

1 AN ACT concerning revenue.

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

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

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

7 Sec. 4a. Funds.

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

17 As soon as possible after the first day of each month,
18 beginning July 1, 1997, upon certification of the Department of
19 Revenue, the Comptroller shall order transferred and the
20 Treasurer shall transfer from the General Revenue Fund to the
21 Tourism Promotion Fund an amount equal to 13% of the net
22 revenue realized from the Hotel Operators' Occupation Tax Act
23 plus an amount equal to 13% of the net revenue realized from

1 any tax imposed under Section 4.05 of the Chicago World's
2 Fair-1992 Authority Act during the preceding month. "Net
3 revenue realized for a month" means the revenue collected by
4 the State under that Act during the previous month less the
5 amount paid out during that same month as refunds to taxpayers
6 for overpayment of liability under that Act.

7 (1.1) (Blank).

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

21 All monies deposited in the Tourism Promotion Fund under
22 this subsection (2) shall be used solely as provided in this
23 subsection to advertise and promote tourism throughout
24 Illinois. Appropriations of monies deposited in the Tourism
25 Promotion Fund pursuant to this subsection (2) shall be used
26 solely for advertising to promote tourism, including but not

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

16 (2.5) The Department shall make grants from the Tourism
17 Promotion Fund, or its successor fund, to a municipality in
18 which a municipal convention center is located, or to a
19 convention center authority, for the purpose of reimbursing the
20 municipality or convention center authority for qualified
21 incentives provided by a municipal convention center or
22 convention center authority. For the purposes of this
23 subsection, "municipal convention center" means a convention
24 or civic center owned by a unit of local government, or a
25 municipal convention hall as defined in paragraph (1) of
26 Section 11-65-1 of the Illinois Municipal Code, with contiguous

1 exhibition space ranging between 40,000 and 125,000 square
2 feet. For purposes of this subsection, "convention center
3 authority" means an Authority as defined by the Civic Center
4 Code with contiguous exhibition space ranging between 40,000
5 and 125,000 square feet. For the purposes of this subsection,
6 "qualified incentive" means an incentive provided for a
7 convention, meeting, or trade show that, but for the incentive,
8 would not have occurred in the State or been retained in the
9 State.

10 No later than May 15 of each year, the municipality where a
11 municipal convention center is located, or convention center
12 authority, shall certify to the Department the amount of funds
13 expended in the previous fiscal year to provide qualified
14 incentives. Grants awarded under this subsection (2.5) may not
15 exceed 80% of the certified incentive amount. Further, in no
16 event may the aggregate amount of grants certified and awarded
17 to a single municipal convention center or convention center
18 authority under this subsection exceed \$200,000 in any calendar
19 year. The municipality or convention center authority shall
20 also certify (A) the net proceeds received under the Hotel
21 Operators' Occupation Tax Act for the renting, leasing, or
22 letting of hotel rooms in the municipality for the month in
23 which the convention, meeting, or trade show occurs and (B) the
24 average of the net proceeds received under the Hotel Operators'
25 Occupation Tax Act for the renting, leasing, or letting of
26 hotel rooms in the municipality for the same month in the 5

1 immediately preceding years. The Department may request that
2 the Auditor General conduct an audit of the accuracy of the
3 certification.

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

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

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

17 Section 99. Effective date. This Act takes effect upon
18 becoming law.