclose
24 to the organization's governing board and to the Department any
25 economic interest that employee may have in any entity with

1 which the regional tourism development organization has
2 contracted or to which the regional tourism development
3 organization has granted funds.

4 (b) The Department, from moneys ~~transferred from the~~
5 ~~General Revenue Fund to the Tourism Promotion Fund and~~
6 appropriated from the Tourism Promotion Fund, shall first
7 provide funding of \$5,000,000 annually to a governmental entity
8 with at least 2,000,000 square feet of exhibition space that
9 has as part of its duties the promotion of cultural, scientific
10 and trade exhibits and events within a county with a population
11 of more than 3,000,000, to be used for any of the governmental
12 entity's general corporate purposes.

13 (Source: P.A. 92-11, eff. 6-11-01; 92-38, eff. 6-28-01; 92-651,
14 eff. 7-11-02.)

15 Section 15-10. The Illinois Promotion Act is amended by
16 changing Sections 4a, 5, and 8 as follows:

17 (20 ILCS 665/4a) (from Ch. 127, par. 200-24a)

18 Sec. 4a. Funds.

19 (1) All moneys deposited in the Tourism Promotion Fund
20 pursuant to this subsection are allocated to the Department for
21 utilization, as appropriated, in the performance of its powers
22 under Section 4; except that during fiscal year 2013, the
23 Department shall reserve \$9,800,000 of the total funds
24 available for appropriation in the Tourism Promotion Fund for

1 appropriation to the Historic Preservation Agency for the
2 operation of the Abraham Lincoln Presidential Library and
3 Museum and State historic sites.

4 As soon as possible after the first day of each month,
5 beginning July 1, 1997 and ending on June 30, 2016, upon
6 certification of the Department of Revenue, the Comptroller
7 shall order transferred and the Treasurer shall transfer from
8 the General Revenue Fund to the Tourism Promotion Fund an
9 amount equal to 13% of the net revenue realized from the Hotel
10 Operators' Occupation Tax Act plus an amount equal to 13% of
11 the net revenue realized from any tax imposed under Section
12 4.05 of the Chicago World's Fair-1992 Authority Act during the
13 preceding month. "Net revenue realized for a month" means the
14 revenue collected by the State under that Act during the
15 previous month less the amount paid out during that same month
16 as refunds to taxpayers for overpayment of liability under that
17 Act.

18 (1.1) (Blank).

19 (2) As soon as possible after the first day of each month,
20 beginning July 1, 1997 and ending on June 30, 2016, upon
21 certification of the Department of Revenue, the Comptroller
22 shall order transferred and the Treasurer shall transfer from
23 the General Revenue Fund to the Tourism Promotion Fund an
24 amount equal to 8% of the net revenue realized from the Hotel
25 Operators' Occupation Tax plus an amount equal to 8% of the net
26 revenue realized from any tax imposed under Section 4.05 of the

1 Chicago World's Fair-1992 Authority Act during the preceding
2 month. "Net revenue realized for a month" means the revenue
3 collected by the State under that Act during the previous month
4 less the amount paid out during that same month as refunds to
5 taxpayers for overpayment of liability under that Act.

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

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

5 (4) As soon as possible after the first day of each month,
6 beginning July 1, 2016, if the amount of revenue deposited into
7 the Tourism Promotion Fund under subsection (c) of Section 6 of
8 the Hotel Operators' Occupation Tax Act is less than 21% of the
9 net revenue realized from the Hotel Operators' Occupation Tax
10 during the preceding month, then, upon certification of the
11 Department of Revenue, the State Comptroller shall direct and
12 the State Treasurer shall transfer from the General Revenue
13 Fund to the Tourism Promotion Fund an amount equal to the
14 difference between 21% of the net revenue realized from the
15 Hotel Operators' Occupation Tax during the preceding month and
16 the amount of revenue deposited into the Tourism Promotion Fund
17 under subsection (c) of Section 6 of the Hotel Operators'
18 Occupation Tax Act.

19 (5) Beginning on July 1, 2016, moneys deposited into the
20 Tourism Promotion Fund under subsection (c) of Section 6 of the
21 Hotel Operators' Occupation Tax Act may be used by the
22 Department of Commerce and Economic Opportunity for the
23 purposes authorized in the Illinois Promotion Act and for
24 advertising to promote tourism, including but not limited to
25 advertising production and direct advertisement costs.

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

1 (20 ILCS 665/5) (from Ch. 127, par. 200-25)

2 Sec. 5. Marketing and private sector programs.

3 (a) The Department is authorized to make grants, subject to
4 appropriation, from ~~funds transferred into~~ the Tourism
5 Promotion Fund ~~under subsection (1) of Section 4a~~ to counties,
6 municipalities, not-for-profit organizations, and local
7 promotion groups and to assist such counties, municipalities
8 and local promotion groups in the promotion of tourism
9 attractions and tourism events. The Department, after review of
10 the application and if satisfied that the program and proposed
11 expenditures of the applicant appear to be in accord with the
12 purposes of this Act, must grant to the applicant an amount not
13 to exceed 60% of the proposed expenditures.

14 (b) The Department may make grants, subject to
15 appropriation, from ~~funds transferred into~~ the Tourism
16 Promotion Fund ~~under subsection (1) of Section 4a~~ to counties,
17 municipalities, not-for-profit organizations, local promotion
18 groups, and for-profit businesses to assist in attracting and
19 hosting tourism events matched with funds from sources in the
20 private sector. The Department, after review of the application
21 and if satisfied that the program and proposed expenditures of
22 the applicant appear to be in accord with the purposes of this
23 Act, must grant to the applicant an amount not to exceed 50% of
24 the proposed expenditures.

25 Before any such grant may be made the county, municipality,

1 not-for-profit organization, local promotion group, or
2 for-profit business must make application to the Department for
3 such grant, setting forth the studies, surveys and
4 investigations proposed to be made and other activities
5 proposed to be undertaken. The application shall further state,
6 under oath or affirmation, with evidence thereof satisfactory
7 to the Department, the amount of funds held by, committed to or
8 subscribed to, and proposed to be expended by, the applicant
9 for the purposes herein described and the amount of the grant
10 for which application is made.

11 (Source: P.A. 92-38, eff. 6-28-01.)

12 (20 ILCS 665/8) (from Ch. 127, par. 200-28)

13 Sec. 8. Allocation of appropriations.

14 (1) Amounts ~~transferred under subsection (1) of Section 4a~~
15 that are appropriated from the Tourism Promotion Fund to the
16 Department for the purpose of making grants under Sections 5
17 and 6 of this Act shall be allocated by the Department as
18 follows:

19 (a) 62.5% to local promotion groups, municipalities,
20 and counties not wholly or partially within any county of
21 more than 1 million population;

22 (b) 37.5% to local promotion groups, municipalities,
23 and counties wholly or partially within any county of more
24 than 1 million population.

25 However, if sufficient local funds cannot be raised to

1 match the allocation made under either paragraph (a) or (b) of
2 this subsection, such appropriations may be reallocated, in
3 whole or in part, to any applicant or applicants able to
4 qualify for a grant or may be used by the Department to promote
5 the tourist attractions of the State of Illinois as a whole.

6 (2) Amounts ~~transferred under subsection (1) of Section 4a~~
7 that are appropriated from the Tourism Promotion Fund to the
8 Department for the purpose of making grants under Sections 5
9 and 6 of this Act to match funds from the private sector may be
10 used by the Department in any county of this State.

11 (Source: P.A. 90-26, eff. 7-1-97.)

12 (30 ILCS 105/5.162 rep.)

13 (30 ILCS 105/5.523 rep.)

14 (30 ILCS 105/5.810 rep.)

15 Section 15-15. The State Finance Act is amended by
16 repealing Sections 5.162, 5.523, and 5.810.

17 Section 15-20. The Hotel Operators' Occupation Tax Act is
18 amended by changing Section 6 as follows:

19 (35 ILCS 145/6) (from Ch. 120, par. 481b.36)

20 Sec. 6. Filing of returns and distribution of proceeds.

21 (a) Except as provided hereinafter in this Section, on or
22 before the last day of each calendar month, every person
23 engaged in the business of renting, leasing or letting rooms in

1 a hotel in this State during the preceding calendar month shall
2 file a return with the Department, stating:

3 1. The name of the operator;

4 2. His residence address and the address of his
5 principal place of business and the address of the
6 principal place of business (if that is a different
7 address) from which he engages in the business of renting,
8 leasing or letting rooms in a hotel in this State;

9 3. Total amount of rental receipts received by him
10 during the preceding calendar month from renting, leasing
11 or letting rooms during such preceding calendar month;

12 4. Total amount of rental receipts received by him
13 during the preceding calendar month from renting, leasing
14 or letting rooms to permanent residents during such
15 preceding calendar month;

16 5. Total amount of other exclusions from gross rental
17 receipts allowed by this Act;

18 6. Gross rental receipts which were received by him
19 during the preceding calendar month and upon the basis of
20 which the tax is imposed;

21 7. The amount of tax due;

22 8. Such other reasonable information as the Department
23 may require.

24 If the operator's average monthly tax liability to the
25 Department does not exceed \$200, the Department may authorize
26 his returns to be filed on a quarter annual basis, with the

1 return for January, February and March of a given year being
2 due by April 30 of such year; with the return for April, May
3 and June of a given year being due by July 31 of such year; with
4 the return for July, August and September of a given year being
5 due by October 31 of such year, and with the return for
6 October, November and December of a given year being due by
7 January 31 of the following year.

8 If the operator's average monthly tax liability to the
9 Department does not exceed \$50, the Department may authorize
10 his returns to be filed on an annual basis, with the return for
11 a given year being due by January 31 of the following year.

12 Such quarter annual and annual returns, as to form and
13 substance, shall be subject to the same requirements as monthly
14 returns.

15 Notwithstanding any other provision in this Act concerning
16 the time within which an operator may file his return, in the
17 case of any operator who ceases to engage in a kind of business
18 which makes him responsible for filing returns under this Act,
19 such operator shall file a final return under this Act with the
20 Department not more than 1 month after discontinuing such
21 business.

22 Where the same person has more than 1 business registered
23 with the Department under separate registrations under this
24 Act, such person shall not file each return that is due as a
25 single return covering all such registered businesses, but
26 shall file separate returns for each such registered business.

1 In his return, the operator shall determine the value of
2 any consideration other than money received by him in
3 connection with the renting, leasing or letting of rooms in the
4 course of his business and he shall include such value in his
5 return. Such determination shall be subject to review and
6 revision by the Department in the manner hereinafter provided
7 for the correction of returns.

8 Where the operator is a corporation, the return filed on
9 behalf of such corporation shall be signed by the president,
10 vice-president, secretary or treasurer or by the properly
11 accredited agent of such corporation.

12 The person filing the return herein provided for shall, at
13 the time of filing such return, pay to the Department the
14 amount of tax herein imposed. The operator filing the return
15 under this Section shall, at the time of filing such return,
16 pay to the Department the amount of tax imposed by this Act
17 less a discount of 2.1% or \$25 per calendar year, whichever is
18 greater, which is allowed to reimburse the operator for the
19 expenses incurred in keeping records, preparing and filing
20 returns, remitting the tax and supplying data to the Department
21 on request.

22 (b) There shall be deposited in the Build Illinois Fund in
23 the State Treasury for each State fiscal year 40% of the amount
24 of total net proceeds from the tax imposed by subsection (a) of
25 Section 3. Of the remaining 60%, \$5,000,000 shall be deposited
26 in the Illinois Sports Facilities Fund and credited to the

1 Subsidy Account each fiscal year by making monthly deposits in
2 the amount of 1/8 of \$5,000,000 plus cumulative deficiencies in
3 such deposits for prior months, and an additional \$8,000,000
4 shall be deposited in the Illinois Sports Facilities Fund and
5 credited to the Advance Account each fiscal year by making
6 monthly deposits in the amount of 1/8 of \$8,000,000 plus any
7 cumulative deficiencies in such deposits for prior months;
8 provided, that for fiscal years ending after June 30, 2001, the
9 amount to be so deposited into the Illinois Sports Facilities
10 Fund and credited to the Advance Account each fiscal year shall
11 be increased from \$8,000,000 to the then applicable Advance
12 Amount and the required monthly deposits beginning with July
13 2001 shall be in the amount of 1/8 of the then applicable
14 Advance Amount plus any cumulative deficiencies in those
15 deposits for prior months. (The deposits of the additional
16 \$8,000,000 or the then applicable Advance Amount, as
17 applicable, during each fiscal year shall be treated as
18 advances of funds to the Illinois Sports Facilities Authority
19 for its corporate purposes to the extent paid to the Authority
20 or its trustee and shall be repaid into the General Revenue
21 Fund in the State Treasury by the State Treasurer on behalf of
22 the Authority pursuant to Section 19 of the Illinois Sports
23 Facilities Authority Act, as amended. If in any fiscal year the
24 full amount of the then applicable Advance Amount is not repaid
25 into the General Revenue Fund, then the deficiency shall be
26 paid from the amount in the Local Government Distributive Fund

1 that would otherwise be allocated to the City of Chicago under
2 the State Revenue Sharing Act.)

3 For purposes of the foregoing paragraph, the term "Advance
4 Amount" means, for fiscal year 2002, \$22,179,000, and for
5 subsequent fiscal years through fiscal year 2032, 105.615% of
6 the Advance Amount for the immediately preceding fiscal year,
7 rounded up to the nearest \$1,000.

8 Of the remaining 60% of the amount of total net proceeds
9 prior to August 1, 2011 from the tax imposed by subsection (a)
10 of Section 3 after all required deposits in the Illinois Sports
11 Facilities Fund, the amount equal to 8% of the net revenue
12 realized from this Act plus an amount equal to 8% of the net
13 revenue realized from any tax imposed under Section 4.05 of the
14 Chicago World's Fair-1992 Authority Act during the preceding
15 month shall be deposited in the Local Tourism Fund each month
16 for purposes authorized by Section 605-705 of the Department of
17 Commerce and Economic Opportunity Law (20 ILCS 605/605-705). Of
18 the remaining 60% of the amount of total net proceeds beginning
19 on August 1, 2011 and ending on June 30, 2016 from the tax
20 imposed by subsection (a) of Section 3 after all required
21 deposits in the Illinois Sports Facilities Fund, an amount
22 equal to 8% of the net revenue realized from this Act plus an
23 amount equal to 8% of the net revenue realized from any tax
24 imposed under Section 4.05 of the Chicago World's Fair-1992
25 Authority Act during the preceding month shall be deposited as
26 follows: 18% of such amount shall be deposited into the Chicago

1 Travel Industry Promotion Fund for the purposes described in
2 subsection (n) of Section 5 of the Metropolitan Pier and
3 Exposition Authority Act and the remaining 82% of such amount
4 shall be deposited into the Local Tourism Fund each month for
5 purposes authorized by Section 605-705 of the Department of
6 Commerce and Economic Opportunity Law. Of the remaining 60% of
7 the amount of total net proceeds beginning on July 1, 2016 from
8 the tax imposed by subsection (a) of Section 3 after all
9 required deposits in the Illinois Sports Facilities Fund, an
10 amount equal to 8% of the net revenue realized from this Act
11 during the preceding month shall be deposited as follows: 18%
12 of such amount shall be deposited into the Tourism Promotion
13 Fund for the purposes described in subsection (n) of Section 5
14 of the Metropolitan Pier and Exposition Authority Act and the
15 remaining 82% of such amount shall be deposited into the
16 Tourism Promotion Fund each month for purposes authorized by
17 Section 605-705 of the Department of Commerce and Economic
18 Opportunity Law. Beginning on August 1, 1999 and ending on July
19 31, 2011, an amount equal to 4.5% of the net revenue realized
20 from the Hotel Operators' Occupation Tax Act during the
21 preceding month shall be deposited into the International
22 Tourism Fund for the purposes authorized in Section 605-707 of
23 the Department of Commerce and Economic Opportunity Law.
24 Beginning on August 1, 2011 and ending on June 30, 2016, an
25 amount equal to 4.5% of the net revenue realized from this Act
26 during the preceding month shall be deposited as follows: 55%

1 of such amount shall be deposited into the Chicago Travel
2 Industry Promotion Fund for the purposes described in
3 subsection (n) of Section 5 of the Metropolitan Pier and
4 Exposition Authority Act and the remaining 45% of such amount
5 deposited into the International Tourism Fund for the purposes
6 authorized in Section 605-707 of the Department of Commerce and
7 Economic Opportunity Law. Beginning on July 1, 2016, of the
8 remaining 60% of the amount of total net proceeds beginning on
9 July 1, 2016 from the tax imposed by subsection (a) of Section
10 3 after all required deposits in the Illinois Sports Facilities
11 Fund, an amount equal to 4.5% of the net revenue realized from
12 this Act during the preceding month shall be deposited as
13 follows: 55% of such amount shall be deposited into the Tourism
14 Promotion Fund for the purposes described in subsection (n) of
15 Section 5 of the Metropolitan Pier and Exposition Authority Act
16 and the remaining 45% of such amount deposited into the Tourism
17 Promotion Fund for the purposes authorized in Section 605-707
18 of the Department of Commerce and Economic Opportunity Law.

19 "Net revenue realized for a month" means the revenue collected
20 by the State under that Act during the previous month less the
21 amount paid out during that same month as refunds to taxpayers
22 for overpayment of liability under that Act.

23 (c) After making all these deposits, all other proceeds of
24 the tax imposed under subsection (a) of Section 3 shall be
25 deposited in the Tourism Promotion ~~General Revenue~~ Fund in the
26 State Treasury. All moneys received by the Department from the

1 additional tax imposed under subsection (b) of Section 3 shall
2 be deposited into the Build Illinois Fund in the State
3 Treasury.

4 (d) The Department may, upon separate written notice to a
5 taxpayer, require the taxpayer to prepare and file with the
6 Department on a form prescribed by the Department within not
7 less than 60 days after receipt of the notice an annual
8 information return for the tax year specified in the notice.
9 Such annual return to the Department shall include a statement
10 of gross receipts as shown by the operator's last State income
11 tax return. If the total receipts of the business as reported
12 in the State income tax return do not agree with the gross
13 receipts reported to the Department for the same period, the
14 operator shall attach to his annual information return a
15 schedule showing a reconciliation of the 2 amounts and the
16 reasons for the difference. The operator's annual information
17 return to the Department shall also disclose pay roll
18 information of the operator's business during the year covered
19 by such return and any additional reasonable information which
20 the Department deems would be helpful in determining the
21 accuracy of the monthly, quarterly or annual tax returns by
22 such operator as hereinbefore provided for in this Section.

23 If the annual information return required by this Section
24 is not filed when and as required the taxpayer shall be liable
25 for a penalty in an amount determined in accordance with
26 Section 3-4 of the Uniform Penalty and Interest Act until such

1 return is filed as required, the penalty to be assessed and
2 collected in the same manner as any other penalty provided for
3 in this Act.

4 The chief executive officer, proprietor, owner or highest
5 ranking manager shall sign the annual return to certify the
6 accuracy of the information contained therein. Any person who
7 willfully signs the annual return containing false or
8 inaccurate information shall be guilty of perjury and punished
9 accordingly. The annual return form prescribed by the
10 Department shall include a warning that the person signing the
11 return may be liable for perjury.

12 The foregoing portion of this Section concerning the filing
13 of an annual information return shall not apply to an operator
14 who is not required to file an income tax return with the
15 United States Government.

16 (Source: P.A. 97-617, eff. 10-26-11.)

17 Section 15-25. The Metropolitan Pier and Exposition
18 Authority Act is amended by changing Section 5 as follows:

19 (70 ILCS 210/5) (from Ch. 85, par. 1225)

20 Sec. 5. The Metropolitan Pier and Exposition Authority
21 shall also have the following rights and powers:

22 (a) To accept from Chicago Park Fair, a corporation, an
23 assignment of whatever sums of money it may have received
24 from the Fair and Exposition Fund, allocated by the

1 Department of Agriculture of the State of Illinois, and
2 Chicago Park Fair is hereby authorized to assign, set over
3 and transfer any of those funds to the Metropolitan Pier
4 and Exposition Authority. The Authority has the right and
5 power hereafter to receive sums as may be distributed to it
6 by the Department of Agriculture of the State of Illinois
7 from the Fair and Exposition Fund pursuant to the
8 provisions of Sections 5, 6i, and 28 of the State Finance
9 Act. All sums received by the Authority shall be held in
10 the sole custody of the secretary-treasurer of the
11 Metropolitan Pier and Exposition Board.

12 (b) To accept the assignment of, assume and execute any
13 contracts heretofore entered into by Chicago Park Fair.

14 (c) To acquire, own, construct, equip, lease, operate
15 and maintain grounds, buildings and facilities to carry out
16 its corporate purposes and duties, and to carry out or
17 otherwise provide for the recreational, cultural,
18 commercial or residential development of Navy Pier, and to
19 fix and collect just, reasonable and nondiscriminatory
20 charges for the use thereof. The charges so collected shall
21 be made available to defray the reasonable expenses of the
22 Authority and to pay the principal of and the interest upon
23 any revenue bonds issued by the Authority. The Authority
24 shall be subject to and comply with the Lake Michigan and
25 Chicago Lakefront Protection Ordinance, the Chicago
26 Building Code, the Chicago Zoning Ordinance, and all

1 ordinances and regulations of the City of Chicago contained
2 in the following Titles of the Municipal Code of Chicago:
3 Businesses, Occupations and Consumer Protection; Health
4 and Safety; Fire Prevention; Public Peace, Morals and
5 Welfare; Utilities and Environmental Protection; Streets,
6 Public Ways, Parks, Airports and Harbors; Electrical
7 Equipment and Installation; Housing and Economic
8 Development (only Chapter 5-4 thereof); and Revenue and
9 Finance (only so far as such Title pertains to the
10 Authority's duty to collect taxes on behalf of the City of
11 Chicago).

12 (d) To enter into contracts treating in any manner with
13 the objects and purposes of this Act.

14 (e) To lease any buildings to the Adjutant General of
15 the State of Illinois for the use of the Illinois National
16 Guard or the Illinois Naval Militia.

17 (f) To exercise the right of eminent domain by
18 condemnation proceedings in the manner provided by the
19 Eminent Domain Act, including, with respect to Site B only,
20 the authority to exercise quick take condemnation by
21 immediate vesting of title under Article 20 of the Eminent
22 Domain Act, to acquire any privately owned real or personal
23 property and, with respect to Site B only, public property
24 used for rail transportation purposes (but no such taking
25 of such public property shall, in the reasonable judgment
26 of the owner, interfere with such rail transportation) for

1 the lawful purposes of the Authority in Site A, at Navy
2 Pier, and at Site B. Just compensation for property taken
3 or acquired under this paragraph shall be paid in money or,
4 notwithstanding any other provision of this Act and with
5 the agreement of the owner of the property to be taken or
6 acquired, the Authority may convey substitute property or
7 interests in property or enter into agreements with the
8 property owner, including leases, licenses, or
9 concessions, with respect to any property owned by the
10 Authority, or may provide for other lawful forms of just
11 compensation to the owner. Any property acquired in
12 condemnation proceedings shall be used only as provided in
13 this Act. Except as otherwise provided by law, the City of
14 Chicago shall have a right of first refusal prior to any
15 sale of any such property by the Authority to a third party
16 other than substitute property. The Authority shall
17 develop and implement a relocation plan for businesses
18 displaced as a result of the Authority's acquisition of
19 property. The relocation plan shall be substantially
20 similar to provisions of the Uniform Relocation Assistance
21 and Real Property Acquisition Act and regulations
22 promulgated under that Act relating to assistance to
23 displaced businesses. To implement the relocation plan the
24 Authority may acquire property by purchase or gift or may
25 exercise the powers authorized in this subsection (f),
26 except the immediate vesting of title under Article 20 of

1 the Eminent Domain Act, to acquire substitute private
2 property within one mile of Site B for the benefit of
3 displaced businesses located on property being acquired by
4 the Authority. However, no such substitute property may be
5 acquired by the Authority unless the mayor of the
6 municipality in which the property is located certifies in
7 writing that the acquisition is consistent with the
8 municipality's land use and economic development policies
9 and goals. The acquisition of substitute property is
10 declared to be for public use. In exercising the powers
11 authorized in this subsection (f), the Authority shall use
12 its best efforts to relocate businesses within the area of
13 McCormick Place or, failing that, within the City of
14 Chicago.

15 (g) To enter into contracts relating to construction
16 projects which provide for the delivery by the contractor
17 of a completed project, structure, improvement, or
18 specific portion thereof, for a fixed maximum price, which
19 contract may provide that the delivery of the project,
20 structure, improvement, or specific portion thereof, for
21 the fixed maximum price is insured or guaranteed by a third
22 party capable of completing the construction.

23 (h) To enter into agreements with any person with
24 respect to the use and occupancy of the grounds, buildings,
25 and facilities of the Authority, including concession,
26 license, and lease agreements on terms and conditions as

1 the Authority determines. Notwithstanding Section 24,
2 agreements with respect to the use and occupancy of the
3 grounds, buildings, and facilities of the Authority for a
4 term of more than one year shall be entered into in
5 accordance with the procurement process provided for in
6 Section 25.1.

7 (i) To enter into agreements with any person with
8 respect to the operation and management of the grounds,
9 buildings, and facilities of the Authority or the provision
10 of goods and services on terms and conditions as the
11 Authority determines.

12 (j) After conducting the procurement process provided
13 for in Section 25.1, to enter into one or more contracts to
14 provide for the design and construction of all or part of
15 the Authority's Expansion Project grounds, buildings, and
16 facilities. Any contract for design and construction of the
17 Expansion Project shall be in the form authorized by
18 subsection (g), shall be for a fixed maximum price not in
19 excess of the funds that are authorized to be made
20 available for those purposes during the term of the
21 contract, and shall be entered into before commencement of
22 construction.

23 (k) To enter into agreements, including project
24 agreements with labor unions, that the Authority deems
25 necessary to complete the Expansion Project or any other
26 construction or improvement project in the most timely and

1 efficient manner and without strikes, picketing, or other
2 actions that might cause disruption or delay and thereby
3 add to the cost of the project.

4 (1) To provide incentives to organizations and
5 entities that agree to make use of the grounds, buildings,
6 and facilities of the Authority for conventions, meetings,
7 or trade shows. The incentives may take the form of
8 discounts from regular fees charged by the Authority,
9 subsidies for or assumption of the costs incurred with
10 respect to the convention, meeting, or trade show, or other
11 inducements. The Authority shall award incentives to
12 attract large conventions, meetings, and trade shows to its
13 facilities under the terms set forth in this subsection (1)
14 from amounts appropriated to the Authority from the
15 Metropolitan Pier and Exposition Authority Incentive Fund
16 for this purpose.

17 No later than May 15 of each year, the Chief Executive
18 Officer of the Metropolitan Pier and Exposition Authority
19 shall certify to the State Comptroller and the State
20 Treasurer the amounts of incentive grant funds used during
21 the current fiscal year to provide incentives for
22 conventions, meetings, or trade shows that (i) have been
23 approved by the Authority, in consultation with an
24 organization meeting the qualifications set out in Section
25 5.6 of this Act, provided the Authority has entered into a
26 marketing agreement with such an organization, (ii)

1 demonstrate registered attendance in excess of 5,000
2 individuals or in excess of 10,000 individuals, as
3 appropriate, and (iii) but for the incentive, would not
4 have used the facilities of the Authority for the
5 convention, meeting, or trade show. The State Comptroller
6 may request that the Auditor General conduct an audit of
7 the accuracy of the certification. If the State Comptroller
8 determines by this process of certification that incentive
9 funds, in whole or in part, were disbursed by the Authority
10 by means other than in accordance with the standards of
11 this subsection (1), then any amount transferred to the
12 Metropolitan Pier and Exposition Authority Incentive Fund
13 shall be reduced during the next subsequent transfer in
14 direct proportion to that amount determined to be in
15 violation of the terms set forth in this subsection (1).

16 On July 15, 2012, the Comptroller shall order
17 transferred, and the Treasurer shall transfer, into the
18 Metropolitan Pier and Exposition Authority Incentive Fund
19 from the General Revenue Fund the sum of \$7,500,000 plus an
20 amount equal to the incentive grant funds certified by the
21 Chief Executive Officer as having been lawfully paid under
22 the provisions of this Section in the previous 2 fiscal
23 years that have not otherwise been transferred into the
24 Metropolitan Pier and Exposition Authority Incentive Fund,
25 provided that transfers in excess of \$15,000,000 shall not
26 be made in any fiscal year.

1 On July 15, 2013, the Comptroller shall order
2 transferred, and the Treasurer shall transfer, into the
3 Metropolitan Pier and Exposition Authority Incentive Fund
4 from the General Revenue Fund the sum of \$7,500,000 plus an
5 amount equal to the incentive grant funds certified by the
6 Chief Executive Officer as having been lawfully paid under
7 the provisions of this Section in the previous fiscal year
8 that have not otherwise been transferred into the
9 Metropolitan Pier and Exposition Authority Incentive Fund,
10 provided that transfers in excess of \$15,000,000 shall not
11 be made in any fiscal year.

12 On July 15, 2014, and every year thereafter, the
13 Comptroller shall order transferred, and the Treasurer
14 shall transfer, into the Metropolitan Pier and Exposition
15 Authority Incentive Fund from the General Revenue Fund an
16 amount equal to the incentive grant funds certified by the
17 Chief Executive Officer as having been lawfully paid under
18 the provisions of this Section in the previous fiscal year
19 that have not otherwise been transferred into the
20 Metropolitan Pier and Exposition Authority Incentive Fund,
21 provided that transfers in excess of \$15,000,000 shall not
22 be made in any fiscal year.

23 After a transfer has been made under this subsection
24 (1), the Chief Executive Officer shall file a request for
25 payment with the Comptroller evidencing that the incentive
26 grants have been made and the Comptroller shall thereafter

1 order paid, and the Treasurer shall pay, the requested
2 amounts to the Metropolitan Pier and Exposition Authority.

3 In no case shall more than \$5,000,000 be used in any
4 one year by the Authority for incentives granted
5 conventions, meetings, or trade shows with a registered
6 attendance of more than 5,000 and less than 10,000. Amounts
7 in the Metropolitan Pier and Exposition Authority
8 Incentive Fund shall only be used by the Authority for
9 incentives paid to attract large conventions, meetings,
10 and trade shows to its facilities as provided in this
11 subsection (1).

12 (1-5) The Village of Rosemont shall provide incentives
13 from amounts transferred into the Convention Center
14 Support Fund to retain and attract conventions, meetings,
15 or trade shows to the Donald E. Stephens Convention Center
16 under the terms set forth in this subsection (1-5).

17 No later than May 15 of each year, the Mayor of the
18 Village of Rosemont or his or her designee shall certify to
19 the State Comptroller and the State Treasurer the amounts
20 of incentive grant funds used during the previous fiscal
21 year to provide incentives for conventions, meetings, or
22 trade shows that (1) have been approved by the Village, (2)
23 demonstrate registered attendance in excess of 5,000
24 individuals, and (3) but for the incentive, would not have
25 used the Donald E. Stephens Convention Center facilities
26 for the convention, meeting, or trade show. The State

1 Comptroller may request that the Auditor General conduct an
2 audit of the accuracy of the certification.

3 If the State Comptroller determines by this process of
4 certification that incentive funds, in whole or in part,
5 were disbursed by the Village by means other than in
6 accordance with the standards of this subsection (1-5),
7 then the amount transferred to the Convention Center
8 Support Fund shall be reduced during the next subsequent
9 transfer in direct proportion to that amount determined to
10 be in violation of the terms set forth in this subsection
11 (1-5).

12 On July 15, 2012, and each year thereafter, the
13 Comptroller shall order transferred, and the Treasurer
14 shall transfer, into the Convention Center Support Fund
15 from the General Revenue Fund the amount of \$5,000,000 for
16 (i) incentives to attract large conventions, meetings, and
17 trade shows to the Donald E. Stephens Convention Center,
18 and (ii) to be used by the Village of Rosemont for the
19 repair, maintenance, and improvement of the Donald E.
20 Stephens Convention Center and for debt service on debt
21 instruments issued for those purposes by the village. No
22 later than 30 days after the transfer, the Comptroller
23 shall order paid, and the Treasurer shall pay, to the
24 Village of Rosemont the amounts transferred.

25 (m) To enter into contracts with any person conveying
26 the naming rights or other intellectual property rights

1 with respect to the grounds, buildings, and facilities of
2 the Authority.

3 (n) To enter into grant agreements with the Chicago
4 Convention and Tourism Bureau providing for the marketing
5 of the convention facilities to large and small
6 conventions, meetings, and trade shows and the promotion of
7 the travel industry in the City of Chicago, provided such
8 agreements meet the requirements of Section 5.6 of this
9 Act. Receipts of the Authority from the increase in the
10 airport departure tax authorized by Public Act 96-898
11 ~~Section 13(f) of this amendatory Act of the 96th General~~
12 ~~Assembly and, subject to appropriation to the Authority,~~
13 ~~funds deposited in the Chicago Travel Industry Promotion~~
14 ~~Fund pursuant to Section 6 of the Hotel Operators'~~
15 ~~Occupation Tax Act~~ shall be granted to the Bureau for such
16 purposes.

17 Nothing in this Act shall be construed to authorize the
18 Authority to spend the proceeds of any bonds or notes issued
19 under Section 13.2 or any taxes levied under Section 13 to
20 construct a stadium to be leased to or used by professional
21 sports teams.

22 Notwithstanding any other provision of law, in addition to
23 any other transfers that may be provided by law, on July 1,
24 2016, or as soon thereafter as practical, the State Comptroller
25 shall direct and the State Treasurer shall transfer the
26 remaining balance from the Chicago Travel Industry Promotion

1 Fund into the Tourism Promotion Fund. Upon completion of the
2 transfers, the Chicago Travel Industry Promotion Fund is
3 dissolved, and any future deposits due to that Fund and any
4 outstanding obligations or liabilities of that Fund pass to the
5 Tourism Promotion Fund.

6 (Source: P.A. 97-617, eff. 10-26-11; 98-109, eff. 7-25-13.)

7 ARTICLE 20. GRANT ACCOUNTABILITY AND TRANSPARENCY ACT

8 Section 20-5. The State Finance Act is amended by adding
9 Section 6z-101 as follows:

10 (30 ILCS 105/6z-101 new)

11 Sec. 6z-101. The Grant Accountability and Transparency
12 Fund.

13 (a) The Grant Accountability and Transparency Fund is
14 hereby created in the State Treasury. The following moneys
15 shall be deposited into the Fund:

16 (1) grants, awards, appropriations, cost sharings,
17 inter-fund transfers, gifts, and bequests from any source,
18 public or private, in support of activities authorized
19 under the Grant Accountability and Transparency Act;

20 (2) federal funds received as a result of cost
21 allocation or indirect cost reimbursements;

22 (3) interest earned on moneys in the Fund; and

23 (4) receipts or inter-fund transfers resulting from

1 billings issued by the Governor's Office of Management and
2 Budget to State agencies for the costs of services rendered
3 pursuant to the Grant Accountability and Transparency Act.

4 (b) State agencies may direct the Comptroller to process
5 inter-fund transfers or make payment through the voucher and
6 warrant process to the Grant Accountability and Transparency
7 Fund in satisfaction of billings issued under subsection (a).

8 (c) Moneys in the Grant Accountability and Transparency
9 Fund may be used by the Governor's Office of Management and
10 Budget for costs in support of the implementation and
11 administration of the Grant Accountability and Transparency
12 Act and Budgeting for Results.

13 (d) The Governor's Office of Management and Budget may
14 require reports from State agencies as deemed necessary to
15 perform cost allocation reconciliations in connection with
16 services provided and expenses incurred in the administration
17 of the Grant Accountability and Transparency Act. In the event
18 that, in any fiscal year, the payments or inter-fund transfers
19 are in excess of the costs of services provided in that fiscal
20 year, the Governor's Office of Management and Budget may use
21 one or a combination of the following methods to return excess
22 funds:

23 (1) order that the amounts owed by the State agency in
24 the following fiscal year be offset against such excess
25 amount;

26 (2) direct the Comptroller to process an inter-fund

1 transfer; or
2 (3) make a refund payment.

3 Section 20-10. The Grant Accountability and Transparency
4 Act is amended by changing Sections 20, 25, 55, 85, 90, and 100
5 as follows:

6 (30 ILCS 708/20)

7 (Section scheduled to be repealed on July 16, 2019)

8 Sec. 20. Adoption of federal rules applicable to grants.

9 (a) On or before July 1, 2016 ~~2015~~, the Governor's Office
10 of Management and Budget, with the advice and technical
11 assistance of the Illinois Single Audit Commission, shall adopt
12 rules which adopt the Uniform Guidance at 2 CFR 200. The rules,
13 which shall apply to all State and federal pass-through awards
14 effective on and after July 1, 2016 ~~2015~~, shall include the
15 following:

16 (1) Administrative requirements. In accordance with
17 Subparts B through D of 2 CFR 200, the rules shall set
18 forth the uniform administrative requirements for grant
19 and cooperative agreements, including the requirements for
20 the management by State awarding agencies of federal grant
21 programs before State and federal pass-through awards have
22 been made and requirements that State awarding agencies may
23 impose on non-federal entities in State and federal
24 pass-through awards.

1 (2) Cost principles. In accordance with Subpart E of 2
2 CFR 200, the rules shall establish principles for
3 determining the allowable costs incurred by non-federal
4 entities under State and federal pass-through awards. The
5 principles are intended for cost determination, but are not
6 intended to identify the circumstances or dictate the
7 extent of State or federal pass-through participation in
8 financing a particular program or project. The principles
9 shall provide that State and federal awards bear their fair
10 share of cost recognized under these principles, except
11 where restricted or prohibited by State or federal law.

12 (3) Audit and single audit requirements and audit
13 follow-up. In accordance with Subpart F of 2 CFR 200 and
14 the federal Single Audit Act Amendments of 1996, the rules
15 shall set forth standards to obtain consistency and
16 uniformity among State and federal pass-through awarding
17 agencies for the audit of non-federal entities expending
18 State and federal awards. These provisions shall also set
19 forth the policies and procedures for State and federal
20 pass-through entities when using the results of these
21 audits.

22 The provisions of this item (3) do not apply to
23 for-profit subrecipients because for-profit subrecipients
24 are not subject to the requirements of OMB Circular A-133,
25 Audits of States, Local and Non-Profit Organizations.
26 Audits of for-profit subrecipients must be conducted

1 pursuant to a Program Audit Guide issued by the Federal
2 awarding agency. If a Program Audit Guide is not available,
3 the State awarding agency must prepare a Program Audit
4 Guide in accordance with the OMB Circular A-133 Compliance
5 Supplement. For-profit entities are subject to all other
6 general administrative requirements and cost principles
7 applicable to grants.

8 (b) This Act addresses only State and federal pass-through
9 auditing functions and does not address the external audit
10 function of the Auditor General.

11 (c) For public institutions of higher education, the
12 provisions of this Section apply only to awards funded by State
13 appropriations and federal pass-through awards from a State
14 agency to public institutions of higher education. Federal
15 pass-through awards from a State agency to public institutions
16 of higher education are governed by and must comply with
17 federal guidelines under 2 CFR 200.

18 (d) The State grant-making agency is responsible for
19 establishing requirements, as necessary, to ensure compliance
20 by for-profit subrecipients. The agreement with the for-profit
21 subrecipient shall describe the applicable compliance
22 requirements and the for-profit subrecipient's compliance
23 responsibility. Methods to ensure compliance for State and
24 federal pass-through awards made to for-profit subrecipients
25 shall include pre-award, audits, monitoring during the
26 agreement, and post-award audits. The Governor's Office of

1 Management and Budget shall provide such advice and technical
2 assistance to the State grant-making agency as is necessary or
3 indicated.

4 (Source: P.A. 98-706, eff. 7-16-14.)

5 (30 ILCS 708/25)

6 (Section scheduled to be repealed on July 16, 2019)

7 Sec. 25. Supplemental rules. On or before July 1, 2017
8 ~~2015~~, the Governor's Office of Management and Budget, with the
9 advice and technical assistance of the Illinois Single Audit
10 Commission, shall adopt supplemental rules pertaining to the
11 following:

12 (1) Criteria to define mandatory formula-based grants
13 and discretionary grants.

14 (2) The award of one-year grants for new applicants.

15 (3) The award of competitive grants in 3-year terms
16 (one-year initial terms with the option to renew for up to
17 2 additional years) to coincide with the federal award.

18 (4) The issuance of grants, including:

19 (A) public notice of announcements of funding
20 opportunities;

21 (B) the development of uniform grant applications;

22 (C) State agency review of merit of proposals and
23 risk posed by applicants;

24 (D) specific conditions for individual recipients
25 (requiring the use of a fiscal agent and additional

1 corrective conditions);

2 (E) certifications and representations;

3 (F) pre-award costs;

4 (G) performance measures and statewide prioritized
5 goals under Section 50-25 of the State Budget Law of
6 the Civil Administrative Code of Illinois, commonly
7 referred to as "Budgeting for Results"; and

8 (H) for mandatory formula grants, the merit of the
9 proposal and the risk posed should result in additional
10 reporting, monitoring, or measures such as
11 reimbursement-basis only.

12 (5) The development of uniform budget requirements,
13 which shall include:

14 (A) mandatory submission of budgets as part of the
15 grant application process;

16 (B) mandatory requirements regarding contents of
17 the budget including, at a minimum, common detail line
18 items specified under guidelines issued by the
19 Governor's Office of Management and Budget;

20 (C) a requirement that the budget allow
21 flexibility to add lines describing costs that are
22 common for the services provided as outlined in the
23 grant application;

24 (D) a requirement that the budget include
25 information necessary for analyzing cost and
26 performance for use in ~~the~~ Budgeting for Results

1 ~~initiative~~; and

2 (E) caps on the amount of salaries that may be
3 charged to grants based on the limitations imposed by
4 federal agencies.

5 (6) The development of pre-qualification requirements
6 for applicants, including the fiscal condition of the
7 organization and the provision of the following
8 information:

9 (A) organization name;

10 (B) Federal Employee Identification Number;

11 (C) Data Universal Numbering System (DUNS) number;

12 (D) fiscal condition;

13 (E) whether the applicant is in good standing with
14 the Secretary of State;

15 (F) past performance in administering grants;

16 (G) whether the applicant is or has ever been on
17 the Debarred and Suspended List maintained by the
18 Governor's Office of Management and Budget;

19 (H) whether the applicant is or has ever been on
20 the federal Excluded Parties List; and

21 (I) whether the applicant is or has ever been on
22 the Sanctioned Party List maintained by the Illinois
23 Department of Healthcare and Family Services.

24 Nothing in this Act affects the provisions of the Fiscal
25 Control and Internal Auditing Act nor the requirement that the
26 management of each State agency is responsible for maintaining

1 effective internal controls under that Act.

2 For public institutions of higher education, the
3 provisions of this Section apply only to awards funded by State
4 appropriations and federal pass-through awards from a State
5 agency to public institutions of higher education.

6 (Source: P.A. 98-706, eff. 7-16-14.)

7 (30 ILCS 708/55)

8 (Section scheduled to be repealed on July 16, 2019)

9 Sec. 55. The Governor's Office of Management and Budget
10 responsibilities.

11 (a) The Governor's Office of Management and Budget shall:

12 (1) provide technical assistance and interpretations
13 of policy requirements in order to ensure effective and
14 efficient implementation of this Act by State grant-making
15 agencies; and

16 (2) have authority to approve any exceptions to the
17 requirements of this Act and shall adopt rules governing
18 the criteria to be considered when an exception is
19 requested; exceptions shall only be made in particular
20 cases where adequate justification is presented.

21 (b) The Governor's Office of Management and Budget shall,
22 on or before July 1, 2016 ~~2014~~, establish a centralized unit
23 within the Governor's Office of Management and Budget. The
24 centralized unit shall be known as the Grant Accountability and
25 Transparency Unit and shall be funded with a portion of the

1 administrative funds provided under existing and future State
2 and federal pass-through grants. The amounts charged will be
3 allocated based on the actual cost of the services provided to
4 State grant-making agencies and public institutions of higher
5 education in accordance with the applicable federal cost
6 principles contained in 2 CFR 200 and this Act will not cause
7 the reduction in the amount of any State or federal grant
8 awards that have been or will be directed towards State
9 agencies or public institutions of higher education.

10 (Source: P.A. 98-706, eff. 7-16-14.)

11 (30 ILCS 708/85)

12 (Section scheduled to be repealed on July 16, 2019)

13 Sec. 85. Implementation date. The Governor's Office of
14 Management and Budget shall adopt all rules required under this
15 Act on or before July 1, 2017 ~~2015~~.

16 (Source: P.A. 98-706, eff. 7-16-14.)

17 (30 ILCS 708/90)

18 (Section scheduled to be repealed on July 16, 2019)

19 Sec. 90. Agency implementation. All State grant-making
20 agencies shall implement the rules issued by the Governor's
21 Office of Management and Budget on or before July 1, 2017 ~~2015~~.
22 The standards set forth in this Act, which affect
23 administration of State and federal pass-through awards issued
24 by State grant-making agencies, become effective once

1 implemented by State grant-making agencies. State grant-making
2 agencies shall implement the policies and procedures
3 applicable to State and federal pass-through awards by adopting
4 rules for non-federal entities by December 31, 2017 that shall
5 take effect for fiscal years on and after December 26, 2014,
6 unless different provisions are required by State or federal
7 statute or federal rule.

8 (Source: P.A. 98-706, eff. 7-16-14.)

9 (30 ILCS 708/100)

10 (Section scheduled to be repealed on July 16, 2019)

11 Sec. 100. Repeal. This Act is repealed on July 16, 2020 ~~5~~
12 ~~years after the effective date of this Act.~~

13 (Source: P.A. 98-706, eff. 7-16-14.)

14 ARTICLE 25. REFUNDING BONDS

15 Section 25-5. The General Obligation Bond Act is amended by
16 changing Sections 2.5, 9, 11, and 16 as follows:

17 (30 ILCS 330/2.5)

18 Sec. 2.5. Limitation on issuance of Bonds.

19 (a) Except as provided in subsection (b), no Bonds may be
20 issued if, after the issuance, in the next State fiscal year
21 after the issuance of the Bonds, the amount of debt service
22 (including principal, whether payable at maturity or pursuant

1 to mandatory sinking fund installments, and interest) on all
2 then-outstanding Bonds, other than Bonds authorized by Public
3 Act 96-43 and other than Bonds authorized by Public Act 96-1497
4 ~~this amendatory Act of the 96th General Assembly~~, would exceed
5 7% of the aggregate appropriations from the general funds
6 (which consist of the General Revenue Fund, the Common School
7 Fund, the General Revenue Common School Special Account Fund,
8 and the Education Assistance Fund) and the Road Fund for the
9 fiscal year immediately prior to the fiscal year of the
10 issuance.

11 (b) If the Comptroller and Treasurer each consent in
12 writing, Bonds may be issued even if the issuance does not
13 comply with subsection (a). In addition, Bonds may be issued
14 during State fiscal year 2017 without complying with subsection
15 (a).

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

17 (30 ILCS 330/9) (from Ch. 127, par. 659)

18 Sec. 9. Conditions for Issuance and Sale of Bonds -
19 Requirements for Bonds.

20 (a) Except as otherwise provided in this subsection, Bonds
21 shall be issued and sold from time to time, in one or more
22 series, in such amounts and at such prices as may be directed
23 by the Governor, upon recommendation by the Director of the
24 Governor's Office of Management and Budget. Bonds shall be in
25 such form (either coupon, registered or book entry), in such

1 denominations, payable within 25 years from their date, subject
2 to such terms of redemption with or without premium, bear
3 interest payable at such times and at such fixed or variable
4 rate or rates, and be dated as shall be fixed and determined by
5 the Director of the Governor's Office of Management and Budget
6 in the order authorizing the issuance and sale of any series of
7 Bonds, which order shall be approved by the Governor and is
8 herein called a "Bond Sale Order"; provided however, that
9 interest payable at fixed or variable rates shall not exceed
10 that permitted in the Bond Authorization Act, as now or
11 hereafter amended. Bonds shall be payable at such place or
12 places, within or without the State of Illinois, and may be
13 made registrable as to either principal or as to both principal
14 and interest, as shall be specified in the Bond Sale Order.
15 Bonds may be callable or subject to purchase and retirement or
16 tender and remarketing as fixed and determined in the Bond Sale
17 Order. Bonds, other than Bonds issued under Section 3 of this
18 Act for the costs associated with the purchase and
19 implementation of information technology, (i) except for
20 refunding Bonds satisfying the requirements of Section 16 of
21 this Act and sold during fiscal year 2009, 2010, ~~or~~ 2011, or
22 2017 must be issued with principal or mandatory redemption
23 amounts in equal amounts, with the first maturity issued
24 occurring within the fiscal year in which the Bonds are issued
25 or within the next succeeding fiscal year and (ii) must mature
26 or be subject to mandatory redemption each fiscal year

1 thereafter up to 25 years, except for refunding Bonds
2 satisfying the requirements of Section 16 of this Act and sold
3 during fiscal year 2009, 2010, or 2011 which must mature or be
4 subject to mandatory redemption each fiscal year thereafter up
5 to 16 years. Bonds issued under Section 3 of this Act for the
6 costs associated with the purchase and implementation of
7 information technology must be issued with principal or
8 mandatory redemption amounts in equal amounts, with the first
9 maturity issued occurring with the fiscal year in which the
10 respective bonds are issued or with the next succeeding fiscal
11 year, with the respective bonds issued maturing or subject to
12 mandatory redemption each fiscal year thereafter up to 10
13 years. Notwithstanding any provision of this Act to the
14 contrary, the Bonds authorized by Public Act 96-43 shall be
15 payable within 5 years from their date and must be issued with
16 principal or mandatory redemption amounts in equal amounts,
17 with payment of principal or mandatory redemption beginning in
18 the first fiscal year following the fiscal year in which the
19 Bonds are issued.

20 Notwithstanding any provision of this Act to the contrary,
21 the Bonds authorized by Public Act 96-1497 shall be payable
22 within 8 years from their date and shall be issued with payment
23 of maturing principal or scheduled mandatory redemptions in
24 accordance with the following schedule, except the following
25 amounts shall be prorated if less than the total additional
26 amount of Bonds authorized by Public Act 96-1497 are issued:

1	Fiscal Year After Issuance	Amount
2	1-2	\$0
3	3	\$110,712,120
4	4	\$332,136,360
5	5	\$664,272,720
6	6-8	\$996,409,080

7 In the case of any series of Bonds bearing interest at a
8 variable interest rate ("Variable Rate Bonds"), in lieu of
9 determining the rate or rates at which such series of Variable
10 Rate Bonds shall bear interest and the price or prices at which
11 such Variable Rate Bonds shall be initially sold or remarketed
12 (in the event of purchase and subsequent resale), the Bond Sale
13 Order may provide that such interest rates and prices may vary
14 from time to time depending on criteria established in such
15 Bond Sale Order, which criteria may include, without
16 limitation, references to indices or variations in interest
17 rates as may, in the judgment of a remarketing agent, be
18 necessary to cause Variable Rate Bonds of such series to be
19 remarketable from time to time at a price equal to their
20 principal amount, and may provide for appointment of a bank,
21 trust company, investment bank, or other financial institution
22 to serve as remarketing agent in that connection. The Bond Sale
23 Order may provide that alternative interest rates or provisions
24 for establishing alternative interest rates, different
25 security or claim priorities, or different call or amortization
26 provisions will apply during such times as Variable Rate Bonds

1 of any series are held by a person providing credit or
2 liquidity enhancement arrangements for such Bonds as
3 authorized in subsection (b) of this Section. The Bond Sale
4 Order may also provide for such variable interest rates to be
5 established pursuant to a process generally known as an auction
6 rate process and may provide for appointment of one or more
7 financial institutions to serve as auction agents and
8 broker-dealers in connection with the establishment of such
9 interest rates and the sale and remarketing of such Bonds.

10 (b) In connection with the issuance of any series of Bonds,
11 the State may enter into arrangements to provide additional
12 security and liquidity for such Bonds, including, without
13 limitation, bond or interest rate insurance or letters of
14 credit, lines of credit, bond purchase contracts, or other
15 arrangements whereby funds are made available to retire or
16 purchase Bonds, thereby assuring the ability of owners of the
17 Bonds to sell or redeem their Bonds. The State may enter into
18 contracts and may agree to pay fees to persons providing such
19 arrangements, but only under circumstances where the Director
20 of the Governor's Office of Management and Budget certifies
21 that he or she reasonably expects the total interest paid or to
22 be paid on the Bonds, together with the fees for the
23 arrangements (being treated as if interest), would not, taken
24 together, cause the Bonds to bear interest, calculated to their
25 stated maturity, at a rate in excess of the rate that the Bonds
26 would bear in the absence of such arrangements.

1 The State may, with respect to Bonds issued or anticipated
2 to be issued, participate in and enter into arrangements with
3 respect to interest rate protection or exchange agreements,
4 guarantees, or financial futures contracts for the purpose of
5 limiting, reducing, or managing interest rate exposure. The
6 authority granted under this paragraph, however, shall not
7 increase the principal amount of Bonds authorized to be issued
8 by law. The arrangements may be executed and delivered by the
9 Director of the Governor's Office of Management and Budget on
10 behalf of the State. Net payments for such arrangements shall
11 constitute interest on the Bonds and shall be paid from the
12 General Obligation Bond Retirement and Interest Fund. The
13 Director of the Governor's Office of Management and Budget
14 shall at least annually certify to the Governor and the State
15 Comptroller his or her estimate of the amounts of such net
16 payments to be included in the calculation of interest required
17 to be paid by the State.

18 (c) Prior to the issuance of any Variable Rate Bonds
19 pursuant to subsection (a), the Director of the Governor's
20 Office of Management and Budget shall adopt an interest rate
21 risk management policy providing that the amount of the State's
22 variable rate exposure with respect to Bonds shall not exceed
23 20%. This policy shall remain in effect while any Bonds are
24 outstanding and the issuance of Bonds shall be subject to the
25 terms of such policy. The terms of this policy may be amended
26 from time to time by the Director of the Governor's Office of

1 Management and Budget but in no event shall any amendment cause
2 the permitted level of the State's variable rate exposure with
3 respect to Bonds to exceed 20%.

4 (d) "Build America Bonds" in this Section means Bonds
5 authorized by Section 54AA of the Internal Revenue Code of
6 1986, as amended ("Internal Revenue Code"), and bonds issued
7 from time to time to refund or continue to refund "Build
8 America Bonds".

9 (e) Notwithstanding any other provision of this Section,
10 Qualified School Construction Bonds shall be issued and sold
11 from time to time, in one or more series, in such amounts and
12 at such prices as may be directed by the Governor, upon
13 recommendation by the Director of the Governor's Office of
14 Management and Budget. Qualified School Construction Bonds
15 shall be in such form (either coupon, registered or book
16 entry), in such denominations, payable within 25 years from
17 their date, subject to such terms of redemption with or without
18 premium, and if the Qualified School Construction Bonds are
19 issued with a supplemental coupon, bear interest payable at
20 such times and at such fixed or variable rate or rates, and be
21 dated as shall be fixed and determined by the Director of the
22 Governor's Office of Management and Budget in the order
23 authorizing the issuance and sale of any series of Qualified
24 School Construction Bonds, which order shall be approved by the
25 Governor and is herein called a "Bond Sale Order"; except that
26 interest payable at fixed or variable rates, if any, shall not

1 exceed that permitted in the Bond Authorization Act, as now or
2 hereafter amended. Qualified School Construction Bonds shall
3 be payable at such place or places, within or without the State
4 of Illinois, and may be made registrable as to either principal
5 or as to both principal and interest, as shall be specified in
6 the Bond Sale Order. Qualified School Construction Bonds may be
7 callable or subject to purchase and retirement or tender and
8 remarketing as fixed and determined in the Bond Sale Order.
9 Qualified School Construction Bonds must be issued with
10 principal or mandatory redemption amounts or sinking fund
11 payments into the General Obligation Bond Retirement and
12 Interest Fund (or subaccount therefor) in equal amounts, with
13 the first maturity issued, mandatory redemption payment or
14 sinking fund payment occurring within the fiscal year in which
15 the Qualified School Construction Bonds are issued or within
16 the next succeeding fiscal year, with Qualified School
17 Construction Bonds issued maturing or subject to mandatory
18 redemption or with sinking fund payments thereof deposited each
19 fiscal year thereafter up to 25 years. Sinking fund payments
20 set forth in this subsection shall be permitted only to the
21 extent authorized in Section 54F of the Internal Revenue Code
22 or as otherwise determined by the Director of the Governor's
23 Office of Management and Budget. "Qualified School
24 Construction Bonds" in this subsection means Bonds authorized
25 by Section 54F of the Internal Revenue Code and for bonds
26 issued from time to time to refund or continue to refund such

1 "Qualified School Construction Bonds".

2 (f) Beginning with the next issuance by the Governor's
3 Office of Management and Budget to the Procurement Policy Board
4 of a request for quotation for the purpose of formulating a new
5 pool of qualified underwriting banks list, all entities
6 responding to such a request for quotation for inclusion on
7 that list shall provide a written report to the Governor's
8 Office of Management and Budget and the Illinois Comptroller.
9 The written report submitted to the Comptroller shall (i) be
10 published on the Comptroller's Internet website and (ii) be
11 used by the Governor's Office of Management and Budget for the
12 purposes of scoring such a request for quotation. The written
13 report, at a minimum, shall:

14 (1) disclose whether, within the past 3 months,
15 pursuant to its credit default swap market-making
16 activities, the firm has entered into any State of Illinois
17 credit default swaps ("CDS");

18 (2) include, in the event of State of Illinois CDS
19 activity, disclosure of the firm's cumulative notional
20 volume of State of Illinois CDS trades and the firm's
21 outstanding gross and net notional amount of State of
22 Illinois CDS, as of the end of the current 3-month period;

23 (3) indicate, pursuant to the firm's proprietary
24 trading activities, disclosure of whether the firm, within
25 the past 3 months, has entered into any proprietary trades
26 for its own account in State of Illinois CDS;

1 (4) include, in the event of State of Illinois
2 proprietary trades, disclosure of the firm's outstanding
3 gross and net notional amount of proprietary State of
4 Illinois CDS and whether the net position is short or long
5 credit protection, as of the end of the current 3-month
6 period;

7 (5) list all time periods during the past 3 months
8 during which the firm held net long or net short State of
9 Illinois CDS proprietary credit protection positions, the
10 amount of such positions, and whether those positions were
11 net long or net short credit protection positions; and

12 (6) indicate whether, within the previous 3 months, the
13 firm released any publicly available research or marketing
14 reports that reference State of Illinois CDS and include
15 those research or marketing reports as attachments.

16 (g) All entities included on a Governor's Office of
17 Management and Budget's pool of qualified underwriting banks
18 list shall, as soon as possible after March 18, 2011 (the
19 effective date of Public Act 96-1554), but not later than
20 January 21, 2011, and on a quarterly fiscal basis thereafter,
21 provide a written report to the Governor's Office of Management
22 and Budget and the Illinois Comptroller. The written reports
23 submitted to the Comptroller shall be published on the
24 Comptroller's Internet website. The written reports, at a
25 minimum, shall:

26 (1) disclose whether, within the past 3 months,

1 pursuant to its credit default swap market-making
2 activities, the firm has entered into any State of Illinois
3 credit default swaps ("CDS");

4 (2) include, in the event of State of Illinois CDS
5 activity, disclosure of the firm's cumulative notional
6 volume of State of Illinois CDS trades and the firm's
7 outstanding gross and net notional amount of State of
8 Illinois CDS, as of the end of the current 3-month period;

9 (3) indicate, pursuant to the firm's proprietary
10 trading activities, disclosure of whether the firm, within
11 the past 3 months, has entered into any proprietary trades
12 for its own account in State of Illinois CDS;

13 (4) include, in the event of State of Illinois
14 proprietary trades, disclosure of the firm's outstanding
15 gross and net notional amount of proprietary State of
16 Illinois CDS and whether the net position is short or long
17 credit protection, as of the end of the current 3-month
18 period;

19 (5) list all time periods during the past 3 months
20 during which the firm held net long or net short State of
21 Illinois CDS proprietary credit protection positions, the
22 amount of such positions, and whether those positions were
23 net long or net short credit protection positions; and

24 (6) indicate whether, within the previous 3 months, the
25 firm released any publicly available research or marketing
26 reports that reference State of Illinois CDS and include

1 those research or marketing reports as attachments.
2 (Source: P.A. 96-18, eff. 6-26-09; 96-37, eff. 7-13-09; 96-43,
3 eff. 7-15-09; 96-828, eff. 12-2-09; 96-1497, eff. 1-14-11;
4 96-1554, eff. 3-18-11; 97-813, eff. 7-13-12.)

5 (30 ILCS 330/11) (from Ch. 127, par. 661)

6 Sec. 11. Sale of Bonds. Except as otherwise provided in
7 this Section, Bonds shall be sold from time to time pursuant to
8 notice of sale and public bid or by negotiated sale in such
9 amounts and at such times as is directed by the Governor, upon
10 recommendation by the Director of the Governor's Office of
11 Management and Budget. At least 25%, based on total principal
12 amount, of all Bonds issued each fiscal year shall be sold
13 pursuant to notice of sale and public bid. At all times during
14 each fiscal year, no more than 75%, based on total principal
15 amount, of the Bonds issued each fiscal year, shall have been
16 sold by negotiated sale. Failure to satisfy the requirements in
17 the preceding 2 sentences shall not affect the validity of any
18 previously issued Bonds; provided that all Bonds authorized by
19 Public Act 96-43 and Public Act 96-1497 ~~this amendatory Act of~~
20 ~~the 96th General Assembly~~ shall not be included in determining
21 compliance for any fiscal year with the requirements of the
22 preceding 2 sentences; and further provided that refunding
23 Bonds satisfying the requirements of Section 16 of this Act and
24 sold during fiscal year 2009, 2010, ~~or~~ 2011, or 2017 shall not
25 be subject to the requirements in the preceding 2 sentences.

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

6 If Bonds are to be sold pursuant to notice of sale and
7 public bid, the Director of the Governor's Office of Management
8 and Budget may, from time to time, as Bonds are to be sold,
9 advertise the sale of the Bonds in at least 2 daily newspapers,
10 one of which is published in the City of Springfield and one in
11 the City of Chicago. The sale of the Bonds shall also be
12 advertised in the volume of the Illinois Procurement Bulletin
13 that is published by the Department of Central Management
14 Services, and shall be published once at least 10 days prior to
15 the date fixed for the opening of the bids. The Director of the
16 Governor's Office of Management and Budget may reschedule the
17 date of sale upon the giving of such additional notice as the
18 Director deems adequate to inform prospective bidders of such
19 change; provided, however, that all other conditions of the
20 sale shall continue as originally advertised.

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

24 (Source: P.A. 98-44, eff. 6-28-13.)

25 (30 ILCS 330/16) (from Ch. 127, par. 666)

1 Sec. 16. Refunding Bonds. The State of Illinois is
2 authorized to issue, sell, and provide for the retirement of
3 General Obligation Bonds of the State of Illinois in the amount
4 of \$4,839,025,000, at any time and from time to time
5 outstanding, for the purpose of refunding any State of Illinois
6 general obligation Bonds then outstanding, including the
7 payment of any redemption premium thereon, any reasonable
8 expenses of such refunding, any interest accrued or to accrue
9 to the earliest or any subsequent date of redemption or
10 maturity of such outstanding Bonds and any interest to accrue
11 to the first interest payment on the refunding Bonds; provided
12 that all non-refunding Bonds in an issue that includes
13 refunding Bonds shall mature no later than the final maturity
14 date of Bonds being refunded; provided that no refunding Bonds
15 shall be offered for sale unless the net present value of debt
16 service savings to be achieved by the issuance of the refunding
17 Bonds is 3% or more of the principal amount of the refunding
18 Bonds to be issued; and further provided that, except for
19 refunding Bonds sold in fiscal year 2009, 2010, ~~or~~ 2011, or
20 2017, the maturities of the refunding Bonds shall not extend
21 beyond the maturities of the Bonds they refund, so that for
22 each fiscal year in the maturity schedule of a particular issue
23 of refunding Bonds, the total amount of refunding principal
24 maturing and redemption amounts due in that fiscal year and all
25 prior fiscal years in that schedule shall be greater than or
26 equal to the total amount of refunded principal and redemption

1 amounts that had been due over that year and all prior fiscal
2 years prior to the refunding.

3 The Governor shall notify the State Treasurer and
4 Comptroller of such refunding. The proceeds received from the
5 sale of refunding Bonds shall be used for the retirement at
6 maturity or redemption of such outstanding Bonds on any
7 maturity or redemption date and, pending such use, shall be
8 placed in escrow, subject to such terms and conditions as shall
9 be provided for in the Bond Sale Order relating to the
10 Refunding Bonds. Proceeds not needed for deposit in an escrow
11 account shall be deposited in the General Obligation Bond
12 Retirement and Interest Fund. This Act shall constitute an
13 irrevocable and continuing appropriation of all amounts
14 necessary to establish an escrow account for the purpose of
15 refunding outstanding general obligation Bonds and to pay the
16 reasonable expenses of such refunding and of the issuance and
17 sale of the refunding Bonds. Any such escrowed proceeds may be
18 invested and reinvested in direct obligations of the United
19 States of America, maturing at such time or times as shall be
20 appropriate to assure the prompt payment, when due, of the
21 principal of and interest and redemption premium, if any, on
22 the refunded Bonds. After the terms of the escrow have been
23 fully satisfied, any remaining balance of such proceeds and
24 interest, income and profits earned or realized on the
25 investments thereof shall be paid into the General Revenue
26 Fund. The liability of the State upon the Bonds shall continue,

1 provided that the holders thereof shall thereafter be entitled
2 to payment only out of the moneys deposited in the escrow
3 account.

4 Except as otherwise herein provided in this Section, such
5 refunding Bonds shall in all other respects be subject to the
6 terms and conditions of this Act.

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

8 Section 25-10. The Build Illinois Bond Act is amended by
9 changing Sections 6, 8, and 15 as follows:

10 (30 ILCS 425/6) (from Ch. 127, par. 2806)

11 Sec. 6. Conditions for Issuance and Sale of Bonds -
12 Requirements for Bonds - Master and Supplemental Indentures -
13 Credit and Liquidity Enhancement.

14 (a) Bonds shall be issued and sold from time to time, in
15 one or more series, in such amounts and at such prices as
16 directed by the Governor, upon recommendation by the Director
17 of the Governor's Office of Management and Budget. Bonds shall
18 be payable only from the specific sources and secured in the
19 manner provided in this Act. Bonds shall be in such form, in
20 such denominations, mature on such dates within 25 years from
21 their date of issuance, be subject to optional or mandatory
22 redemption, bear interest payable at such times and at such
23 rate or rates, fixed or variable, and be dated as shall be
24 fixed and determined by the Director of the Governor's Office

1 of Management and Budget in an order authorizing the issuance
2 and sale of any series of Bonds, which order shall be approved
3 by the Governor and is herein called a "Bond Sale Order";
4 provided, however, that interest payable at fixed rates shall
5 not exceed that permitted in "An Act to authorize public
6 corporations to issue bonds, other evidences of indebtedness
7 and tax anticipation warrants subject to interest rate
8 limitations set forth therein", approved May 26, 1970, as now
9 or hereafter amended, and interest payable at variable rates
10 shall not exceed the maximum rate permitted in the Bond Sale
11 Order. Said Bonds shall be payable at such place or places,
12 within or without the State of Illinois, and may be made
13 registrable as to either principal only or as to both principal
14 and interest, as shall be specified in the Bond Sale Order.
15 Bonds may be callable or subject to purchase and retirement or
16 remarketing as fixed and determined in the Bond Sale Order.
17 Bonds (i) except for refunding Bonds satisfying the
18 requirements of Section 15 of this Act and sold during fiscal
19 year 2009, 2010, ~~or~~ 2011, or 2017, must be issued with
20 principal or mandatory redemption amounts in equal amounts,
21 with the first maturity issued occurring within the fiscal year
22 in which the Bonds are issued or within the next succeeding
23 fiscal year and (ii) must mature or be subject to mandatory
24 redemption each fiscal year thereafter up to 25 years, except
25 for refunding Bonds satisfying the requirements of Section 15
26 ~~16~~ of this Act and sold during fiscal year 2009, 2010, or 2011

1 which must mature or be subject to mandatory redemption each
2 fiscal year thereafter up to 16 years.

3 All Bonds authorized under this Act shall be issued
4 pursuant to a master trust indenture ("Master Indenture")
5 executed and delivered on behalf of the State by the Director
6 of the Governor's Office of Management and Budget, such Master
7 Indenture to be in substantially the form approved in the Bond
8 Sale Order authorizing the issuance and sale of the initial
9 series of Bonds issued under this Act. Such initial series of
10 Bonds may, and each subsequent series of Bonds shall, also be
11 issued pursuant to a supplemental trust indenture
12 ("Supplemental Indenture") executed and delivered on behalf of
13 the State by the Director of the Governor's Office of
14 Management and Budget, each such Supplemental Indenture to be
15 in substantially the form approved in the Bond Sale Order
16 relating to such series. The Master Indenture and any
17 Supplemental Indenture shall be entered into with a bank or
18 trust company in the State of Illinois having trust powers and
19 possessing capital and surplus of not less than \$100,000,000.
20 Such indentures shall set forth the terms and conditions of the
21 Bonds and provide for payment of and security for the Bonds,
22 including the establishment and maintenance of debt service and
23 reserve funds, and for other protections for holders of the
24 Bonds. The term "reserve funds" as used in this Act shall
25 include funds and accounts established under indentures to
26 provide for the payment of principal of and premium and

1 interest on Bonds, to provide for the purchase, retirement or
2 defeasance of Bonds, to provide for fees of trustees,
3 registrars, paying agents and other fiduciaries and to provide
4 for payment of costs of and debt service payable in respect of
5 credit or liquidity enhancement arrangements, interest rate
6 swaps or guarantees or financial futures contracts and indexing
7 and remarketing agents' services.

8 In the case of any series of Bonds bearing interest at a
9 variable interest rate ("Variable Rate Bonds"), in lieu of
10 determining the rate or rates at which such series of Variable
11 Rate Bonds shall bear interest and the price or prices at which
12 such Variable Rate Bonds shall be initially sold or remarketed
13 (in the event of purchase and subsequent resale), the Bond Sale
14 Order may provide that such interest rates and prices may vary
15 from time to time depending on criteria established in such
16 Bond Sale Order, which criteria may include, without
17 limitation, references to indices or variations in interest
18 rates as may, in the judgment of a remarketing agent, be
19 necessary to cause Bonds of such series to be remarketable from
20 time to time at a price equal to their principal amount (or
21 compound accreted value in the case of original issue discount
22 Bonds), and may provide for appointment of indexing agents and
23 a bank, trust company, investment bank or other financial
24 institution to serve as remarketing agent in that connection.
25 The Bond Sale Order may provide that alternative interest rates
26 or provisions for establishing alternative interest rates,

1 different security or claim priorities or different call or
2 amortization provisions will apply during such times as Bonds
3 of any series are held by a person providing credit or
4 liquidity enhancement arrangements for such Bonds as
5 authorized in subsection (b) of Section 6 of this Act.

6 (b) In connection with the issuance of any series of Bonds,
7 the State may enter into arrangements to provide additional
8 security and liquidity for such Bonds, including, without
9 limitation, bond or interest rate insurance or letters of
10 credit, lines of credit, bond purchase contracts or other
11 arrangements whereby funds are made available to retire or
12 purchase Bonds, thereby assuring the ability of owners of the
13 Bonds to sell or redeem their Bonds. The State may enter into
14 contracts and may agree to pay fees to persons providing such
15 arrangements, but only under circumstances where the Director
16 of the Bureau of the Budget (now Governor's Office of
17 Management and Budget) certifies that he reasonably expects the
18 total interest paid or to be paid on the Bonds, together with
19 the fees for the arrangements (being treated as if interest),
20 would not, taken together, cause the Bonds to bear interest,
21 calculated to their stated maturity, at a rate in excess of the
22 rate which the Bonds would bear in the absence of such
23 arrangements. Any bonds, notes or other evidences of
24 indebtedness issued pursuant to any such arrangements for the
25 purpose of retiring and discharging outstanding Bonds shall
26 constitute refunding Bonds under Section 15 of this Act. The

1 State may participate in and enter into arrangements with
2 respect to interest rate swaps or guarantees or financial
3 futures contracts for the purpose of limiting or restricting
4 interest rate risk; provided that such arrangements shall be
5 made with or executed through banks having capital and surplus
6 of not less than \$100,000,000 or insurance companies holding
7 the highest policyholder rating accorded insurers by A.M. Best
8 & Co. or any comparable rating service or government bond
9 dealers reporting to, trading with, and recognized as primary
10 dealers by a Federal Reserve Bank and having capital and
11 surplus of not less than \$100,000,000, or other persons whose
12 debt securities are rated in the highest long-term categories
13 by both Moody's Investors' Services, Inc. and Standard & Poor's
14 Corporation. Agreements incorporating any of the foregoing
15 arrangements may be executed and delivered by the Director of
16 the Governor's Office of Management and Budget on behalf of the
17 State in substantially the form approved in the Bond Sale Order
18 relating to such Bonds.

19 (c) "Build America Bonds" in this Section means Bonds
20 authorized by Section 54AA of the Internal Revenue Code of
21 1986, as amended ("Internal Revenue Code"), and bonds issued
22 from time to time to refund or continue to refund "Build
23 America Bonds".

24 (Source: P.A. 96-18, eff. 6-26-09; 96-828, eff. 12-2-09.)

25 (30 ILCS 425/8) (from Ch. 127, par. 2808)

1 Sec. 8. Sale of Bonds. Bonds, except as otherwise provided
2 in this Section, shall be sold from time to time pursuant to
3 notice of sale and public bid or by negotiated sale in such
4 amounts and at such times as are directed by the Governor, upon
5 recommendation by the Director of the Governor's Office of
6 Management and Budget. At least 25%, based on total principal
7 amount, of all Bonds issued each fiscal year shall be sold
8 pursuant to notice of sale and public bid. At all times during
9 each fiscal year, no more than 75%, based on total principal
10 amount, of the Bonds issued each fiscal year shall have been
11 sold by negotiated sale. Failure to satisfy the requirements in
12 the preceding 2 sentences shall not affect the validity of any
13 previously issued Bonds; and further provided that refunding
14 Bonds satisfying the requirements of Section 15 of this Act and
15 sold during fiscal year 2009, 2010, ~~or~~ 2011, or 2017 shall not
16 be subject to the requirements in the preceding 2 sentences.

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

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

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

26 (Source: P.A. 98-44, eff. 6-28-13.)

1 (30 ILCS 425/15) (from Ch. 127, par. 2815)

2 Sec. 15. Refunding Bonds. Refunding Bonds are hereby
3 authorized for the purpose of refunding any outstanding Bonds,
4 including the payment of any redemption premium thereon, any
5 reasonable expenses of such refunding, and any interest accrued
6 or to accrue to the earliest or any subsequent date of
7 redemption or maturity of outstanding Bonds; provided that all
8 non-refunding Bonds in an issue that includes refunding Bonds
9 shall mature no later than the final maturity date of Bonds
10 being refunded; provided that no refunding Bonds shall be
11 offered for sale unless the net present value of debt service
12 savings to be achieved by the issuance of the refunding Bonds
13 is 3% or more of the principal amount of the refunding Bonds to
14 be issued; and further provided that, except for refunding
15 Bonds sold in fiscal year 2009, 2010, ~~or~~ 2011, or 2017, the
16 maturities of the refunding Bonds shall not extend beyond the
17 maturities of the Bonds they refund, so that for each fiscal
18 year in the maturity schedule of a particular issue of
19 refunding Bonds, the total amount of refunding principal
20 maturing and redemption amounts due in that fiscal year and all
21 prior fiscal years in that schedule shall be greater than or
22 equal to the total amount of refunded principal and redemption
23 amounts that had been due over that year and all prior fiscal
24 years prior to the refunding.

25 Refunding Bonds may be sold in such amounts and at such

1 times, as directed by the Governor upon recommendation by the
2 Director of the Governor's Office of Management and Budget. The
3 Governor shall notify the State Treasurer and Comptroller of
4 such refunding. The proceeds received from the sale of
5 refunding Bonds shall be used for the retirement at maturity or
6 redemption of such outstanding Bonds on any maturity or
7 redemption date and, pending such use, shall be placed in
8 escrow, subject to such terms and conditions as shall be
9 provided for in the Bond Sale Order relating to the refunding
10 Bonds. This Act shall constitute an irrevocable and continuing
11 appropriation of all amounts necessary to establish an escrow
12 account for the purpose of refunding outstanding Bonds and to
13 pay the reasonable expenses of such refunding and of the
14 issuance and sale of the refunding Bonds. Any such escrowed
15 proceeds may be invested and reinvested in direct obligations
16 of the United States of America, maturing at such time or times
17 as shall be appropriate to assure the prompt payment, when due,
18 of the principal of and interest and redemption premium, if
19 any, on the refunded Bonds. After the terms of the escrow have
20 been fully satisfied, any remaining balance of such proceeds
21 and interest, income and profits earned or realized on the
22 investments thereof shall be paid into the General Revenue
23 Fund. The liability of the State upon the refunded Bonds shall
24 continue, provided that the holders thereof shall thereafter be
25 entitled to payment only out of the moneys deposited in the
26 escrow account and the refunded Bonds shall be deemed paid,

1 discharged and no longer to be outstanding.

2 Except as otherwise herein provided in this Section, such
3 refunding Bonds shall in all other respects be issued pursuant
4 to and subject to the terms and conditions of this Act and
5 shall be secured by and payable from only the funds and sources
6 which are provided under this Act.

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

8 ARTICLE 30. REVOLVING FUNDS CONSOLIDATION

9 Section 30-5. The Department of Central Management
10 Services Law of the Civil Administrative Code of Illinois is
11 amended by changing Sections 405-20, 405-250, and 405-410 as
12 follows:

13 (20 ILCS 405/405-20) (was 20 ILCS 405/35.7)

14 Sec. 405-20. Fiscal policy information to Governor;
15 information technology ~~statistical research~~ planning.

16 (a) The Department shall be responsible for providing the
17 Governor with timely, comprehensive, and meaningful
18 information pertinent to the formulation and execution of
19 fiscal policy. In performing this responsibility the
20 Department shall have the power and duty to do the following:

21 (1) Control the procurement, retention, installation,
22 maintenance, and operation, as specified by the Director,
23 of information technology ~~electronic data processing~~

1 equipment and software used by State agencies in such a
2 manner as to achieve maximum economy and provide adequate
3 assistance in the development of information suitable for
4 management analysis.

5 (2) Establish principles and standards of information
6 technology ~~statistical~~ reporting by State agencies and
7 priorities for completion of research by those agencies in
8 accordance with the requirements for management analysis
9 as specified by the Director.

10 (3) Establish, through the Director, charges for
11 information technology ~~statistical~~ services requested by
12 State agencies and rendered by the Department. The
13 Department is likewise empowered through the Director to
14 establish prices or charges for information technology
15 services rendered by the Department for all ~~statistical~~
16 ~~reports purchased by~~ agencies and individuals not
17 connected with State government.

18 (4) Instruct all State agencies as the Director may
19 require to report regularly to the Department, in the
20 manner the Director may prescribe, their usage of
21 information technology ~~electronic information~~ devices and
22 services, the cost incurred, the information produced, and
23 the procedures followed in obtaining the information. All
24 State agencies shall request of the Director any
25 information technology resources ~~statistical services~~
26 requiring the use of electronic devices and shall conform

1 to the priorities assigned by the Director in using those
2 electronic devices.

3 (5) Examine the accounts, use of information
4 technology resources, and statistical data of any
5 organization, body, or agency receiving appropriations
6 from the General Assembly.

7 (6) Install and operate a modern information system
8 utilizing equipment adequate to satisfy the requirements
9 for analysis and review as specified by the Director.
10 Expenditures for information technology ~~statistical~~
11 services rendered shall be reimbursed by the recipients.
12 The reimbursement shall be determined by the Director as
13 amounts sufficient to reimburse the Technology Management
14 ~~Statistical Services~~ Revolving Fund for expenditures
15 incurred in rendering the services.

16 (b) In addition to the other powers and duties listed in
17 this Section, the Department shall analyze the present and
18 future aims, needs, and requirements of information technology
19 ~~statistical research~~ and planning in order to provide for the
20 formulation of overall policy relative to the use of electronic
21 data processing equipment and software by the State of
22 Illinois. In making this analysis, the Department under the
23 Director shall formulate a master plan for the use of
24 information technology ~~statistical research,~~ utilizing
25 electronic equipment, software and services most
26 advantageously, and advising whether electronic data

1 processing equipment and software should be leased or purchased
2 by the State. The Department under the Director shall prepare
3 and submit interim reports of meaningful developments and
4 proposals for legislation to the Governor on or before January
5 30 each year. The Department under the Director shall engage in
6 a continuing analysis and evaluation of the master plan so
7 developed, and it shall be the responsibility of the Department
8 to recommend from time to time any needed amendments and
9 modifications of any master plan enacted by the General
10 Assembly.

11 (c) For the purposes of this Section, Section 405-245, and
12 paragraph (4) of Section 405-10 only, "State agencies" means
13 all departments, boards, commissions, and agencies of the State
14 of Illinois subject to the Governor.

15 (Source: P.A. 94-91, eff. 7-1-05.)

16 (20 ILCS 405/405-250) (was 20 ILCS 405/35.7a)

17 Sec. 405-250. Information technology ~~Statistical services;~~
18 use of information technology ~~electronic data processing~~
19 equipment and software. The Department may make information
20 technology resources ~~statistical services~~ and the use of
21 information technology ~~electronic data processing~~ equipment
22 and software, including necessary telecommunications lines and
23 equipment, available to local governments, elected State
24 officials, State educational institutions, and all other
25 governmental units of the State requesting them. The Director

1 is empowered to establish prices and charges for the
2 information technology resources ~~statistical services~~ so
3 furnished and for the use of the information technology
4 ~~electronic data processing~~ equipment and software and
5 necessary telecommunications lines and equipment. The prices
6 and charges shall be sufficient to reimburse the cost of
7 furnishing the services and use of equipment, software, and
8 lines.

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

10 (20 ILCS 405/405-410)

11 Sec. 405-410. Transfer of Information Technology
12 functions.

13 (a) Notwithstanding any other law to the contrary, the
14 Director of Central Management Services, working in
15 cooperation with the Director of any other agency, department,
16 board, or commission directly responsible to the Governor, may
17 direct the transfer, to the Department of Central Management
18 Services, of those information technology functions at that
19 agency, department, board, or commission that are suitable for
20 centralization.

21 Upon receipt of the written direction to transfer
22 information technology functions to the Department of Central
23 Management Services, the personnel, equipment, and property
24 (both real and personal) directly relating to the transferred
25 functions shall be transferred to the Department of Central

1 Management Services, and the relevant documents, records, and
2 correspondence shall be transferred or copied, as the Director
3 may prescribe.

4 (b) Upon receiving written direction from the Director of
5 Central Management Services, the Comptroller and Treasurer are
6 authorized to transfer the unexpended balance of any
7 appropriations related to the information technology functions
8 transferred to the Department of Central Management Services
9 and shall make the necessary fund transfers from any special
10 fund in the State Treasury or from any other federal or State
11 trust fund held by the Treasurer to the General Revenue Fund or
12 ~~7 the Technology Management Statistical Services~~ Revolving
13 ~~Fund, or the Communications Revolving Fund~~, as designated by
14 the Director of Central Management Services, for use by the
15 Department of Central Management Services in support of
16 information technology functions or any other related costs or
17 expenses of the Department of Central Management Services.

18 (c) The rights of employees and the State and its agencies
19 under the Personnel Code and applicable collective bargaining
20 agreements or under any pension, retirement, or annuity plan
21 shall not be affected by any transfer under this Section.

22 (d) The functions transferred to the Department of Central
23 Management Services by this Section shall be vested in and
24 shall be exercised by the Department of Central Management
25 Services. Each act done in the exercise of those functions
26 shall have the same legal effect as if done by the agencies,

1 offices, divisions, departments, bureaus, boards and
2 commissions from which they were transferred.

3 Every person or other entity shall be subject to the same
4 obligations and duties and any penalties, civil or criminal,
5 arising therefrom, and shall have the same rights arising from
6 the exercise of such rights, powers, and duties as had been
7 exercised by the agencies, offices, divisions, departments,
8 bureaus, boards, and commissions from which they were
9 transferred.

10 Whenever reports or notices are now required to be made or
11 given or papers or documents furnished or served by any person
12 in regards to the functions transferred to or upon the
13 agencies, offices, divisions, departments, bureaus, boards,
14 and commissions from which the functions were transferred, the
15 same shall be made, given, furnished or served in the same
16 manner to or upon the Department of Central Management
17 Services.

18 This Section does not affect any act done, ratified, or
19 cancelled or any right occurring or established or any action
20 or proceeding had or commenced in an administrative, civil, or
21 criminal cause regarding the functions transferred, but those
22 proceedings may be continued by the Department of Central
23 Management Services.

24 This Section does not affect the legality of any rules in
25 the Illinois Administrative Code regarding the functions
26 transferred in this Section that are in force on the effective

1 date of this Section. If necessary, however, the affected
2 agencies shall propose, adopt, or repeal rules, rule
3 amendments, and rule recodifications as appropriate to
4 effectuate this Section.

5 (Source: P.A. 93-25, eff. 6-20-03; 93-839, eff. 7-30-04;
6 93-1067, eff. 1-15-05.)

7 Section 30-10. The State Finance Act is amended by changing
8 Sections 5.12, 5.55, 6p-1, 6p-2, 6z-34, and 8.16a as follows:

9 (30 ILCS 105/5.12) (from Ch. 127, par. 141.12)

10 Sec. 5.12. The Communications Revolving Fund. This Section
11 is repealed on December 31, 2016.

12 (Source: Laws 1919, p. 946.)

13 (30 ILCS 105/5.55) (from Ch. 127, par. 141.55)

14 Sec. 5.55. The Technology Management ~~Statistical Services~~
15 Revolving Fund.

16 (Source: Laws 1919, p. 946.)

17 (30 ILCS 105/6p-1) (from Ch. 127, par. 142p1)

18 Sec. 6p-1. The Technology Management Revolving Fund
19 (formerly known as the Statistical Services Revolving Fund)
20 shall be initially financed by a transfer of funds from the
21 General Revenue Fund. Thereafter, all fees and other monies
22 received by the Department of Central Management Services in

1 payment for statistical services rendered pursuant to Section
2 405-20 of the Department of Central Management Services Law (20
3 ILCS 405/405-20) shall be paid into the Technology Management
4 ~~Statistical Services~~ Revolving Fund. On and after July 1, 2016,
5 or after sufficient moneys have been received in the
6 Communications Revolving Fund to pay all Fiscal Year 2016
7 obligations payable from the Fund, whichever is later, all fees
8 and other moneys received by the Department of Central
9 Management Services in payment for communications services
10 rendered pursuant to the Department of Central Management
11 Services Law of the Civil Administrative Code of Illinois or
12 sale of surplus State communications equipment shall be paid
13 into the Technology Management Revolving Fund. The money in
14 this fund shall be used by the Department of Central Management
15 Services as reimbursement for expenditures incurred in
16 rendering statistical services and, beginning July 1, 2016, as
17 reimbursement for expenditures incurred in relation to
18 communications services.

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

20 (30 ILCS 105/6p-2) (from Ch. 127, par. 142p2)

21 Sec. 6p-2. The Communications Revolving Fund shall be
22 initially financed by a transfer of funds from the General
23 Revenue Fund. Thereafter, through June 30, 2016, all fees and
24 other monies received by the Department of Central Management
25 Services in payment for communications services rendered

1 pursuant to the Department of Central Management Services Law
2 or sale of surplus State communications equipment shall be paid
3 into the Communications Revolving Fund. Except as otherwise
4 provided in this Section, the money in this fund shall be used
5 by the Department of Central Management Services as
6 reimbursement for expenditures incurred in relation to
7 communications services.

8 On the effective date of this amendatory Act of the 93rd
9 General Assembly, or as soon as practicable thereafter, the
10 State Comptroller shall order transferred and the State
11 Treasurer shall transfer \$3,000,000 from the Communications
12 Revolving Fund to the Emergency Public Health Fund to be used
13 for the purposes specified in Section 55.6a of the
14 Environmental Protection Act.

15 In addition to any other transfers that may be provided for
16 by law, on July 1, 2011, or as soon thereafter as practical,
17 the State Comptroller shall direct and the State Treasurer
18 shall transfer the sum of \$5,000,000 from the General Revenue
19 Fund to the Communications Revolving Fund.

20 Notwithstanding any other provision of law, in addition to
21 any other transfers that may be provided by law, on July 1,
22 2016, or after sufficient moneys have been received in the
23 Communications Revolving Fund to pay all Fiscal Year 2016
24 obligations payable from the Fund, whichever is later, the
25 State Comptroller shall direct and the State Treasurer shall
26 transfer the remaining balance from the Communications

1 Revolving Fund into the Technology Management Revolving Fund.
2 Upon completion of the transfer, any future deposits due to
3 that Fund and any outstanding obligations or liabilities of
4 that Fund pass to the Technology Management Revolving Fund.

5 (Source: P.A. 97-641, eff. 12-19-11.)

6 (30 ILCS 105/6z-34)

7 Sec. 6z-34. Secretary of State Special Services Fund. There
8 is created in the State Treasury a special fund to be known as
9 the Secretary of State Special Services Fund. Moneys deposited
10 into the Fund may, subject to appropriation, be used by the
11 Secretary of State for any or all of the following purposes:

12 (1) For general automation efforts within operations
13 of the Office of Secretary of State.

14 (2) For technology applications in any form that will
15 enhance the operational capabilities of the Office of
16 Secretary of State.

17 (3) To provide funds for any type of library grants
18 authorized and administered by the Secretary of State as
19 State Librarian.

20 These funds are in addition to any other funds otherwise
21 authorized to the Office of Secretary of State for like or
22 similar purposes.

23 On August 15, 1997, all fiscal year 1997 receipts that
24 exceed the amount of \$15,000,000 shall be transferred from this
25 Fund to the Technology Management Revolving Fund (formerly

1 known as the Statistical Services Revolving Fund); on August
2 15, 1998 and each year thereafter through 2000, all receipts
3 from the fiscal year ending on the previous June 30th that
4 exceed the amount of \$17,000,000 shall be transferred from this
5 Fund to the Technology Management Revolving Fund (formerly
6 known as the Statistical Services Revolving Fund); on August
7 15, 2001 and each year thereafter through 2002, all receipts
8 from the fiscal year ending on the previous June 30th that
9 exceed the amount of \$19,000,000 shall be transferred from this
10 Fund to the Technology Management Revolving Fund (formerly
11 known as the Statistical Services Revolving Fund); and on
12 August 15, 2003 and each year thereafter, all receipts from the
13 fiscal year ending on the previous June 30th that exceed the
14 amount of \$33,000,000 shall be transferred from this Fund to
15 the Technology Management Revolving Fund (formerly known as the
16 Statistical Services Revolving Fund).

17 (Source: P.A. 92-32, eff. 7-1-01; 93-32, eff. 7-1-03.)

18 (30 ILCS 105/8.16a) (from Ch. 127, par. 144.16a)

19 Sec. 8.16a. Appropriations for the procurement,
20 installation, retention, maintenance and operation of
21 electronic data processing and information technology devices
22 and software used by state agencies subject to Section 405-20
23 of the Department of Central Management Services Law (20 ILCS
24 405/405-20), the purchase of necessary supplies and equipment
25 and accessories thereto, and all other expenses incident to the

1 operation and maintenance of those electronic data processing
2 and information technology devices and software are payable
3 from the Technology Management ~~Statistical Services~~ Revolving
4 Fund. However, no contract shall be entered into or obligation
5 incurred for any expenditure from the Statistical Services
6 Revolving Fund until after the purpose and amount has been
7 approved in writing by the Director of Central Management
8 Services. Until there are sufficient funds in the Technology
9 Management Revolving Fund (formerly known as the Statistical
10 Services Revolving Fund) to carry out the purposes of this
11 amendatory Act of 1965, however, the State agencies subject to
12 that Section 405-20 shall, on written approval of the Director
13 of Central Management Services, pay the cost of operating and
14 maintaining electronic data processing systems from current
15 appropriations as classified and standardized in the State
16 Finance Act ~~"An Act in relation to State finance", approved~~
17 ~~June 10, 1919, as amended.~~

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

19 Section 30-15. The Illinois Pension Code is amended by
20 changing Section 1A-112 as follows:

21 (40 ILCS 5/1A-112)

22 Sec. 1A-112. Fees.

23 (a) Every pension fund that is required to file an annual
24 statement under Section 1A-109 shall pay to the Department an

1 annual compliance fee. In the case of a pension fund under
2 Article 3 or 4 of this Code, the annual compliance fee shall be
3 0.02% (2 basis points) of the total assets of the pension fund,
4 as reported in the most current annual statement of the fund,
5 but not more than \$8,000. In the case of all other pension
6 funds and retirement systems, the annual compliance fee shall
7 be \$8,000.

8 (b) The annual compliance fee shall be due on June 30 for
9 the following State fiscal year, except that the fee payable in
10 1997 for fiscal year 1998 shall be due no earlier than 30 days
11 following the effective date of this amendatory Act of 1997.

12 (c) Any information obtained by the Division that is
13 available to the public under the Freedom of Information Act
14 and is either compiled in published form or maintained on a
15 computer processible medium shall be furnished upon the written
16 request of any applicant and the payment of a reasonable
17 information services fee established by the Director,
18 sufficient to cover the total cost to the Division of
19 compiling, processing, maintaining, and generating the
20 information. The information may be furnished by means of
21 published copy or on a computer processed or computer
22 processible medium.

23 No fee may be charged to any person for information that
24 the Division is required by law to furnish to that person.

25 (d) Except as otherwise provided in this Section, all fees
26 and penalties collected by the Department under this Code shall

1 be deposited into the Public Pension Regulation Fund.

2 (e) Fees collected under subsection (c) of this Section and
3 money collected under Section 1A-107 shall be deposited into
4 the Technology Management ~~Department's Statistical Services~~
5 Revolving Fund and credited to the account of the Department's
6 Public Pension Division. This income shall be used exclusively
7 for the purposes set forth in Section 1A-107. Notwithstanding
8 the provisions of Section 408.2 of the Illinois Insurance Code,
9 no surplus funds remaining in this account shall be deposited
10 in the Insurance Financial Regulation Fund. All money in this
11 account that the Director certifies is not needed for the
12 purposes set forth in Section 1A-107 of this Code shall be
13 transferred to the Public Pension Regulation Fund.

14 (f) Nothing in this Code prohibits the General Assembly
15 from appropriating funds from the General Revenue Fund to the
16 Department for the purpose of administering or enforcing this
17 Code.

18 (Source: P.A. 93-32, eff. 7-1-03.)

19 Section 30-20. The Illinois Insurance Code is amended by
20 changing Sections 408, 408.2, 1202, and 1206 as follows:

21 (215 ILCS 5/408) (from Ch. 73, par. 1020)

22 Sec. 408. Fees and charges.

23 (1) The Director shall charge, collect and give proper
24 acquittances for the payment of the following fees and charges:

1 (a) For filing all documents submitted for the
2 incorporation or organization or certification of a
3 domestic company, except for a fraternal benefit society,
4 \$2,000.

5 (b) For filing all documents submitted for the
6 incorporation or organization of a fraternal benefit
7 society, \$500.

8 (c) For filing amendments to articles of incorporation
9 and amendments to declaration of organization, except for a
10 fraternal benefit society, a mutual benefit association, a
11 burial society or a farm mutual, \$200.

12 (d) For filing amendments to articles of incorporation
13 of a fraternal benefit society, a mutual benefit
14 association or a burial society, \$100.

15 (e) For filing amendments to articles of incorporation
16 of a farm mutual, \$50.

17 (f) For filing bylaws or amendments thereto, \$50.

18 (g) For filing agreement of merger or consolidation:

19 (i) for a domestic company, except for a fraternal
20 benefit society, a mutual benefit association, a
21 burial society, or a farm mutual, \$2,000.

22 (ii) for a foreign or alien company, except for a
23 fraternal benefit society, \$600.

24 (iii) for a fraternal benefit society, a mutual
25 benefit association, a burial society, or a farm
26 mutual, \$200.

1 (h) For filing agreements of reinsurance by a domestic
2 company, \$200.

3 (i) For filing all documents submitted by a foreign or
4 alien company to be admitted to transact business or
5 accredited as a reinsurer in this State, except for a
6 fraternal benefit society, \$5,000.

7 (j) For filing all documents submitted by a foreign or
8 alien fraternal benefit society to be admitted to transact
9 business in this State, \$500.

10 (k) For filing declaration of withdrawal of a foreign
11 or alien company, \$50.

12 (l) For filing annual statement by a domestic company,
13 except a fraternal benefit society, a mutual benefit
14 association, a burial society, or a farm mutual, \$200.

15 (m) For filing annual statement by a domestic fraternal
16 benefit society, \$100.

17 (n) For filing annual statement by a farm mutual, a
18 mutual benefit association, or a burial society, \$50.

19 (o) For issuing a certificate of authority or renewal
20 thereof except to a foreign fraternal benefit society,
21 \$400.

22 (p) For issuing a certificate of authority or renewal
23 thereof to a foreign fraternal benefit society, \$200.

24 (q) For issuing an amended certificate of authority,
25 \$50.

26 (r) For each certified copy of certificate of

1 authority, \$20.

2 (s) For each certificate of deposit, or valuation, or
3 compliance or surety certificate, \$20.

4 (t) For copies of papers or records per page, \$1.

5 (u) For each certification to copies of papers or
6 records, \$10.

7 (v) For multiple copies of documents or certificates
8 listed in subparagraphs (r), (s), and (u) of paragraph (1)
9 of this Section, \$10 for the first copy of a certificate of
10 any type and \$5 for each additional copy of the same
11 certificate requested at the same time, unless, pursuant to
12 paragraph (2) of this Section, the Director finds these
13 additional fees excessive.

14 (w) For issuing a permit to sell shares or increase
15 paid-up capital:

16 (i) in connection with a public stock offering,
17 \$300;

18 (ii) in any other case, \$100.

19 (x) For issuing any other certificate required or
20 permissible under the law, \$50.

21 (y) For filing a plan of exchange of the stock of a
22 domestic stock insurance company, a plan of
23 demutualization of a domestic mutual company, or a plan of
24 reorganization under Article XII, \$2,000.

25 (z) For filing a statement of acquisition of a domestic
26 company as defined in Section 131.4 of this Code, \$2,000.

1 (aa) For filing an agreement to purchase the business
2 of an organization authorized under the Dental Service Plan
3 Act or the Voluntary Health Services Plans Act or of a
4 health maintenance organization or a limited health
5 service organization, \$2,000.

6 (bb) For filing a statement of acquisition of a foreign
7 or alien insurance company as defined in Section 131.12a of
8 this Code, \$1,000.

9 (cc) For filing a registration statement as required in
10 Sections 131.13 and 131.14, the notification as required by
11 Sections 131.16, 131.20a, or 141.4, or an agreement or
12 transaction required by Sections 124.2(2), 141, 141a, or
13 141.1, \$200.

14 (dd) For filing an application for licensing of:

15 (i) a religious or charitable risk pooling trust or
16 a workers' compensation pool, \$1,000;

17 (ii) a workers' compensation service company,
18 \$500;

19 (iii) a self-insured automobile fleet, \$200; or

20 (iv) a renewal of or amendment of any license
21 issued pursuant to (i), (ii), or (iii) above, \$100.

22 (ee) For filing articles of incorporation for a
23 syndicate to engage in the business of insurance through
24 the Illinois Insurance Exchange, \$2,000.

25 (ff) For filing amended articles of incorporation for a
26 syndicate engaged in the business of insurance through the

1 Illinois Insurance Exchange, \$100.

2 (gg) For filing articles of incorporation for a limited
3 syndicate to join with other subscribers or limited
4 syndicates to do business through the Illinois Insurance
5 Exchange, \$1,000.

6 (hh) For filing amended articles of incorporation for a
7 limited syndicate to do business through the Illinois
8 Insurance Exchange, \$100.

9 (ii) For a permit to solicit subscriptions to a
10 syndicate or limited syndicate, \$100.

11 (jj) For the filing of each form as required in Section
12 143 of this Code, \$50 per form. The fee for advisory and
13 rating organizations shall be \$200 per form.

14 (i) For the purposes of the form filing fee,
15 filings made on insert page basis will be considered
16 one form at the time of its original submission.
17 Changes made to a form subsequent to its approval shall
18 be considered a new filing.

19 (ii) Only one fee shall be charged for a form,
20 regardless of the number of other forms or policies
21 with which it will be used.

22 (iii) Fees charged for a policy filed as it will be
23 issued regardless of the number of forms comprising
24 that policy shall not exceed \$1,500. For advisory or
25 rating organizations, fees charged for a policy filed
26 as it will be issued regardless of the number of forms

1 comprising that policy shall not exceed \$2,500.

2 (iv) The Director may by rule exempt forms from
3 such fees.

4 (kk) For filing an application for licensing of a
5 reinsurance intermediary, \$500.

6 (ll) For filing an application for renewal of a license
7 of a reinsurance intermediary, \$200.

8 (2) When printed copies or numerous copies of the same
9 paper or records are furnished or certified, the Director may
10 reduce such fees for copies if he finds them excessive. He may,
11 when he considers it in the public interest, furnish without
12 charge to state insurance departments and persons other than
13 companies, copies or certified copies of reports of
14 examinations and of other papers and records.

15 (3) The expenses incurred in any performance examination
16 authorized by law shall be paid by the company or person being
17 examined. The charge shall be reasonably related to the cost of
18 the examination including but not limited to compensation of
19 examiners, electronic data processing costs, supervision and
20 preparation of an examination report and lodging and travel
21 expenses. All lodging and travel expenses shall be in accord
22 with the applicable travel regulations as published by the
23 Department of Central Management Services and approved by the
24 Governor's Travel Control Board, except that out-of-state
25 lodging and travel expenses related to examinations authorized
26 under Section 132 shall be in accordance with travel rates

1 prescribed under paragraph 301-7.2 of the Federal Travel
2 Regulations, 41 C.F.R. 301-7.2, for reimbursement of
3 subsistence expenses incurred during official travel. All
4 lodging and travel expenses may be reimbursed directly upon
5 authorization of the Director. With the exception of the direct
6 reimbursements authorized by the Director, all performance
7 examination charges collected by the Department shall be paid
8 to the Insurance Producer Administration Fund, however, the
9 electronic data processing costs incurred by the Department in
10 the performance of any examination shall be billed directly to
11 the company being examined for payment to the Technology
12 Management ~~Statistical Services~~ Revolving Fund.

13 (4) At the time of any service of process on the Director
14 as attorney for such service, the Director shall charge and
15 collect the sum of \$20, which may be recovered as taxable costs
16 by the party to the suit or action causing such service to be
17 made if he prevails in such suit or action.

18 (5) (a) The costs incurred by the Department of Insurance
19 in conducting any hearing authorized by law shall be assessed
20 against the parties to the hearing in such proportion as the
21 Director of Insurance may determine upon consideration of all
22 relevant circumstances including: (1) the nature of the
23 hearing; (2) whether the hearing was instigated by, or for the
24 benefit of a particular party or parties; (3) whether there is
25 a successful party on the merits of the proceeding; and (4) the
26 relative levels of participation by the parties.

1 (b) For purposes of this subsection (5) costs incurred
2 shall mean the hearing officer fees, court reporter fees, and
3 travel expenses of Department of Insurance officers and
4 employees; provided however, that costs incurred shall not
5 include hearing officer fees or court reporter fees unless the
6 Department has retained the services of independent
7 contractors or outside experts to perform such functions.

8 (c) The Director shall make the assessment of costs
9 incurred as part of the final order or decision arising out of
10 the proceeding; provided, however, that such order or decision
11 shall include findings and conclusions in support of the
12 assessment of costs. This subsection (5) shall not be construed
13 as permitting the payment of travel expenses unless calculated
14 in accordance with the applicable travel regulations of the
15 Department of Central Management Services, as approved by the
16 Governor's Travel Control Board. The Director as part of such
17 order or decision shall require all assessments for hearing
18 officer fees and court reporter fees, if any, to be paid
19 directly to the hearing officer or court reporter by the
20 party(s) assessed for such costs. The assessments for travel
21 expenses of Department officers and employees shall be
22 reimbursable to the Director of Insurance for deposit to the
23 fund out of which those expenses had been paid.

24 (d) The provisions of this subsection (5) shall apply in
25 the case of any hearing conducted by the Director of Insurance
26 not otherwise specifically provided for by law.

1 (6) The Director shall charge and collect an annual
2 financial regulation fee from every domestic company for
3 examination and analysis of its financial condition and to fund
4 the internal costs and expenses of the Interstate Insurance
5 Receivership Commission as may be allocated to the State of
6 Illinois and companies doing an insurance business in this
7 State pursuant to Article X of the Interstate Insurance
8 Receivership Compact. The fee shall be the greater fixed amount
9 based upon the combination of nationwide direct premium income
10 and nationwide reinsurance assumed premium income or upon
11 admitted assets calculated under this subsection as follows:

12 (a) Combination of nationwide direct premium income
13 and nationwide reinsurance assumed premium.

14 (i) \$150, if the premium is less than \$500,000 and
15 there is no reinsurance assumed premium;

16 (ii) \$750, if the premium is \$500,000 or more, but
17 less than \$5,000,000 and there is no reinsurance
18 assumed premium; or if the premium is less than
19 \$5,000,000 and the reinsurance assumed premium is less
20 than \$10,000,000;

21 (iii) \$3,750, if the premium is less than
22 \$5,000,000 and the reinsurance assumed premium is
23 \$10,000,000 or more;

24 (iv) \$7,500, if the premium is \$5,000,000 or more,
25 but less than \$10,000,000;

26 (v) \$18,000, if the premium is \$10,000,000 or more,

1 but less than \$25,000,000;

2 (vi) \$22,500, if the premium is \$25,000,000 or
3 more, but less than \$50,000,000;

4 (vii) \$30,000, if the premium is \$50,000,000 or
5 more, but less than \$100,000,000;

6 (viii) \$37,500, if the premium is \$100,000,000 or
7 more.

8 (b) Admitted assets.

9 (i) \$150, if admitted assets are less than
10 \$1,000,000;

11 (ii) \$750, if admitted assets are \$1,000,000 or
12 more, but less than \$5,000,000;

13 (iii) \$3,750, if admitted assets are \$5,000,000 or
14 more, but less than \$25,000,000;

15 (iv) \$7,500, if admitted assets are \$25,000,000 or
16 more, but less than \$50,000,000;

17 (v) \$18,000, if admitted assets are \$50,000,000 or
18 more, but less than \$100,000,000;

19 (vi) \$22,500, if admitted assets are \$100,000,000
20 or more, but less than \$500,000,000;

21 (vii) \$30,000, if admitted assets are \$500,000,000
22 or more, but less than \$1,000,000,000;

23 (viii) \$37,500, if admitted assets are
24 \$1,000,000,000 or more.

25 (c) The sum of financial regulation fees charged to the
26 domestic companies of the same affiliated group shall not

1 exceed \$250,000 in the aggregate in any single year and
2 shall be billed by the Director to the member company
3 designated by the group.

4 (7) The Director shall charge and collect an annual
5 financial regulation fee from every foreign or alien company,
6 except fraternal benefit societies, for the examination and
7 analysis of its financial condition and to fund the internal
8 costs and expenses of the Interstate Insurance Receivership
9 Commission as may be allocated to the State of Illinois and
10 companies doing an insurance business in this State pursuant to
11 Article X of the Interstate Insurance Receivership Compact. The
12 fee shall be a fixed amount based upon Illinois direct premium
13 income and nationwide reinsurance assumed premium income in
14 accordance with the following schedule:

15 (a) \$150, if the premium is less than \$500,000 and
16 there is no reinsurance assumed premium;

17 (b) \$750, if the premium is \$500,000 or more, but less
18 than \$5,000,000 and there is no reinsurance assumed
19 premium; or if the premium is less than \$5,000,000 and the
20 reinsurance assumed premium is less than \$10,000,000;

21 (c) \$3,750, if the premium is less than \$5,000,000 and
22 the reinsurance assumed premium is \$10,000,000 or more;

23 (d) \$7,500, if the premium is \$5,000,000 or more, but
24 less than \$10,000,000;

25 (e) \$18,000, if the premium is \$10,000,000 or more, but
26 less than \$25,000,000;

1 (f) \$22,500, if the premium is \$25,000,000 or more, but
2 less than \$50,000,000;

3 (g) \$30,000, if the premium is \$50,000,000 or more, but
4 less than \$100,000,000;

5 (h) \$37,500, if the premium is \$100,000,000 or more.

6 The sum of financial regulation fees under this subsection
7 (7) charged to the foreign or alien companies within the same
8 affiliated group shall not exceed \$250,000 in the aggregate in
9 any single year and shall be billed by the Director to the
10 member company designated by the group.

11 (8) Beginning January 1, 1992, the financial regulation
12 fees imposed under subsections (6) and (7) of this Section
13 shall be paid by each company or domestic affiliated group
14 annually. After January 1, 1994, the fee shall be billed by
15 Department invoice based upon the company's premium income or
16 admitted assets as shown in its annual statement for the
17 preceding calendar year. The invoice is due upon receipt and
18 must be paid no later than June 30 of each calendar year. All
19 financial regulation fees collected by the Department shall be
20 paid to the Insurance Financial Regulation Fund. The Department
21 may not collect financial examiner per diem charges from
22 companies subject to subsections (6) and (7) of this Section
23 undergoing financial examination after June 30, 1992.

24 (9) In addition to the financial regulation fee required by
25 this Section, a company undergoing any financial examination
26 authorized by law shall pay the following costs and expenses

1 incurred by the Department: electronic data processing costs,
2 the expenses authorized under Section 131.21 and subsection (d)
3 of Section 132.4 of this Code, and lodging and travel expenses.

4 Electronic data processing costs incurred by the
5 Department in the performance of any examination shall be
6 billed directly to the company undergoing examination for
7 payment to the Technology Management ~~Statistical Services~~
8 Revolving Fund. Except for direct reimbursements authorized by
9 the Director or direct payments made under Section 131.21 or
10 subsection (d) of Section 132.4 of this Code, all financial
11 regulation fees and all financial examination charges
12 collected by the Department shall be paid to the Insurance
13 Financial Regulation Fund.

14 All lodging and travel expenses shall be in accordance with
15 applicable travel regulations published by the Department of
16 Central Management Services and approved by the Governor's
17 Travel Control Board, except that out-of-state lodging and
18 travel expenses related to examinations authorized under
19 Sections 132.1 through 132.7 shall be in accordance with travel
20 rates prescribed under paragraph 301-7.2 of the Federal Travel
21 Regulations, 41 C.F.R. 301-7.2, for reimbursement of
22 subsistence expenses incurred during official travel. All
23 lodging and travel expenses may be reimbursed directly upon the
24 authorization of the Director.

25 In the case of an organization or person not subject to the
26 financial regulation fee, the expenses incurred in any

1 financial examination authorized by law shall be paid by the
2 organization or person being examined. The charge shall be
3 reasonably related to the cost of the examination including,
4 but not limited to, compensation of examiners and other costs
5 described in this subsection.

6 (10) Any company, person, or entity failing to make any
7 payment of \$150 or more as required under this Section shall be
8 subject to the penalty and interest provisions provided for in
9 subsections (4) and (7) of Section 412.

10 (11) Unless otherwise specified, all of the fees collected
11 under this Section shall be paid into the Insurance Financial
12 Regulation Fund.

13 (12) For purposes of this Section:

14 (a) "Domestic company" means a company as defined in
15 Section 2 of this Code which is incorporated or organized
16 under the laws of this State, and in addition includes a
17 not-for-profit corporation authorized under the Dental
18 Service Plan Act or the Voluntary Health Services Plans
19 Act, a health maintenance organization, and a limited
20 health service organization.

21 (b) "Foreign company" means a company as defined in
22 Section 2 of this Code which is incorporated or organized
23 under the laws of any state of the United States other than
24 this State and in addition includes a health maintenance
25 organization and a limited health service organization
26 which is incorporated or organized under the laws of any

1 state of the United States other than this State.

2 (c) "Alien company" means a company as defined in
3 Section 2 of this Code which is incorporated or organized
4 under the laws of any country other than the United States.

5 (d) "Fraternal benefit society" means a corporation,
6 society, order, lodge or voluntary association as defined
7 in Section 282.1 of this Code.

8 (e) "Mutual benefit association" means a company,
9 association or corporation authorized by the Director to do
10 business in this State under the provisions of Article
11 XVIII of this Code.

12 (f) "Burial society" means a person, firm,
13 corporation, society or association of individuals
14 authorized by the Director to do business in this State
15 under the provisions of Article XIX of this Code.

16 (g) "Farm mutual" means a district, county and township
17 mutual insurance company authorized by the Director to do
18 business in this State under the provisions of the Farm
19 Mutual Insurance Company Act of 1986.

20 (Source: P.A. 97-486, eff. 1-1-12; 97-603, eff. 8-26-11;
21 97-813, eff. 7-13-12; 98-463, eff. 8-16-13.)

22 (215 ILCS 5/408.2) (from Ch. 73, par. 1020.2)

23 Sec. 408.2. Statistical Services. Any public record, or any
24 data obtained by the Department of Insurance, which is subject
25 to public inspection or copying and which is maintained on a

1 computer processible medium, may be furnished in a computer
2 processed or computer processible medium upon the written
3 request of any applicant and the payment of a reasonable fee
4 established by the Director sufficient to cover the total cost
5 of the Department for processing, maintaining and generating
6 such computer processible records or data, except to the extent
7 of any salaries or compensation of Department officers or
8 employees.

9 The Director of Insurance is specifically authorized to
10 contract with members of the public at large, enter waiver
11 agreements, or otherwise enter written agreements for the
12 purpose of assuring public access to the Department's computer
13 processible records or data, or for the purpose of restricting,
14 controlling or limiting such access where necessary to protect
15 the confidentiality of individuals, companies or other
16 entities identified by such documents.

17 All fees collected by the Director under this Section 408.2
18 shall be deposited in the Technology Management ~~Statistical~~
19 ~~Services~~ Revolving Fund and credited to the account of the
20 Department of Insurance. Any surplus funds remaining in such
21 account at the close of any fiscal year shall be delivered to
22 the State Treasurer for deposit in the Insurance Financial
23 Regulation Fund.

24 (Source: P.A. 84-989.)

25 (215 ILCS 5/1202) (from Ch. 73, par. 1065.902)

1 Sec. 1202. Duties. The Director shall:

2 (a) determine the relationship of insurance premiums
3 and related income as compared to insurance costs and
4 expenses and provide such information to the General
5 Assembly and the general public;

6 (b) study the insurance system in the State of
7 Illinois, and recommend to the General Assembly what it
8 deems to be the most appropriate and comprehensive cost
9 containment system for the State;

10 (c) respond to the requests by agencies of government
11 and the General Assembly for special studies and analysis
12 of data collected pursuant to this Article. Such reports
13 shall be made available in a form prescribed by the
14 Director. The Director may also determine a fee to be
15 charged to the requesting agency to cover the direct and
16 indirect costs for producing such a report, and shall
17 permit affected insurers the right to review the accuracy
18 of the report before it is released. The fees shall be
19 deposited into the Technology Management ~~Statistical~~
20 ~~Services~~ Revolving Fund and credited to the account of the
21 Department of Insurance;

22 (d) make an interim report to the General Assembly no
23 later than August 15, 1987, and an ~~a~~ annual report to the
24 General Assembly no later than July 1 every year thereafter
25 which shall include the Director's findings and
26 recommendations regarding its duties as provided under

1 subsections (a), (b), and (c) of this Section.

2 (Source: P.A. 98-226, eff. 1-1-14; revised 10-21-15.)

3 (215 ILCS 5/1206) (from Ch. 73, par. 1065.906)

4 Sec. 1206. Expenses. The companies required to file reports
5 under this Article shall pay a reasonable fee established by
6 the Director sufficient to cover the total cost of the
7 Department incident to or associated with the administration
8 and enforcement of this Article, including the collection,
9 analysis and distribution of the insurance cost data, the
10 conversion of hard copy reports to tape, and the compilation
11 and analysis of basic reports. The Director may establish a
12 schedule of fees for this purpose. Expenses for additional
13 reports shall be billed to those requesting the reports. Any
14 such fees collected under this Section shall be paid to the
15 Director of Insurance and deposited into the Technology
16 Management ~~Statistical Services~~ Revolving Fund and credited to
17 the account of the Department of Insurance.

18 (Source: P.A. 84-1431.)

19 Section 30-25. The Workers' Compensation Act is amended by
20 changing Section 17 as follows:

21 (820 ILCS 305/17) (from Ch. 48, par. 138.17)

22 Sec. 17. The Commission shall cause to be printed and
23 furnish free of charge upon request by any employer or employee

1 such blank forms as may facilitate or promote efficient
2 administration and the performance of the duties of the
3 Commission. It shall provide a proper record in which shall be
4 entered and indexed the name of any employer who shall file a
5 notice of declination or withdrawal under this Act, and the
6 date of the filing thereof; and a proper record in which shall
7 be entered and indexed the name of any employee who shall file
8 such notice of declination or withdrawal, and the date of the
9 filing thereof; and such other notices as may be required by
10 this Act; and records in which shall be recorded all
11 proceedings, orders and awards had or made by the Commission or
12 by the arbitration committees, and such other books or records
13 as it shall deem necessary, all such records to be kept in the
14 office of the Commission.

15 The Commission may destroy all papers and documents which
16 have been on file for more than 5 years where there is no claim
17 for compensation pending or where more than 2 years have
18 elapsed since the termination of the compensation period.

19 The Commission shall compile and distribute to interested
20 persons aggregate statistics, taken from any records and
21 reports in the possession of the Commission. The aggregate
22 statistics shall not give the names or otherwise identify
23 persons sustaining injuries or disabilities or the employer of
24 any injured person or person with a disability.

25 The Commission is authorized to establish reasonable fees
26 and methods of payment limited to covering only the costs to

1 the Commission for processing, maintaining and generating
2 records or data necessary for the computerized production of
3 documents, records and other materials except to the extent of
4 any salaries or compensation of Commission officers or
5 employees.

6 All fees collected by the Commission under this Section
7 shall be deposited in the Technology Management ~~Statistical~~
8 ~~Services~~ Revolving Fund and credited to the account of the
9 Illinois Workers' Compensation Commission.

10 (Source: P.A. 99-143, eff. 7-27-15.)

11 Section 30-30. The Workers' Occupational Diseases Act is
12 amended by changing Section 17 as follows:

13 (820 ILCS 310/17) (from Ch. 48, par. 172.52)

14 Sec. 17. The Commission shall cause to be printed and shall
15 furnish free of charge upon request by any employer or employee
16 such blank forms as it shall deem requisite to facilitate or
17 promote the efficient administration of this Act, and the
18 performance of the duties of the Commission. It shall provide a
19 proper record in which shall be entered and indexed the name of
20 any employer who shall file a notice of election under this
21 Act, and the date of the filing thereof; and a proper record in
22 which shall be entered and indexed the name of any employee who
23 shall file a notice of election, and the date of the filing
24 thereof; and such other notices as may be required by this Act;

1 and records in which shall be recorded all proceedings, orders
2 and awards had or made by the Commission, or by the arbitration
3 committees, and such other books or records as it shall deem
4 necessary, all such records to be kept in the office of the
5 Commission. The Commission, in its discretion, may destroy all
6 papers and documents except notices of election and waivers
7 which have been on file for more than five years where there is
8 no claim for compensation pending, or where more than two years
9 have elapsed since the termination of the compensation period.

10 The Commission shall compile and distribute to interested
11 persons aggregate statistics, taken from any records and
12 reports in the possession of the Commission. The aggregate
13 statistics shall not give the names or otherwise identify
14 persons sustaining injuries or disabilities or the employer of
15 any injured person or person with a disability.

16 The Commission is authorized to establish reasonable fees
17 and methods of payment limited to covering only the costs to
18 the Commission for processing, maintaining and generating
19 records or data necessary for the computerized production of
20 documents, records and other materials except to the extent of
21 any salaries or compensation of Commission officers or
22 employees.

23 All fees collected by the Commission under this Section
24 shall be deposited in the Technology Management ~~Statistical~~
25 ~~Services~~ Revolving Fund and credited to the account of the
26 Illinois Workers' Compensation Commission.

1 (Source: P.A. 99-143, eff. 7-27-15.)

2 ARTICLE 35. CAPITAL DEVELOPMENT BOARD REVOLVING FUND

3 Section 35-5. The State Finance Act is amended by changing
4 Sections 5.857 and 6z-100 as follows:

5 (30 ILCS 105/5.857)

6 (Section scheduled to be repealed on July 1, 2016)

7 Sec. 5.857. The Capital Development Board Revolving Fund.
8 This Section is repealed July 1, 2020 ~~2016~~.

9 (Source: P.A. 98-674, eff. 6-30-14; 99-78, eff. 7-20-15.)

10 (30 ILCS 105/6z-100)

11 (Section scheduled to be repealed on July 1, 2016)

12 Sec. 6z-100. Capital Development Board Revolving Fund;
13 payments into and use. All monies received by the Capital
14 Development Board for publications or copies issued by the
15 Board, and all monies received for contract administration
16 fees, charges, or reimbursements owing to the Board shall be
17 deposited into a special fund known as the Capital Development
18 Board Revolving Fund, which is hereby created in the State
19 treasury. The monies in this Fund shall be used by the Capital
20 Development Board, as appropriated, for expenditures for
21 personal services, retirement, social security, contractual
22 services, legal services, travel, commodities, printing,

1 equipment, electronic data processing, or telecommunications.
2 Unexpended moneys in the Fund shall not be transferred or
3 allocated by the Comptroller or Treasurer to any other fund,
4 nor shall the Governor authorize the transfer or allocation of
5 those moneys to any other fund. This Section is repealed July
6 1, 2020 ~~2016~~.

7 (Source: P.A. 98-674, eff. 6-30-14.)

8 Section 35-10. The Capital Development Board Act is amended
9 by changing Section 9.02a as follows:

10 (20 ILCS 3105/9.02a) (from Ch. 127, par. 779.02a)

11 (This Section is scheduled to be repealed on June 30, 2016)

12 Sec. 9.02a. To charge contract administration fees used to
13 administer and process the terms of contracts awarded by this
14 State. Contract administration fees shall not exceed 3% of the
15 contract amount. Contract administration fees used to
16 administer contracts associated with the legislative complex,
17 as defined in Section 8A-15 of the Legislative Commission
18 Reorganization Act of 1984, shall be deposited into the Capitol
19 Restoration Trust Fund for the use of the Architect of the
20 Capitol in the performance of his or her powers or duties. This
21 Section is repealed June 30, 2020 ~~2016~~.

22 (Source: P.A. 97-786, eff. 7-13-12; 97-1162, eff. 2-4-13.)

23

ARTICLE 95. SEVERABILITY

1 Section 95-95. Severability. The provisions of this Act are
2 severable under Section 1.31 of the Statute on Statutes.

3 ARTICLE 99. EFFECTIVE DATE

4 Section 99-99. Effective date. This Act takes effect upon
5 becoming law.

1	INDEX	
2	Statutes amended in order of appearance	
3	20 ILCS 1805/22-3	from Ch. 129, par. 220.22-3
4	20 ILCS 1805/22-6 rep.	
5	30 ILCS 105/5k	
6	30 ILCS 105/6t	from Ch. 127, par. 142t
7	30 ILCS 105/6z-51	
8	30 ILCS 105/8.3	from Ch. 127, par. 144.3
9	30 ILCS 105/8.25e	from Ch. 127, par. 144.25e
10	30 ILCS 115/11.1 new	
11	30 ILCS 115/12	from Ch. 85, par. 616
12	30 ILCS 330/15	from Ch. 127, par. 665
13	30 ILCS 420/9a	from Ch. 127, par. 759a
14	30 ILCS 730/4	from Ch. 96 1/2, par. 8204
15	50 ILCS 705/9	from Ch. 85, par. 509
16	50 ILCS 707/25	
17	105 ILCS 5/18-8.05	
18	110 ILCS 205/9.35 new	
19	110 ILCS 805/5-11	from Ch. 122, par. 105-11
20	110 ILCS 805/5-13 new	
21	30 ILCS 105/8.12	from Ch. 127, par. 144.12
22	30 ILCS 105/14.1	from Ch. 127, par. 150.1
23	40 ILCS 5/14-131	
24	40 ILCS 15/1.2	
25	765 ILCS 1025/18	from Ch. 141, par. 118

1	20 ILCS 605/605-705	was 20 ILCS 605/46.6a
2	20 ILCS 605/605-707	was 20 ILCS 605/46.6d
3	20 ILCS 605/605-710	
4	20 ILCS 665/4a	from Ch. 127, par. 200-24a
5	20 ILCS 665/5	from Ch. 127, par. 200-25
6	20 ILCS 665/8	from Ch. 127, par. 200-28
7	30 ILCS 105/5.162 rep.	
8	30 ILCS 105/5.523 rep.	
9	30 ILCS 105/5.810 rep.	
10	35 ILCS 145/6	from Ch. 120, par. 481b.36
11	70 ILCS 210/5	from Ch. 85, par. 1225
12	30 ILCS 105/6z-101 new	
13	30 ILCS 708/20	
14	30 ILCS 708/25	
15	30 ILCS 708/55	
16	30 ILCS 708/85	
17	30 ILCS 708/90	
18	30 ILCS 708/100	
19	30 ILCS 330/2.5	
20	30 ILCS 330/9	from Ch. 127, par. 659
21	30 ILCS 330/11	from Ch. 127, par. 661
22	30 ILCS 330/16	from Ch. 127, par. 666
23	30 ILCS 425/6	from Ch. 127, par. 2806
24	30 ILCS 425/8	from Ch. 127, par. 2808
25	30 ILCS 425/15	from Ch. 127, par. 2815
26	20 ILCS 405/405-20	was 20 ILCS 405/35.7

1	20 ILCS 405/405-250	was 20 ILCS 405/35.7a
2	20 ILCS 405/405-410	
3	30 ILCS 105/5.12	from Ch. 127, par. 141.12
4	30 ILCS 105/5.55	from Ch. 127, par. 141.55
5	30 ILCS 105/6p-1	from Ch. 127, par. 142p1
6	30 ILCS 105/6p-2	from Ch. 127, par. 142p2
7	30 ILCS 105/6z-34	
8	30 ILCS 105/8.16a	from Ch. 127, par. 144.16a
9	40 ILCS 5/1A-112	
10	215 ILCS 5/408	from Ch. 73, par. 1020
11	215 ILCS 5/408.2	from Ch. 73, par. 1020.2
12	215 ILCS 5/1202	from Ch. 73, par. 1065.902
13	215 ILCS 5/1206	from Ch. 73, par. 1065.906
14	820 ILCS 305/17	from Ch. 48, par. 138.17
15	820 ILCS 310/17	from Ch. 48, par. 172.52
16	30 ILCS 105/5.857	
17	30 ILCS 105/6z-100	
18	20 ILCS 3105/9.02a	from Ch. 127, par. 779.02a