



Rep. Michael J. Madigan

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LRB099 05858 JWD 36210 a

1 AMENDMENT TO SENATE BILL 1728

2 AMENDMENT NO. _____. Amend Senate Bill 1728 by replacing
3 everything after the enacting clause with the following:

4 "Article I.

5 Section 1-1. Short title. This Article may be cited as the
6 Abraham Lincoln Presidential Library and Museum Act.
7 References in this Article to "this Act" mean this Article.

8 Section 1-5. Definitions. As used in this Act:

9 "Agency" means the Abraham Lincoln Presidential Library
10 and Museum.

11 "Board" means the Board of Trustees of the Abraham Lincoln
12 Presidential Library and Museum.

13 "Executive Director" means the Executive Director of the
14 Abraham Lincoln Presidential Library and Museum.

15 "Library" means the Abraham Lincoln Presidential Library.

1 "Museum" means the Abraham Lincoln Presidential Museum.

2 Section 1-10. Abraham Lincoln Presidential Library and
3 Museum; establishment.

4 (a) The Abraham Lincoln Presidential Library and Museum,
5 formerly a constituent unit of the Illinois Historic
6 Preservation Agency, is created as an independent State agency
7 within the Executive Branch of State government.

8 (b) The Agency shall have control and custody of the
9 Abraham Lincoln Presidential Library and Museum complex,
10 including the Abraham Lincoln Presidential Library and Museum,
11 the Abraham Lincoln Presidential Library and Museum's parking
12 garage, Union Station, and Union Park, in Springfield.

13 (c) The Agency shall be under the supervision and direction
14 of the Executive Director of the Abraham Lincoln Presidential
15 Library and Museum.

16 Section 1-15. Board. There shall be a Board of Trustees of
17 the Abraham Lincoln Presidential Library and Museum to set
18 policy and advise the Abraham Lincoln Presidential Library and
19 Museum and the Executive Director on programs related to the
20 Abraham Lincoln Presidential Library and Museum and to exercise
21 the powers and duties given to it under Section 3-25 of this
22 Act. The Abraham Lincoln Presidential Library and Museum and
23 the Abraham Lincoln Presidential Library Foundation shall
24 mutually co-operate to maximize resources available to the

1 Abraham Lincoln Presidential Library and Museum and to support,
2 sustain, and provide educational programs and collections at
3 the Abraham Lincoln Presidential Library and Museum. Any
4 membership fees collected by the Abraham Lincoln Presidential
5 Library Foundation may be used to support the Abraham Lincoln
6 Presidential Library and Museum programs or collections at the
7 Foundation's discretion.

8 Section 1-20. Composition of the Board. The Board of
9 Trustees shall consist of 11 members to be appointed by the
10 Governor, with the advice and consent of the Senate. The Board
11 shall consist of members with the following qualifications:

12 (1) One member shall have recognized knowledge and ability
13 in matters related to business administration.

14 (2) One member shall have recognized knowledge and ability
15 in matters related to the history of Abraham Lincoln.

16 (3) One member shall have recognized knowledge and ability
17 in matters related to the history of Illinois.

18 (4) One member shall have recognized knowledge and ability
19 in matters related to library and museum studies.

20 (5) One member shall have recognized knowledge and ability
21 in matters related to historic preservation.

22 (6) One member shall have recognized knowledge and ability
23 in matters related to cultural tourism.

24 (7) One member shall have recognized knowledge and ability
25 in matters related to conservation, digitization, and

1 technological innovation.

2 The initial terms of office shall be designated by the
3 Governor as follows: one member to serve for a term of one
4 year, 2 members to serve for a term of 2 years, 2 members to
5 serve for a term of 3 years, 2 members to serve for a term of 4
6 years, 2 members to serve for a term of 5 years, and 2 members
7 to serve for a term of 6 years. Thereafter, all appointments
8 shall be for a term of 6 years. The Governor shall appoint one
9 of the members to serve as chairperson at the pleasure of the
10 Governor.

11 The members of the Board shall serve without compensation
12 but shall be entitled to reimbursement for all necessary
13 expenses incurred in the performance of their official duties
14 as members of the Board from funds appropriated for that
15 purpose.

16 To facilitate communication and cooperation between the
17 Agency and the Abraham Lincoln Presidential Library
18 Foundation, the Foundation CEO shall serve as a non-voting,
19 ex-officio member of the Board.

20 Section 1-25. Powers and duties of the Board. The Board
21 shall:

22 (a) Set policies and establish programs for implementation
23 in support of the mission and goals of the Agency.

24 (b) Create and execute such seminars, symposia, or other
25 conferences as may be necessary or advisable to the Agency.

1 (c) Report annually to the Governor and the General
2 Assembly on the status of the Agency and its programs.

3 (d) Accept, hold, maintain, and administer, as trustee,
4 property given in trust for education or historic purposes for
5 the benefit of the people of the State of Illinois and dispose
6 of any property under the terms of the instrument creating the
7 trust.

8 (e) Accept, hold, maintain, and administer donated
9 property of historical significance, such as books, papers,
10 records, and personal property of any kind, including
11 electronic and digital property, pursuant to gifting
12 instruments, agreements, or deeds of gift, including but not
13 limited to the King Hostick Public Trust Fund, and enter into
14 such agreements as may be necessary to carry out the Board's
15 duties and responsibilities under this Section.

16 (f) Lease concessions at the Library and Museum. All
17 leases, for whatever period, shall be made subject to the
18 written approval of the Governor's Office of Management and
19 Budget. All concession leases extending for a period in excess
20 of 10 years shall contain provisions for the Agency to
21 participate, on a percentage basis, in the revenues generated
22 by any concession operation.

23 (g) Enforce the laws of the State and the rules of the
24 Agency.

25 (h) Cooperate with private organizations and agencies of
26 the State of Illinois by providing areas and the use of staff

1 personnel where feasible for the sale of publications on the
2 historic and cultural heritage of the State and craft items
3 made by Illinois craftsmen. These sales shall not conflict with
4 existing concession agreements. The Board is authorized to
5 negotiate and approve agreements with the organizations and
6 agencies for a portion of the monies received from sales to be
7 returned to the Agency for the furtherance of interpretative
8 and restoration programs.

9 (i) Accept offers of gifts, gratuities, or grants from the
10 federal government, its agencies, or offices, or from any
11 person, firm, or corporation.

12 (j) Subject to the provisions of the Illinois
13 Administrative Procedure Act, make reasonable rules as may be
14 necessary to discharge the duties of the Agency.

15 (k) Charge and collect admission fees and rental for access
16 to and use of the facilities of the Library and Museum.

17 (l) Operate a restaurant, café, or other food serving
18 facility at the Museum or lease the operation of such a
19 facility under reasonable terms and conditions; and provide
20 vending services for food, beverages, or other products deemed
21 necessary and proper, consistent with the purposes of the
22 Library and Museum.

23 (m) Engage in marketing activities designed to promote the
24 Library and Museum. In undertaking these activities, the Board
25 may take all necessary steps with respect to products and
26 services, including, but not limited to, retail sales,

1 wholesale sales, direct marketing, mail order sales, telephone
2 sales, advertising and promotion, purchase of product and
3 materials inventory, design and printing and manufacturing of
4 new products, reproductions, and adaptations, copyright and
5 trademark licensing and royalty agreements, and payment of
6 applicable taxes. In addition, the Board shall have the
7 authority to sell advertising in its publications and printed
8 materials.

9 Section 1-30. Administration of the Agency. The Board shall
10 appoint an Executive Director of the Agency. The Executive
11 Director shall serve at the pleasure of the Board for a term of
12 4 years. The Executive Director shall, subject to applicable
13 provisions of law, execute and discharge the powers and duties
14 of the Agency. The Executive Director shall have hiring power
15 and shall appoint (a) a Library Facilities Operations Director;
16 and (b) a Director of the Library. The Executive Director shall
17 appoint those other employees of the Agency as he or she deems
18 appropriate and shall fix the compensation of the Library
19 Facilities Operations Director, the Director of the Library and
20 other employees. The Executive Director may make provision to:
21 establish and collect admission and registration fees, operate
22 a gift shop, and publish and sell educational and informational
23 materials.

24 Section 1-35. Executive Director; exchange historical

1 records. The Executive Director of the Agency shall make all
2 necessary rules, regulations, and bylaws not inconsistent with
3 law to carry into effect the purposes of this Act and to
4 procure from time to time as may be possible and practicable,
5 at reasonable costs, all books, pamphlets, manuscripts,
6 monographs, writings, and other material of historical
7 interest and useful to the historian bearing upon the
8 political, physical, religious, or social history of the State
9 of Illinois from the earliest known period of time. The
10 Executive Director of the Agency may, with the consent of the
11 Board, exchange any books, pamphlets, manuscripts, records or
12 other materials which such library may acquire that are of no
13 historical interest or for any reason are of no value to it,
14 with any other library, school or historical society. The
15 Executive Director shall distribute volumes of the series known
16 as the Illinois Historical Collections now in print, and to be
17 printed, to all who may apply for same and who pay to the
18 Library and Museum for such volumes an amount fixed by the
19 Executive Director sufficient to cover the expenses of printing
20 and distribution of each volume received by such applicants.
21 However, the Executive Director shall have authority to furnish
22 25 of each of the volumes of the Illinois Historical
23 Collections, free of charge, to each of the authors and editors
24 of the Collections or parts thereof; to furnish, as in his or
25 her discretion he or she deems necessary or desirable, a
26 reasonable number of each of the volumes of the Collections

1 without charge to archives, libraries and similar institutions
2 from which material has been drawn or assistance has been given
3 in the preparation of such Collections, and to the officials
4 thereof, to furnish, as in his or her discretion he or she
5 deems necessary or desirable, a reasonable number of each of
6 the volumes of the Collections without charge to the University
7 of Illinois Library and to instructors and officials of that
8 University, and to public libraries in the State of Illinois.
9 The Executive Director may, with the consent of the Board, also
10 make exchanges of the Historical Collections with any other
11 library, school or historical society, and distribute volumes
12 of the Collections for review purposes.

13 Section 1-40. Illinois State Historian; appointment. The
14 Executive Director, with the advice and consent of the Board,
15 shall appoint the Illinois State Historian, who shall provide
16 historical expertise, support, and service on civic engagement
17 to educators and not-for-profit educational groups, including
18 historical societies. The State Historian is the State's
19 leading authority on the history of Illinois.

20 Section 1-45. State Historian; historical records. The
21 State Historian shall establish and supervise a program within
22 the Agency designed to preserve as historical records selected
23 past editions of newspapers of this State. Such editions shall
24 be preserved in accordance with industry standards. The

1 negatives of microphotographs and other materials shall be
2 stored in a place provided by the Agency.

3 The State Historian shall determine on the basis of
4 historical value the various newspaper edition files which
5 shall be preserved and shall arrange a schedule for such
6 preservation. The State Historian shall supervise the making of
7 arrangements for acquiring access to past edition files with
8 the editors or publishers of the various newspapers.

9 The method of microphotography to be employed in this
10 program shall conform to the standards established pursuant to
11 Section 17 of The State Records Act.

12 Upon payment to the Agency of the required fee, any person
13 or organization shall be supplied with any prints requested to
14 be made from the newspapers and all records. The fee required
15 shall be determined by the State Historian and shall be equal
16 in amount to the costs incurred by the Agency in supplying the
17 requested prints.

18 Section 1-50. Gifts to the Illinois State Historical
19 Library. Those programs, collections, and functions heretofore
20 administered by the Illinois State Historical Library or the
21 Historic Preservation Agency's Historical Library Division
22 shall be administered by the Agency. All gifts made
23 specifically to the Illinois State Historical Library shall
24 remain at all times within the Agency.

1 Section 1-55. Director of the Library; historical
2 collections. The Director of the Library shall make all
3 necessary rules, regulations, and bylaws not inconsistent with
4 law to carry into effect the purpose of this Act and to procure
5 from time to time as may be possible and practicable, at
6 reasonable costs, all books, pamphlets, manuscripts,
7 monographs, writings, and other material of historical
8 interest and useful to the historian bearing upon the
9 political, physical, religious, or social history of the State
10 of Illinois from the earliest known period of time. The
11 Director of the Library may exchange any books, pamphlets,
12 manuscripts, records or other material which the Library may
13 acquire that are of no historical interest or for any reason
14 are of no value to it, with another library, school, or
15 historical society. The Director of the Library shall
16 distribute volumes of the series known as the Illinois
17 Historical Collections now in print, and to be printed, to all
18 who may apply for same and who pay to the Library for such
19 volumes an amount fixed by the Director sufficient to cover the
20 expenses of printing and distributing each volume received by
21 such applicants. However, the Director of the Library shall
22 have authority to furnish 25 of each of the volumes of the
23 Illinois Historical Collections, free of charge, to each of the
24 authors and editors of the Collections or parts thereof, to
25 furnish, as in his or her discretion he or she deems necessary
26 or desirable, a reasonable number of each of the volumes of the

1 Collections without charge to archives, libraries and similar
2 institutions from which materials has been drawn or assistance
3 has been given in the preparation of such Collections, and to
4 the officials thereof, and to furnish, as in his or her
5 discretion he or she deems necessary or desirable, a reasonable
6 number of each of the volumes of the Collections without charge
7 to the University of Illinois Library and to instructors and
8 officials of that University, and to the public libraries in
9 the State of Illinois. The Director of the Library may also
10 make exchanges of the Historical Collections with any other
11 library, school, or historical society, and distribute volumes
12 of the Collections for review purposes.

13 Section 1-60. State Historical Library. The rights,
14 powers, and duties vested by law in the State Historical
15 Library or any office, division or bureau thereof are hereby
16 transferred to the Abraham Lincoln Presidential Library and
17 Museum.

18 Section 1-65. Separation from the Historic Preservation
19 Agency. On the effective date of this Act, all of the powers,
20 duties, assets, liabilities, employees, contracts, property
21 (real and personal), including any items formerly contained in
22 the Illinois State Historical Library now presently held in the
23 Abraham Lincoln Presidential Library and Museum, records,
24 pending business, and unexpended appropriations of the

1 Historic Preservation Agency related to the administration and
2 enforcement of Sections 17, 32, and 33 of the Historic
3 Preservation Agency Act are transferred to the Agency created
4 under this Act. The status and rights of the transferred
5 employees, and the rights of the State of Illinois and its
6 agencies, under the Personnel Code and applicable collective
7 bargaining agreements or under any pension, retirement, or
8 annuity plan are not affected (except as provided in Sections
9 14-110 and 18-127 of the Illinois Pension Code) by that
10 transfer or by any other provision of this Act. Staff hired on
11 or after the effective date of this Act shall not be subject to
12 the Personnel Code or any applicable collective bargaining
13 agreement.

14 Article II.

15 Section 2-5. The Dickson Mounds State Memorial Act is
16 amended by changing Section 1 as follows:

17 (20 ILCS 1125/1) (from Ch. 105, par. 468m)

18 Sec. 1. Jurisdiction of the Dickson Mounds State Memorial,
19 together with all records and personal property used in
20 connection therewith, is transferred to the Historic
21 Preservation Agency ~~Department of Natural Resources~~, to be
22 operated by that Agency ~~Department~~ as part of the Illinois
23 State Museum.

1 (Source: P.A. 89-445, eff. 2-7-96.)

2 Section 2-10. The Historic Preservation Agency Act is
3 amended by changing Sections 2, 3, 4, 5, 5.1, 6, 11, 12, 13,
4 14, 15, 16, 22, and 34 and by adding Sections 36 and 37 as
5 follows:

6 (20 ILCS 3405/2) (from Ch. 127, par. 2702)

7 Sec. 2. For the purposes of this Act:

8 (a) "Agency" means the Historic Preservation Agency;

9 (b) "Board" means the Board of Trustees of the Historic
10 Preservation Agency;

11 (c) "Director" means the Executive Director of the Historic
12 ~~Sites and Preservation Agency~~;

13 (d) (Blank) ~~"Advisory Board" means the Advisory Board of~~
14 ~~the Lincoln Presidential Library and Museum;~~

15 (e) (Blank) ~~"Lincoln Presidential Library" means the~~
16 ~~Abraham Lincoln Presidential Library and Museum;~~

17 (f) (Blank) ~~"Library Director" means the Director of the~~
18 ~~Lincoln Presidential Library; and~~

19 (g) (Blank). ~~"Historic Sites and Preservation Division"~~
20 ~~means that part of the Agency that is headed by the Director of~~
21 ~~Historic Sites and Preservation.~~

22 (Source: P.A. 92-600, eff. 7-1-02.)

23 (20 ILCS 3405/3) (from Ch. 127, par. 2703)

1 Sec. 3. (a) There is hereby created within the Executive
2 Branch of State government the Historic Preservation Agency.

3 (b) The Agency shall be under the direction of a Board of
4 Trustees, which shall be composed of 7 members appointed by the
5 Governor, by and with the consent of the Senate. No more than 4
6 members of the Board shall be of the same political party. The
7 Governor shall designate one member of the Board to serve as
8 Chairman. In making the initial appointments to the Board after
9 the effective date of this Act, the Governor shall designate
10 three members, all of whom shall have been members of the Board
11 of Trustees of the Illinois State Historical Library on March
12 28, 1985, to serve until the third Monday in January, 1986, or
13 until their successors are appointed and qualified and two
14 members to serve until the first Monday in January, 1987, or
15 until their successors are appointed and qualified. In making
16 the initial appointments of the additional members of the Board
17 required by this amendatory Act of 1990, the Governor shall
18 designate 1 member to serve until the third Monday in January,
19 1991 and 1 member to serve until the third Monday in January
20 1992. Thereafter, their successors shall be appointed to serve
21 for two year terms expiring on the third Monday in January and
22 until their successors are appointed and qualified.

23 (c) The members of the Board shall receive no compensation
24 for their services, except for their actual expenses while in
25 the discharge of their official duties.

26 (d) Four members of the Board shall constitute a quorum to

1 do business and the concurrence of at least 4 members shall be
2 necessary for a decision.

3 (e) The Board shall employ and fix the compensation of the
4 Director and such other agents or employees as it considers
5 necessary to carry out the purposes of this Act.

6 (f) The terms of all currently serving members of the Board
7 of Trustees are ended on the effective date of this amendatory
8 Act of the 99th General Assembly. The Governor shall fill the
9 vacancies created under this subsection (f) as provided for in
10 subsection (b) of this Section, except that the appointments
11 made under this subsection (f) shall be for the balance of the
12 unexpired terms of the vacancies created on the effective date
13 of this amendatory Act of the 99th General Assembly.

14 (Source: P.A. 86-1336.)

15 (20 ILCS 3405/4) (from Ch. 127, par. 2704)

16 Sec. 4. Executive Director. The Governor shall appoint,
17 with the advice and consent of the Senate, the head of the
18 Historic Preservation Agency, who shall be known as the
19 Executive Director of the Historic Preservation Agency. The
20 ~~Board shall be responsible for setting and determining policy~~
21 ~~for the Agency. The Agency shall consist of: (1) an Abraham~~
22 ~~Lincoln Presidential Library and Museum and (2) a Historic~~
23 ~~Sites and Preservation Division.~~ Except as otherwise provided
24 in this Act, ~~any reference in any other Act to the Historic~~
25 ~~Preservation Agency shall be deemed to be a reference to the~~

1 ~~Historic Sites and Preservation Division~~ and any reference in
2 any other Act to the Director of Historic Preservation shall be
3 deemed to be a reference to the Executive Director of the
4 Historic Preservation Agency ~~Sites and Preservation~~, unless
5 the context clearly indicates otherwise.

6 ~~The Board shall appoint a chief executive officer of the~~
7 ~~Agency who shall be known as the Director of Historic Sites and~~
8 ~~Preservation.~~ The Executive Director shall serve at the
9 pleasure of the Governor ~~Board~~. The Executive Director shall,
10 subject to applicable provisions of law, execute the powers and
11 discharge the duties vested in the ~~Historic Sites and~~
12 ~~Preservation Division of the~~ Agency by law and implement the
13 policies set by the Board. The Board shall be responsible for
14 setting and determining policy for the Agency. The Executive
15 Director shall manage the ~~Historic Sites and Preservation~~
16 ~~Division of the~~ Agency. The Executive Director, with the
17 concurrence of the Board, shall appoint Division Chiefs, if
18 needed, and the Deputy Director of the Historic ~~Sites and~~
19 ~~Preservation Division of the~~ Agency. Subject to concurrence by
20 the Board, the The Executive Director shall appoint such other
21 employees of ~~the Historic Sites and Preservation Division of~~
22 the Agency as he or she deems appropriate and shall fix the
23 compensation of such Division Chiefs, if any, the Deputy
24 Director and other employees. ~~The Board shall appoint the~~
25 ~~Illinois State Historian, who shall provide historical~~
26 ~~expertise, support, and service to all divisions of the~~

1 ~~Historic Preservation Agency. The State Historian is the~~
2 ~~State's authority on Abraham Lincoln and the history of~~
3 ~~Illinois.~~

4 The position of Director of the Historic Sites and
5 Preservation Division of the Agency shall become vacant on the
6 effective date of this amendatory Act of the 99th General
7 Assembly, and shall not be filled thereafter.

8 (Source: P.A. 92-600, eff. 7-1-02.)

9 (20 ILCS 3405/5) (from Ch. 127, par. 2705)

10 Sec. 5. The rights, powers and duties vested by law in the
11 State Historical Library or any office, division or bureau
12 thereof by the Historical Sites Listing Act and all rights,
13 powers, and duties incidental thereto are transferred to the
14 ~~Historic Sites and Preservation Division of the~~ Historic
15 Preservation Agency.

16 (Source: P.A. 92-600, eff. 7-1-02.)

17 (20 ILCS 3405/5.1) (from Ch. 127, par. 2705.1)

18 Sec. 5.1. The powers, duties and authority granted to the
19 Department of Conservation pursuant to the provisions of
20 Section 63a21.2 of the Civil Administrative Code of Illinois
21 (renumbered; now Section 805-315 of the Department of Natural
22 Resources (Conservation) Law, 20 ILCS 805/805-315) to offer a
23 cash incentive to a qualified bidder for the development,
24 construction and supervision of a concession complex at

1 Lincoln's New Salem State Park are transferred to the ~~Historic~~
2 ~~Sites and Preservation Division of the~~ Historic Preservation
3 Agency.

4 (Source: P.A. 91-239, eff. 1-1-00; 92-600, eff. 7-1-02.)

5 (20 ILCS 3405/6) (from Ch. 127, par. 2706)

6 Sec. 6. Jurisdiction. The ~~Historic Sites and Preservation~~
7 ~~Division of the~~ Agency shall have jurisdiction over the
8 following described areas which are hereby designated as State
9 Historic Sites, State Memorials, and Miscellaneous Properties:

10 State Historic Sites

11 Bishop Hill State Historic Site, Henry County;

12 Black Hawk State Historic Site, Rock Island County;

13 Bryant Cottage State Historic Site, Piatt County;

14 Buel House, Pope County;

15 Cahokia Courthouse State Historic Site, St. Clair County;

16 Cahokia Mounds State Historic Site, in Madison and St.

17 Clair Counties (however, the Illinois State Museum

18 shall act as curator of artifacts pursuant to the

19 provisions of the Archaeological and Paleontological

20 Resources Protection Act);

21 Dana-Thomas House State Historic Site, Sangamon County;

22 David Davis Mansion State Historic Site, McLean County;

23 Douglas Tomb State Historic Site, Cook County;

24 Fort de Chartres State Historic Site, Randolph County;

1 Fort Kaskaskia State Historic Site, Randolph County;
2 Grand Village of the Illinois, LaSalle County;
3 U. S. Grant Home State Historic Site, Jo Daviess County;
4 Hotel Florence, Cook County;
5 Jarrot Mansion State Historic Site, St. Clair County;
6 Jubilee College State Historic Site, Peoria County;
7 Lincoln-Herndon Law Offices State Historic Site, Sangamon
8 County;
9 Lincoln Log Cabin State Historic Site, Coles County;
10 Lincoln's New Salem State Historic Site, Menard County;
11 Lincoln Tomb State Historic Site, Sangamon County;
12 Pierre Menard Home State Historic Site, Randolph County;
13 Metamora Courthouse State Historic Site, Woodford County;
14 Moore Home State Historic Site, Coles County;
15 Mount Pulaski Courthouse State Historic Site, Logan
16 County;
17 Old Market House State Historic Site, Jo Daviess County;
18 Old State Capitol State Historic Site, Sangamon County;
19 Postville Courthouse State Historic Site, Logan County;
20 Pullman Factory, Cook County;
21 Rose Hotel, Hardin County;
22 Carl Sandburg State Historic Site, Knox County;
23 Shawneetown Bank State Historic Site, Gallatin County;
24 Vachel Lindsay Home, Sangamon County;
25 Vandalia State House State Historic Site, Fayette County;
26 and

1 Washburne House State Historic Site, Jo Daviess County.

2 State Memorials

3 Campbell's Island State Memorial, Rock Island County;

4 Governor Bond State Memorial, Randolph County;

5 Governor Coles State Memorial, Madison County;

6 Governor Horner State Memorial, Cook County;

7 Governor Small State Memorial, Kankakee County;

8 Illinois Vietnam Veterans State Memorial, Sangamon County;

9 Kaskaskia Bell State Memorial, Randolph County;

10 Korean War Memorial, Sangamon County;

11 Lewis and Clark State Memorial, Madison County;

12 Lincoln Monument State Memorial, Lee County;

13 Lincoln Trail State Memorial, Lawrence County;

14 Lovejoy State Memorial, Madison County;

15 Norwegian Settlers State Memorial, LaSalle County; and

16 Wild Bill Hickok State Memorial, LaSalle County.

17 Miscellaneous Properties

18 Albany Mounds, Whiteside County;

19 Emerald Mound, St. Clair County;

20 Halfway Tavern, Marion County;

21 Hofmann Tower, Cook County; and

22 Kincaid Mounds, Massac and Pope Counties.

23 (Source: P.A. 92-600, eff. 7-1-02.)

1 (20 ILCS 3405/11) (from Ch. 127, par. 2711)

2 Sec. 11. The ~~Historic Sites and Preservation Division of~~
3 ~~the~~ Agency shall exercise all rights, powers and duties vested
4 in the Department of Conservation by the "Illinois Historic
5 Preservation Act", approved August 14, 1976, as amended.

6 (Source: P.A. 92-600, eff. 7-1-02.)

7 (20 ILCS 3405/12) (from Ch. 127, par. 2712)

8 Sec. 12. The ~~Historic Sites and Preservation Division of~~
9 ~~the~~ Agency shall exercise all rights, powers and duties vested
10 in the Department of Conservation by Section 63a34 of the Civil
11 Administrative Code of Illinois (renumbered; now Section
12 805-220 of the Department of Natural Resources (Conservation)
13 Law, 20 ILCS 805/805-220).

14 (Source: P.A. 91-239, eff. 1-1-00; 92-600, eff. 7-1-02.)

15 (20 ILCS 3405/13) (from Ch. 127, par. 2713)

16 Sec. 13. The ~~Historic Sites and Preservation Division of~~
17 ~~the~~ Agency shall exercise all rights, powers and duties vested
18 in the Department of Conservation by "An Act relating to the
19 planning, acquisition and development of outdoor recreation
20 resources and facilities, and authorizing the participation by
21 the State of Illinois its political subdivisions and qualified
22 participants in programs of Federal assistance relating
23 thereto", approved July 6, 1965, as amended, solely as it
24 relates to the powers, rights, duties and obligations

1 heretofore exercised by the Department of Conservation over
2 historically significant properties and interests of the
3 State.

4 (Source: P.A. 92-600, eff. 7-1-02.)

5 (20 ILCS 3405/14) (from Ch. 127, par. 2714)

6 Sec. 14. The ~~Historic Sites and Preservation Division of~~
7 ~~the~~ Agency shall exercise all rights, powers and duties set
8 forth in Sections 10-40 through 10-85 of the Property Tax Code.

9 (Source: P.A. 92-600, eff. 7-1-02.)

10 (20 ILCS 3405/15) (from Ch. 127, par. 2715)

11 Sec. 15. The ~~Historic Sites and Preservation Division of~~
12 ~~the~~ Agency shall exercise all rights, powers and duties vested
13 in the Department of Conservation by Section 4-201.5 of the
14 "Illinois Highway Code", approved June 8, 1959, as amended,
15 solely as it relates to access to historic sites and memorials
16 designated pursuant to this Act.

17 (Source: P.A. 92-600, eff. 7-1-02.)

18 (20 ILCS 3405/16) (from Ch. 127, par. 2716)

19 Sec. 16. The ~~Historic Sites and Preservation Division of~~
20 ~~the~~ Agency shall have the following additional powers:

21 (a) To hire agents and employees necessary to carry out the
22 duties and purposes of the ~~Historic Sites and Preservation~~
23 ~~Division of the~~ Agency.

1 (b) To take all measures necessary to erect, maintain,
2 preserve, restore, and conserve all State Historic Sites and
3 State Memorials, except when supervision and maintenance is
4 otherwise provided by law. This authorization includes the
5 power, with the consent of the Board, to enter into contracts,
6 acquire and dispose of real and personal property, and enter
7 into leases of real and personal property. The Agency has the
8 power to acquire, for purposes authorized by law, any real
9 property in fee simple subject to a life estate in the seller
10 in not more than 3 acres of the real property acquired, subject
11 to the restrictions that the life estate shall be used for
12 residential purposes only and that it shall be
13 non-transferable.

14 (c) To provide recreational facilities including camp
15 sites, lodges and cabins, trails, picnic areas and related
16 recreational facilities at all sites under the jurisdiction of
17 the Agency.

18 (d) To lay out, construct and maintain all needful roads,
19 parking areas, paths or trails, bridges, camp or lodge sites,
20 picnic areas, lodges and cabins, and any other structures and
21 improvements necessary and appropriate in any State historic
22 site or easement thereto; and to provide water supplies, heat
23 and light, and sanitary facilities for the public and living
24 quarters for the custodians and keepers of State historic
25 sites.

26 (e) To grant licenses and rights-of-way within the areas

1 controlled by the ~~Historic Sites and Preservation Division of~~
2 ~~the~~ Agency for the construction, operation and maintenance
3 upon, under or across the property, of facilities for water,
4 sewage, telephone, telegraph, electric, gas, or other public
5 service, subject to the terms and conditions as may be
6 determined by the Agency.

7 (f) To authorize the officers, employees and agents of the
8 ~~Historic Sites and Preservation Division of the~~ Agency, for the
9 purposes of investigation and to exercise the rights, powers,
10 and duties vested and that may be vested in it, to enter and
11 cross all lands and waters in this State, doing no damage to
12 private property.

13 (g) To transfer jurisdiction of or exchange any realty
14 under the control of the ~~Historic Sites and Preservation~~
15 ~~Division of the~~ Agency to any other Department of the State
16 Government, or to any agency of the Federal Government, or to
17 acquire or accept Federal lands, when any transfer, exchange,
18 acquisition or acceptance is advantageous to the State and is
19 approved in writing by the Governor.

20 (h) To erect, supervise, and maintain all public monuments
21 and memorials erected by the State, except when the supervision
22 and maintenance of public monuments and memorials is otherwise
23 provided by law.

24 (i) To accept, hold, maintain, and administer, as trustee,
25 property given in trust for educational or historic purposes
26 for the benefit of the People of the State of Illinois and to

1 dispose, with the consent of the Board, of any property under
2 the terms of the instrument creating the trust.

3 (j) To lease concessions on any property under the
4 jurisdiction of the Agency for a period not exceeding 25 years
5 and to lease a concession complex at Lincoln's New Salem State
6 Historic Site for which a cash incentive has been authorized
7 under Section 5.1 of the Historic Preservation Agency Act for a
8 period not to exceed 40 years. All leases, for whatever period,
9 shall be made subject to the written approval of the Governor.
10 All concession leases extending for a period in excess of 10
11 years, will contain provisions for the Agency to participate,
12 on a percentage basis, in the revenues generated by any
13 concession operation.

14 The Agency is authorized to allow for provisions for a
15 reserve account and a leasehold account within Agency
16 concession lease agreements for the purpose of setting aside
17 revenues for the maintenance, rehabilitation, repair,
18 improvement, and replacement of the concession facility,
19 structure, and equipment of the Agency that are part of the
20 leased premises.

21 The lessee shall be required to pay into the reserve
22 account a percentage of gross receipts, as set forth in the
23 lease, to be set aside and expended in a manner acceptable to
24 the Agency by the concession lessee for the purpose of ensuring
25 that an appropriate amount of the lessee's moneys are provided
26 by the lessee to satisfy the lessee's incurred responsibilities

1 for the operation of the concession facility under the terms
2 and conditions of the concession lease.

3 The lessee account shall allow for the amortization of
4 certain authorized expenses that are incurred by the concession
5 lessee but that are not an obligation of the lessee under the
6 terms and conditions of the lease agreement. The Agency may
7 allow a reduction of up to 50% of the monthly rent due for the
8 purpose of enabling the recoupment of the lessee's authorized
9 expenditures during the term of the lease.

10 (k) To sell surplus agricultural products grown on land
11 owned by or under the jurisdiction of the ~~Historic Sites and~~
12 ~~Preservation Division of the~~ Agency, when the products cannot
13 be used by the Agency.

14 (l) To enforce the laws of the State and the rules and
15 regulations of the Agency in or on any lands owned, leased, or
16 managed by the ~~Historic Sites and Preservation Division of the~~
17 Agency.

18 (m) To cooperate with private organizations and agencies of
19 the State of Illinois by providing areas and the use of staff
20 personnel where feasible for the sale of publications on the
21 historic and cultural heritage of the State and craft items
22 made by Illinois craftsmen. These sales shall not conflict with
23 existing concession agreements. The ~~Historic Sites and~~
24 ~~Preservation Division of the~~ Agency is authorized to negotiate
25 with the organizations and agencies for a portion of the monies
26 received from sales to be returned to the ~~Historic Sites and~~

1 ~~Preservation Division of the~~ Agency's Historic Sites Fund for
2 the furtherance of interpretive and restoration programs.

3 (n) To establish local bank or savings and loan association
4 accounts, upon the written authorization of the Director, to
5 temporarily hold income received at any of its properties. The
6 local accounts established under this Section shall be in the
7 name of the Historic Preservation Agency and shall be subject
8 to regular audits. The balance in a local bank or savings and
9 loan association account shall be forwarded to the Agency for
10 deposit with the State Treasurer on Monday of each week if the
11 amount to be deposited in a fund exceeds \$500.

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

16 (o) To accept, with the consent of the Board, offers of
17 gifts, gratuities, or grants from the federal government, its
18 agencies, or offices, or from any person, firm, or corporation.

19 (p) To make reasonable rules and regulations as may be
20 necessary to discharge the duties of the Agency.

21 (q) With appropriate cultural organizations, to further
22 and advance the goals of the Agency.

23 (r) To make grants for the purposes of planning, survey,
24 rehabilitation, restoration, reconstruction, landscaping, and
25 acquisition of Illinois properties (i) designated individually
26 in the National Register of Historic Places, (ii) designated as

1 a landmark under a county or municipal landmark ordinance, or
2 (iii) located within a National Register of Historic Places
3 historic district or a locally designated historic district
4 when the Director determines that the property is of historic
5 significance whenever an appropriation is made therefor by the
6 General Assembly or whenever gifts or grants are received for
7 that purpose and to promulgate regulations as may be necessary
8 or desirable to carry out the purposes of the grants.

9 Grantees may, as prescribed by rule, be required to provide
10 matching funds for each grant. Grants made under this
11 subsection shall be known as Illinois Heritage Grants.

12 Every owner of a historic property, or the owner's agent,
13 is eligible to apply for a grant under this subsection.

14 (s) To establish and implement a pilot program for charging
15 admission to State historic sites. Fees may be charged for
16 special events, admissions, and parking or any combination;
17 fees may be charged at all sites or selected sites. All fees
18 shall be deposited into the Illinois Historic Sites Fund. The
19 ~~Historic Sites and Preservation Division of the~~ Agency shall
20 have the discretion to set and adjust reasonable fees at the
21 various sites, taking into consideration various factors
22 including but not limited to: cost of services furnished to
23 each visitor, impact of fees on attendance and tourism and the
24 costs expended collecting the fees. The Agency shall keep
25 careful records of the income and expenses resulting from the
26 imposition of fees, shall keep records as to the attendance at

1 each historic site, and shall report to the Governor and
2 General Assembly by January 31 after the close of each year.
3 The report shall include information on costs, expenses,
4 attendance, comments by visitors, and any other information the
5 Agency may believe pertinent, including:

6 (1) Recommendations as to whether fees should be
7 continued at each State historic site.

8 (2) How the fees should be structured and imposed.

9 (3) Estimates of revenues and expenses associated with
10 each site.

11 (t) To provide for overnight tent and trailer campsites and
12 to provide suitable housing facilities for student and juvenile
13 overnight camping groups. The ~~Historic Sites and Preservation~~
14 ~~Division of the~~ Agency shall charge rates similar to those
15 charged by the Department of Conservation for the same or
16 similar facilities and services.

17 (u) To engage in marketing activities designed to promote
18 the sites and programs administered by the Agency. In
19 undertaking these activities, the Agency may take all necessary
20 steps with respect to products and services, including but not
21 limited to retail sales, wholesale sales, direct marketing,
22 mail order sales, telephone sales, advertising and promotion,
23 purchase of product and materials inventory, design, printing
24 and manufacturing of new products, reproductions, and
25 adaptations, copyright and trademark licensing and royalty
26 agreements, and payment of applicable taxes. In addition, the

1 Agency shall have the authority to sell advertising in its
2 publications and printed materials. All income from marketing
3 activities shall be deposited into the Illinois Historic Sites
4 Fund.

5 (Source: P.A. 95-140, eff. 1-1-08.)

6 (20 ILCS 3405/22)

7 Sec. 22. Amistad Commission.

8 (a) Purpose. The General Assembly finds and declares that
9 all people should know of and remember the human carnage and
10 dehumanizing atrocities committed during the period of the
11 African slave trade and slavery in America and of the vestiges
12 of slavery in this country; and it is in fact vital to educate
13 our citizens on these events, the legacy of slavery, the sad
14 history of racism in this country, and the principles of human
15 rights and dignity in a civilized society.

16 It is the policy of the State of Illinois that the history
17 of the African slave trade, slavery in America, the depth of
18 their impact in our society, and the triumphs of
19 African-Americans and their significant contributions to the
20 development of this country is the proper concern of all
21 people, particularly students enrolled in the schools of the
22 State of Illinois.

23 It is therefore desirable to create a Commission that, as
24 an organized body and on a continuous basis, will survey,
25 design, encourage, and promote the implementation of education

1 and awareness programs in Illinois that are concerned with the
2 African slave trade, slavery in America, the vestiges of
3 slavery in this country, and the contributions of
4 African-Americans in building our country; to develop
5 workshops, institutes, seminars, and other teacher training
6 activities designed to educate teachers on this subject matter;
7 and that will be responsible for the coordination of events on
8 a regular basis, throughout the State, that provide appropriate
9 memorialization of the events concerning the enslavement of
10 Africans and their descendants in America and their struggle
11 for freedom, liberty, and equality.

12 (b) Amistad Commission. The Amistad Commission is created
13 within the Agency. The Commission is named to honor the group
14 of enslaved Africans transported in 1839 on a vessel named the
15 Amistad who overthrew their captors and created an
16 international incident that was eventually argued before the
17 Supreme Court and that shed a growing light on the evils of the
18 slave trade and galvanized a growing abolitionist movement
19 towards demanding the end of slavery in the United States.

20 (c) Membership. The Commission shall consist of 15 members,
21 including 3 ex officio members: the State Superintendent of
22 Education or his or her designee, the Director of Commerce and
23 Economic Opportunity or his or her designee, and the Executive
24 Director of the ~~Historic Sites and~~ Preservation Agency or his
25 or her designee; and 12 public members. Public members shall be
26 appointed as follows:

1 (i) 2 members appointed by the President of the Senate
2 and one member appointed by the Minority Leader of the
3 Senate;

4 (ii) 2 members appointed by the Speaker of the House of
5 Representatives and one member appointed by the Minority
6 Leader of the House of Representatives; and

7 (iii) 6 members, no more than 4 of whom shall be of the
8 same political party, appointed by the Governor.

9 The public members shall be residents of this State, chosen
10 with due regard to broad geographic representation and ethnic
11 diversity, who have served actively in organizations that
12 educate the public on the history of the African slave trade,
13 the contributions of African-Americans to our society, and
14 civil rights issues.

15 Each public member of the Commission shall serve for a term
16 of 3 years, except that of the initial members so appointed:
17 one member appointed by the President of the Senate, one member
18 appointed by the Speaker of the House of Representatives, and 2
19 members appointed by the Governor shall serve for terms of one
20 year; the member appointed by the Minority Leader of the
21 Senate, one member appointed by the Speaker of the House of
22 Representatives, and 2 members appointed by the Governor shall
23 serve for terms of 2 years; and one member appointed by the
24 President of the Senate, the member appointed by the Minority
25 Leader of the House of Representatives, and 2 members appointed
26 by the Governor shall serve for terms of 3 years. Public

1 members shall be eligible for reappointment. They shall serve
2 until their successors are appointed and qualified, and the
3 term of the successor of any incumbent shall be calculated from
4 the expiration of the term of that incumbent. A vacancy
5 occurring other than by expiration of term shall be filled in
6 the same manner as the original appointment, but for the
7 unexpired term only.

8 (d) Election of chairperson; meetings. At its first meeting
9 and annually thereafter, the Commission shall elect from among
10 its members a chairperson and other officers it considers
11 necessary or appropriate. After its first meeting, the
12 Commission shall meet at least quarterly, or more frequently at
13 the call of the chairperson or if requested by 9 or more
14 members.

15 (e) Quorum. A majority of the members of the Commission
16 constitute a quorum for the transaction of business at a
17 meeting of the Commission. A majority of the members present
18 and serving is required for official action of the Commission.

19 (f) Public meeting. All business that the Commission is
20 authorized to perform shall be conducted at a public meeting of
21 the Commission, held in compliance with the Open Meetings Act.

22 (g) Freedom of Information. A writing prepared, owned,
23 used, in the possession of, or retained by the Commission in
24 the performance of an official function is subject to the
25 Freedom of Information Act.

26 (h) Compensation. The members of the Commission shall serve

1 without compensation, but shall be entitled to reimbursement
2 for all necessary expenses incurred in the performance of their
3 official duties as members of the Commission from funds
4 appropriated for that purpose. Reimbursement for travel,
5 meals, and lodging shall be in accordance with the rules of the
6 Governor's Travel Control Board.

7 (i) Duties. The Commission shall have the following
8 responsibilities and duties:

9 (1) To provide, based upon the collective interest of
10 the members and the knowledge and experience of the
11 members, assistance and advice to schools within the State
12 with respect to the implementation of education, awareness
13 programs, textbooks, and educational materials concerned
14 with the African slave trade, slavery in America, the
15 vestiges of slavery in this country, and the contributions
16 of African-Americans to our society.

17 (2) To survey and catalog the extent and breadth of
18 education concerning the African slave trade, slavery in
19 America, the vestiges of slavery in this country, and the
20 contributions of African-Americans to our society
21 presently being incorporated into the curricula and
22 textbooks and taught in the school systems of the State; to
23 inventory those African slave trade, American slavery, or
24 relevant African-American history memorials, exhibits, and
25 resources that should be incorporated into courses of study
26 at educational institutions, schools, and various other

1 locations throughout the State; and to assist the State
2 Board of Education and other State and educational agencies
3 in the development and implementation of African slave
4 trade, American slavery, and African-American history
5 education programs.

6 (3) To act as a liaison with textbook publishers,
7 schools, public, private, and nonprofit resource
8 organizations, and members of the United States Senate and
9 House of Representatives and the Illinois Senate and House
10 of Representatives in order to facilitate the inclusion of
11 the history of African slavery and of African-Americans in
12 this country in the curricula of public and nonpublic
13 schools.

14 (4) To compile a roster of individual volunteers who
15 are willing to share their knowledge and experience in
16 classrooms, seminars, and workshops with students and
17 teachers on the subject of the African slave trade,
18 American slavery, the impact of slavery on our society
19 today, and the contributions of African-Americans to our
20 country.

21 (5) To coordinate events memorializing the African
22 slave trade, American slavery, and the history of
23 African-Americans in this country that reflect the
24 contributions of African-Americans in overcoming the
25 burdens of slavery and its vestiges, and to seek volunteers
26 who are willing and able to participate in commemorative

1 events that will enhance student awareness of the
2 significance of the African slave trade, American slavery,
3 its historical impact, and the struggle for freedom.

4 (6) To prepare reports for the Governor and the General
5 Assembly regarding its findings and recommendations on
6 facilitating the inclusion of the African slave trade,
7 American slavery studies, African-American history, and
8 special programs in the educational system of the State.

9 (7) To develop, in consultation with the State Board of
10 Education, curriculum guidelines that will be made
11 available to every school board for the teaching of
12 information on the African slave trade, slavery in America,
13 the vestiges of slavery in this country, and the
14 contributions of African-Americans to our country.

15 (8) To solicit, receive, and accept appropriations,
16 gifts, and donations for Commission operations and
17 programs authorized under this Section.

18 (j) Commission requests for assistance. The Commission is
19 authorized to call upon any department, office, division, or
20 agency of the State, or of any county, municipality, or school
21 district of the State, to supply such data, program reports,
22 and other information, appropriate school personnel, and
23 assistance as it deems necessary to discharge its
24 responsibilities under this Act. These departments, offices,
25 divisions, and agencies shall, to the extent possible and not
26 inconsistent with any other law of this State, cooperate with

1 the Commission and shall furnish it with such information,
2 appropriate school personnel, and assistance as may be
3 necessary or helpful to accomplish the purposes of this Act.

4 (k) State Board of Education assistance. The State Board of
5 Education shall:

6 (1) Assist the Amistad Commission in marketing and
7 distributing to educators, administrators, and school
8 districts in the State educational information and other
9 materials on the African slave trade, slavery in America,
10 the vestiges of slavery in this country, and the
11 contributions of African-Americans to our society.

12 (2) Conduct at least one teacher workshop annually on
13 the African slave trade, slavery in America, the vestiges
14 of slavery in this country, and the contributions of
15 African-Americans to our society.

16 (3) Assist the Amistad Commission in monitoring the
17 inclusion of slavery materials and curricula in the State's
18 educational system.

19 (4) Consult with the Amistad Commission to determine
20 ways it may survey, catalog, and extend slave trade and
21 American slavery education presently being taught in the
22 State's educational system.

23 The State Board of Education may, subject to the
24 availability of appropriations, hire additional staff and
25 consultants to carry out the duties and responsibilities
26 provided within this subsection (k).

1 (1) Report. The Commission shall report its activities and
2 findings, as required under subsection (i), to the Governor and
3 General Assembly on or before June 30, 2006, and biannually
4 thereafter.

5 (Source: P.A. 94-285, eff. 7-21-05.)

6 (20 ILCS 3405/34)

7 Sec. 34. Internal Auditor. There is created the Office of
8 the Internal Auditor of the Historic Preservation Agency. The
9 Internal Auditor shall be appointed by the Board, shall serve
10 at the pleasure of the Board, and shall report to the Board.
11 The Internal Auditor shall audit and maintain the financial
12 books, records, papers, and transactions of the ~~Lincoln~~
13 ~~Presidential Library and the Historic Sites and Preservation~~
14 ~~Division of the Historic Preservation~~ Agency. The Internal
15 Auditor shall prepare an annual report for each fiscal year of
16 the operations of the Historic Preservation Agency, which shall
17 be submitted to the Board, the General Assembly, and the
18 Governor. Nothing in this Section shall abridge the authority
19 of the Illinois Auditor General to independently audit the
20 Illinois Historic Preservation Agency or any of the libraries,
21 divisions, or offices contained within the Agency.

22 (Source: P.A. 92-600, eff. 7-1-02.)

23 (20 ILCS 3405/36 new)

24 Sec. 36. Powers of the State Museum. In addition to its

1 other powers and duties, the Agency shall have the following
2 powers and duties which shall be performed by the State Museum:

3 (1) To investigate and study the natural resources of
4 the State and to prepare printed reports and furnish
5 information fundamental to the conservation and
6 development of natural resources and for that purpose the
7 officers and employees thereof may, pursuant to rule
8 adopted by the Agency, enter and cross all lands in this
9 State, doing no damage to private property.

10 (2) To cooperate with and advise departments having
11 administrative powers and duties relating to the natural
12 resources of the State, and to cooperate with similar
13 departments in other states and with the United States
14 Government.

15 (3) To cooperate with the Illinois State Academy of
16 Science and to publish a suitable number of the results of
17 the investigations and research in the field of natural
18 science to the end that the same may be distributed to the
19 interested public.

20 (4) To maintain a State Museum, and to collect and
21 preserve objects of scientific and artistic value,
22 representing past and present fauna and flora, the life and
23 work of man, geological history, natural resources, and
24 manufacturing and the fine arts; and to interpret for and
25 educate the public concerning the foregoing.

26 (5) To cooperate with the Illinois State Museum Society

1 for the mutual benefit of the Museum and the Society, with
2 the Museum furnishing necessary space for the Society to
3 carry on its functions and keep its records, and, upon the
4 recommendation of the Museum Director with the approval of
5 the Board of State Museum Advisors and the Executive
6 Director of the Agency, to enter into agreements with the
7 Illinois State Museum Society for the operation of a sales
8 counter and other concessions for the mutual benefit of the
9 Museum and the Society.

10 (6) To accept grants of property and to hold property
11 to be administered as part of the State Museum for the
12 purpose of preservation, research or interpretation of
13 significant areas within the State for the purpose of
14 preserving, studying and interpreting archaeological and
15 natural phenomena.

16 (7) To contribute to and support the operations,
17 programs and capital development of public museums in this
18 State. For the purposes of this Section, "public museum"
19 means a facility: (A) that is operating for the purposes of
20 promoting cultural development through special activities
21 or programs or through performing arts that are performed
22 in an indoor setting, and acquiring, conserving,
23 preserving, studying, interpreting, enhancing, and in
24 particular, organizing and continuously exhibiting
25 specimens, artifacts, articles, documents and other things
26 of historical, anthropological, archaeological,

1 industrial, scientific or artistic import, to the public
2 for its instruction and enjoyment, and (B) that either (i)
3 is operated by or located upon land owned by a unit of
4 local government or (ii) is a museum that has an annual
5 attendance of at least 150,000 and offers educational
6 programs to school groups during school hours. A museum is
7 eligible to receive funds for capital development under
8 this subdivision (7) only if it is operated by or located
9 upon land owned by a unit of local government or if it is
10 certified by a unit of local government in which it is
11 located as a public museum meeting the criteria of this
12 Section. Recipients of funds for capital development under
13 this subdivision (7) shall match State funds with local or
14 private funding according to the following:

15 (a) for a public museum with an attendance of
16 300,000 or less during the preceding calendar year, no
17 match is required;

18 (b) for a public museum with an attendance of over
19 300,000 but less than 600,000 during the preceding
20 calendar year, the match must be at a ratio of \$1 from
21 local and private funds for every \$1 in State funds;
22 and

23 (c) for a public museum with an attendance of over
24 600,000 during the preceding calendar year, the match
25 must be at a ratio of \$2 from local and private funds
26 for every \$1 in State funds.

1 The Agency shall formulate rules and regulations
2 relating to the allocation of any funds appropriated by the
3 General Assembly for the purpose of contributing to the
4 support of public museums in this State.

5 (8) To perform all other duties and assume all
6 obligations of the former Department of Energy and Natural
7 Resources and the former Department of Registration and
8 Education pertaining to the State Museum.

9 (9) This Section is a recodification of the former
10 Section 1-25 of the Department of Natural Resources Act,
11 and shall be interpreted in the same manner as that section
12 when it was codified within the Department of Natural
13 Resources Act, except where the context requires
14 otherwise.

15 (20 ILCS 3405/37 new)

16 Sec. 37. State Museum. The Historical Preservation Agency
17 shall have within it the office of the Illinois State Museum.
18 The Board of the Illinois State Museum is retained as the
19 governing board for the State Museum.

20 (a) Within the Agency there shall be a Board of the
21 Illinois State Museum, composed of 11 persons, one of whom
22 shall be a senior citizen age 60 or over. The Board shall be
23 composed of 9 representatives of the natural sciences,
24 anthropology, art, and business, qualified by at least 10 years
25 of experience in practicing or teaching their several

1 professions; one senior citizen; and the Executive Director of
2 the Historic Preservation Agency or his or her designee.
3 Members of the Board shall be appointed by the Governor with
4 the advice and consent of the Senate and shall serve for 2-year
5 terms.

6 The transfer of the Board to the Agency under this
7 amendatory Act of the 99th General Assembly does not terminate
8 or otherwise affect the term of membership of any member of the
9 Board, except that the Director of Natural Resources is
10 replaced by the Executive Director of the Historic Preservation
11 Agency.

12 The Board shall:

13 (1) advise the Executive Director of the Agency in all
14 matters pertaining to maintenance, extension and
15 usefulness of the Illinois State Museum;

16 (2) make recommendations concerning the appointment of
17 a new museum director whenever a vacancy occurs in that
18 position;

19 (3) fix the salaries of the administrative,
20 scientific, and technical staff of the Illinois State
21 Museum; and

22 (4) review the budget and approve budget requests of
23 the Illinois State Museum and make recommendations with
24 reference thereto to the Governor through the Executive
25 Director of the Agency.

26 (c) The approval of the Board of the Illinois State Museum

1 is necessary for the appointment of the administrative,
2 scientific, and technical staff of the Illinois State Museum
3 and for the making of any change in the salary of any person on
4 that staff.

5 (d) The Agency may set by administrative rule an entrance
6 fee for visitors to the Illinois State Museum. The fee assessed
7 by this Section shall be deposited into the Illinois State
8 Museum Fund for the Agency to use to support the Illinois State
9 Museum. The monies deposited into the Illinois State Museum
10 Fund under this Section shall not be subject to administrative
11 charges or chargebacks unless otherwise authorized by this Act.

12 (e) The Illinois State Museum shall set aside a booth or
13 section of the gift shop for the sale of products manufactured
14 in the United States. As used in this Section, "products
15 manufactured in the United States" means assembled articles,
16 materials, or supplies for which design, final assembly,
17 processing, packaging, testing, or other process that adds
18 value, quality, or reliability occurred in the United States.

19 (f) Subsections (a) through (e) of this Section are a
20 recodification of the former Article 20 of the Department of
21 Natural Resources Act, and shall be interpreted in the same
22 manner as when they were codified within the Department of
23 Natural Resources Act, except where the context requires
24 otherwise.

25 (g) On the effective date of this amendatory Act of the
26 99th General Assembly, the Illinois State Museum and all

1 powers, duties, functions, and responsibilities thereof, are
2 hereby transferred to the Historic Preservation Agency.

3 (h) The personnel of the office of the Illinois State
4 Museum are hereby transferred to the Historic Preservation
5 Agency. The status and rights of the transferred employees, and
6 the rights of the State of Illinois and its agencies, under the
7 Personnel Code and applicable collective bargaining agreements
8 or under any pension, retirement, or annuity plan are not
9 affected (except as provided in Sections 14-110 and 18-127 of
10 the Illinois Pension Code) by the transfer or by any other of
11 provision of this Act.

12 (i) All books, records, papers, documents, property (real
13 and personal), contracts, causes of action, and pending
14 business pertaining to the powers, duties, rights, and
15 responsibilities of the Illinois State Museum transferred by
16 this amendatory Act, including, but not limited to, the Alan J.
17 Dixon Building and the Illinois State Museum Research and
18 Collections Center in Springfield, the Dickson Mounds State
19 Memorial in Lewiston, the Illinois State Museum Lockport
20 Gallery in Lockport, the Illinois State Museum Chicago Gallery
21 and Illinois Artisans in Chicago, and the Southern Illinois Art
22 and Artisans Center in Whittington, together with material in
23 electronic or magnetic format and necessary computer hardware
24 and software, shall be transferred with the Illinois State
25 Museum.

26 (j) All unexpended appropriations and balances and other

1 funds available for use by the Illinois State Museum within the
2 Department of Natural Resources shall be transferred for use by
3 the Historic Preservation Agency pursuant to the direction of
4 the Governor. Unexpended balances so transferred shall be
5 expended only for the purpose for which the appropriations were
6 originally made.

7 (k) The powers, duties, rights, and responsibilities
8 transferred from the Illinois State Museum within the
9 Department of Natural Resources by this amendatory Act shall be
10 vested in and shall be exercised by the Illinois State Museum
11 within the Historic Preservation Agency.

12 (l) Whenever reports or notices are now required to be made
13 or given or papers or documents furnished or served by any
14 person to or upon the Illinois State Museum within the
15 Department of Natural Resources in connection with any of the
16 powers, duties, rights, and responsibilities transferred by
17 this amendatory Act, the same shall be made, given, furnished,
18 or served in the same manner to or upon the Illinois State
19 Museum within the Historic Preservation Agency.

20 (m) This amendatory Act does not affect any act done,
21 ratified, or canceled or any right occurring or established or
22 any action or proceeding had or commenced in an administrative,
23 civil, or criminal cause by the Illinois State Museum within
24 the Department of Natural Resources before this amendatory Act
25 takes effect; such actions or proceedings may be prosecuted and
26 continued by the Illinois State Museum within the Historic

1 Preservation Agency.

2 (n) Any rules of the Illinois State Museum within the
3 Department of Natural Resources that relate to its powers,
4 duties, rights, and responsibilities and are in full force on
5 the effective date of this amendatory Act shall become the
6 rules of the Illinois State Museum within the Historic
7 Preservation Agency. This amendatory Act does not affect the
8 legality of any such rules in the Illinois Administrative Code.

9 Any proposed rules filed with the Secretary of State by the
10 Illinois State Museum within the Department of Natural
11 Resources that are pending in the rulemaking process on the
12 effective date of this amendatory Act and pertain to the
13 powers, duties, rights, and responsibilities transferred,
14 shall be deemed to have been filed by the Illinois State Museum
15 within the Historic Preservation Agency. As soon as practicable
16 hereafter, the Illinois State Museum shall revise and clarify
17 the rules transferred to it under this amendatory Act to
18 reflect the reorganization of powers, duties, rights, and
19 responsibilities affected by this amendatory Act, using the
20 procedures for recodification of rules available under the
21 Illinois Administrative Procedure Act, except that existing
22 title, part, and section numbering for the affected rules may
23 be retained. The Illinois State Museum may propose and adopt
24 under the Illinois Administrative Procedure Act such other
25 rules of the Illinois State Museum within the Department of
26 Natural Resources that will now be administered by the Illinois

1 State Museum within the Historic Preservation Agency.

2 Section 2-15. The Illinois Historic Preservation Act is
3 amended by changing Section 3 as follows:

4 (20 ILCS 3410/3) (from Ch. 127, par. 133d3)

5 Sec. 3. There is recognized and established hereunder the
6 Illinois Historic Sites Advisory Council, previously
7 established pursuant to Federal regulations, hereafter called
8 the Council. The Council shall consist of 15 members. Of these,
9 there shall be at least 3 historians, at least 3 architectural
10 historians, or architects with a preservation background, and
11 at least 3 archeologists. The remaining 6 members shall be
12 drawn from supporting fields and have a preservation interest.
13 Supporting fields shall include but not be limited to
14 historical geography, law, urban planning, local government
15 officials, and members of other preservation commissions. All
16 shall be appointed by the Director of Historic Sites and
17 Preservation, with the consent of the Board.

18 The Council Chairperson shall be appointed by the Executive
19 Director of the Historic Preservation Agency Sites and
20 ~~Preservation~~ from the Council membership and shall serve at the
21 Director's pleasure.

22 The Executive Director of the Abraham Lincoln Presidential
23 Library and Museum and the Director of the Illinois State
24 Museum shall serve on the Council in advisory capacity as

1 non-voting members.

2 Terms of membership shall be 3 years and shall be staggered
3 by the Director to assure continuity of representation.

4 The Council shall meet at least 3 times each year.
5 Additional meetings may be held at the call of the chairperson
6 or at the call of the Director.

7 Members shall serve without compensation, but shall be
8 reimbursed for actual expenses incurred in the performance of
9 their duties.

10 (Source: P.A. 97-785, eff. 7-13-12.)

11 Section 2-20. The State Historical Library Act is amended
12 by changing Section 5.1 as follows:

13 (20 ILCS 3425/5.1) (from Ch. 128, par. 16.1)

14 Sec. 5.1. The State Historian shall establish and supervise
15 a program within the Abraham Lincoln Presidential Library and
16 Museum designed to preserve as historical records selected past
17 editions of newspapers of this State. Such editions shall be
18 preserved in accordance with industry standards
19 ~~microphotographed~~. The negatives of ~~such~~ microphotographs and
20 other materials shall be stored in a place provided by the
21 Abraham Lincoln Presidential Library and Museum.

22 The State Historian shall determine on the basis of
23 historical value the various newspaper edition files which
24 shall be preserved ~~microphotographed~~ and shall arrange a

1 schedule for such preservation ~~microphotographing~~. The State
2 Historian shall supervise the making of arrangements for
3 acquiring access to past edition files with the editors or
4 publishers of the various newspapers.

5 The method of microphotography to be employed in this
6 program shall conform to the standards established pursuant to
7 Section 17 of "The State Records Act", approved July 6, 1957.

8 Upon payment to the Abraham Lincoln Presidential Library
9 and Museum of the required fee, any person or organization
10 shall be supplied with any prints requested to be made from the
11 newspapers and all records. ~~negatives of the microphotographs.~~

12 The fee required shall be determined by the State Historian and
13 shall be equal in amount to the cost incurred by the Abraham
14 Lincoln Presidential Library and Museum in supplying the
15 requested prints.

16 (Source: P.A. 92-600, eff. 7-1-02.)

17 Section 2-25. The Old State Capitol Act is amended by
18 changing Section 1 as follows:

19 (20 ILCS 3430/1) (from Ch. 123, par. 52)

20 Sec. 1. As used in this Act,

21 (a) "Old State Capitol Complex" means the old State capitol
22 reconstructed under the "1961 Act" in Springfield and includes
23 space also occupied by the Abraham Lincoln Presidential Library
24 and Museum and an underground parking garage;

1 (b) "1961 Act" means "An Act providing for the
2 reconstruction and restoration of the old State Capitol at
3 Springfield and providing for the custody thereof", approved
4 August 24, 1961, as amended;

5 (c) "Board of Trustees" means ~~the Board of Trustees of the~~
6 Historic Preservation Agency Advisory Board.
7 (Source: P.A. 92-600, eff. 7-1-02.)

8 Section 2-30. The Illinois Municipal Code is amended by
9 changing Section 11-48-1 as follows:

10 (65 ILCS 5/11-48-1) (from Ch. 24, par. 11-48-1)

11 Sec. 11-48-1. The city council or board of trustees of
12 every city, incorporated town or village may, by order or
13 resolution authorize and direct to be transferred to the
14 Abraham Lincoln Presidential Library and Museum, the State
15 Archives or to the State University Library at Urbana,
16 Illinois, or to any historical society duly incorporated and
17 located within their respective counties, such official
18 papers, drawings, maps, writings and records of every
19 description as may be deemed of historic interest or value, and
20 as may be in the custody of any officer of such county, city,
21 incorporated town or village. Accurate copies of the same when
22 so transferred shall be substituted for the original when in
23 the judgment of such city council or board of trustees the same
24 may be deemed necessary.

1 (Source: P.A. 92-600, eff. 7-1-02.)

2 Section 2-35. The Liquor Control Act of 1934 is amended by
3 changing Section 6-15 as follows:

4 (235 ILCS 5/6-15) (from Ch. 43, par. 130)

5 Sec. 6-15. No alcoholic liquors shall be sold or delivered
6 in any building belonging to or under the control of the State
7 or any political subdivision thereof except as provided in this
8 Act. The corporate authorities of any city, village,
9 incorporated town, township, or county may provide by
10 ordinance, however, that alcoholic liquor may be sold or
11 delivered in any specifically designated building belonging to
12 or under the control of the municipality, township, or county,
13 or in any building located on land under the control of the
14 municipality, township, or county; provided that such township
15 or county complies with all applicable local ordinances in any
16 incorporated area of the township or county. Alcoholic liquor
17 may be delivered to and sold under the authority of a special
18 use permit on any property owned by a conservation district
19 organized under the Conservation District Act, provided that
20 (i) the alcoholic liquor is sold only at an event authorized by
21 the governing board of the conservation district, (ii) the
22 issuance of the special use permit is authorized by the local
23 liquor control commissioner of the territory in which the
24 property is located, and (iii) the special use permit

1 authorizes the sale of alcoholic liquor for one day or less.
2 Alcoholic liquors may be delivered to and sold at any airport
3 belonging to or under the control of a municipality of more
4 than 25,000 inhabitants, or in any building or on any golf
5 course owned by a park district organized under the Park
6 District Code, subject to the approval of the governing board
7 of the district, or in any building or on any golf course owned
8 by a forest preserve district organized under the Downstate
9 Forest Preserve District Act, subject to the approval of the
10 governing board of the district, or on the grounds within 500
11 feet of any building owned by a forest preserve district
12 organized under the Downstate Forest Preserve District Act
13 during times when food is dispensed for consumption within 500
14 feet of the building from which the food is dispensed, subject
15 to the approval of the governing board of the district, or in a
16 building owned by a Local Mass Transit District organized under
17 the Local Mass Transit District Act, subject to the approval of
18 the governing Board of the District, or in Bicentennial Park,
19 or on the premises of the City of Mendota Lake Park located
20 adjacent to Route 51 in Mendota, Illinois, or on the premises
21 of Camden Park in Milan, Illinois, or in the community center
22 owned by the City of Loves Park that is located at 1000 River
23 Park Drive in Loves Park, Illinois, or, in connection with the
24 operation of an established food serving facility during times
25 when food is dispensed for consumption on the premises, and at
26 the following aquarium and museums located in public parks: Art

1 Institute of Chicago, Chicago Academy of Sciences, Chicago
2 Historical Society, Field Museum of Natural History, Museum of
3 Science and Industry, DuSable Museum of African American
4 History, John G. Shedd Aquarium and Adler Planetarium, or at
5 Lakeview Museum of Arts and Sciences in Peoria, or in
6 connection with the operation of the facilities of the Chicago
7 Zoological Society or the Chicago Horticultural Society on land
8 owned by the Forest Preserve District of Cook County, or on any
9 land used for a golf course or for recreational purposes owned
10 by the Forest Preserve District of Cook County, subject to the
11 control of the Forest Preserve District Board of Commissioners
12 and applicable local law, provided that dram shop liability
13 insurance is provided at maximum coverage limits so as to hold
14 the District harmless from all financial loss, damage, and
15 harm, or in any building located on land owned by the Chicago
16 Park District if approved by the Park District Commissioners,
17 or on any land used for a golf course or for recreational
18 purposes and owned by the Illinois International Port District
19 if approved by the District's governing board, or at any
20 airport, golf course, faculty center, or facility in which
21 conference and convention type activities take place belonging
22 to or under control of any State university or public community
23 college district, provided that with respect to a facility for
24 conference and convention type activities alcoholic liquors
25 shall be limited to the use of the convention or conference
26 participants or participants in cultural, political or

1 educational activities held in such facilities, and provided
2 further that the faculty or staff of the State university or a
3 public community college district, or members of an
4 organization of students, alumni, faculty or staff of the State
5 university or a public community college district are active
6 participants in the conference or convention, or in Memorial
7 Stadium on the campus of the University of Illinois at
8 Urbana-Champaign during games in which the Chicago Bears
9 professional football team is playing in that stadium during
10 the renovation of Soldier Field, not more than one and a half
11 hours before the start of the game and not after the end of the
12 third quarter of the game, or in the Pavilion Facility on the
13 campus of the University of Illinois at Chicago during games in
14 which the Chicago Storm professional soccer team is playing in
15 that facility, not more than one and a half hours before the
16 start of the game and not after the end of the third quarter of
17 the game, or in the Pavilion Facility on the campus of the
18 University of Illinois at Chicago during games in which the
19 WNBA professional women's basketball team is playing in that
20 facility, not more than one and a half hours before the start
21 of the game and not after the 10-minute mark of the second half
22 of the game, or by a catering establishment which has rented
23 facilities from a board of trustees of a public community
24 college district, or in a restaurant that is operated by a
25 commercial tenant in the North Campus Parking Deck building
26 that (1) is located at 1201 West University Avenue, Urbana,

1 Illinois and (2) is owned by the Board of Trustees of the
2 University of Illinois, or, if approved by the District board,
3 on land owned by the Metropolitan Sanitary District of Greater
4 Chicago and leased to others for a term of at least 20 years.
5 Nothing in this Section precludes the sale or delivery of
6 alcoholic liquor in the form of original packaged goods in
7 premises located at 500 S. Racine in Chicago belonging to the
8 University of Illinois and used primarily as a grocery store by
9 a commercial tenant during the term of a lease that predates
10 the University's acquisition of the premises; but the
11 University shall have no power or authority to renew, transfer,
12 or extend the lease with terms allowing the sale of alcoholic
13 liquor; and the sale of alcoholic liquor shall be subject to
14 all local laws and regulations. After the acquisition by
15 Winnebago County of the property located at 404 Elm Street in
16 Rockford, a commercial tenant who sold alcoholic liquor at
17 retail on a portion of the property under a valid license at
18 the time of the acquisition may continue to do so for so long
19 as the tenant and the County may agree under existing or future
20 leases, subject to all local laws and regulations regarding the
21 sale of alcoholic liquor. Alcoholic liquors may be delivered to
22 and sold at Memorial Hall, located at 211 North Main Street,
23 Rockford, under conditions approved by Winnebago County and
24 subject to all local laws and regulations regarding the sale of
25 alcoholic liquor. Each facility shall provide dram shop
26 liability in maximum insurance coverage limits so as to save

1 harmless the State, municipality, State university, airport,
2 golf course, faculty center, facility in which conference and
3 convention type activities take place, park district, Forest
4 Preserve District, public community college district,
5 aquarium, museum, or sanitary district from all financial loss,
6 damage or harm. Alcoholic liquors may be sold at retail in
7 buildings of golf courses owned by municipalities or Illinois
8 State University in connection with the operation of an
9 established food serving facility during times when food is
10 dispensed for consumption upon the premises. Alcoholic liquors
11 may be delivered to and sold at retail in any building owned by
12 a fire protection district organized under the Fire Protection
13 District Act, provided that such delivery and sale is approved
14 by the board of trustees of the district, and provided further
15 that such delivery and sale is limited to fundraising events
16 and to a maximum of 6 events per year. However, the limitation
17 to fundraising events and to a maximum of 6 events per year
18 does not apply to the delivery, sale, or manufacture of
19 alcoholic liquors at the building located at 59 Main Street in
20 Oswego, Illinois, owned by the Oswego Fire Protection District
21 if the alcoholic liquor is sold or dispensed as approved by the
22 Oswego Fire Protection District and the property is no longer
23 being utilized for fire protection purposes.

24 Alcoholic liquors may be served or sold in buildings under
25 the control of the Board of Trustees of the University of
26 Illinois for events that the Board may determine are public

1 events and not related student activities. The Board of
2 Trustees shall issue a written policy within 6 months of the
3 effective date of this amendatory Act of the 95th General
4 Assembly concerning the types of events that would be eligible
5 for an exemption. Thereafter, the Board of Trustees may issue
6 revised, updated, new, or amended policies as it deems
7 necessary and appropriate. In preparing its written policy, the
8 Board of Trustees shall, among other factors it considers
9 relevant and important, give consideration to the following:
10 (i) whether the event is a student activity or student related
11 activity; (ii) whether the physical setting of the event is
12 conducive to control of liquor sales and distribution; (iii)
13 the ability of the event operator to ensure that the sale or
14 serving of alcoholic liquors and the demeanor of the
15 participants are in accordance with State law and University
16 policies; (iv) regarding the anticipated attendees at the
17 event, the relative proportion of individuals under the age of
18 21 to individuals age 21 or older; (v) the ability of the venue
19 operator to prevent the sale or distribution of alcoholic
20 liquors to individuals under the age of 21; (vi) whether the
21 event prohibits participants from removing alcoholic beverages
22 from the venue; and (vii) whether the event prohibits
23 participants from providing their own alcoholic liquors to the
24 venue. In addition, any policy submitted by the Board of
25 Trustees to the Illinois Liquor Control Commission must require
26 that any event at which alcoholic liquors are served or sold in

1 buildings under the control of the Board of Trustees shall
2 require the prior written approval of the Office of the
3 Chancellor for the University campus where the event is
4 located. The Board of Trustees shall submit its policy, and any
5 subsequently revised, updated, new, or amended policies, to the
6 Illinois Liquor Control Commission, and any University event,
7 or location for an event, exempted under such policies shall
8 apply for a license under the applicable Sections of this Act.

9 Alcoholic liquors may be served or sold in buildings under
10 the control of the Board of Trustees of Northern Illinois
11 University for events that the Board may determine are public
12 events and not student-related activities. The Board of
13 Trustees shall issue a written policy within 6 months after
14 June 28, 2011 (the effective date of Public Act 97-45)
15 concerning the types of events that would be eligible for an
16 exemption. Thereafter, the Board of Trustees may issue revised,
17 updated, new, or amended policies as it deems necessary and
18 appropriate. In preparing its written policy, the Board of
19 Trustees shall, in addition to other factors it considers
20 relevant and important, give consideration to the following:
21 (i) whether the event is a student activity or student-related
22 activity; (ii) whether the physical setting of the event is
23 conducive to control of liquor sales and distribution; (iii)
24 the ability of the event operator to ensure that the sale or
25 serving of alcoholic liquors and the demeanor of the
26 participants are in accordance with State law and University

1 policies; (iv) the anticipated attendees at the event and the
2 relative proportion of individuals under the age of 21 to
3 individuals age 21 or older; (v) the ability of the venue
4 operator to prevent the sale or distribution of alcoholic
5 liquors to individuals under the age of 21; (vi) whether the
6 event prohibits participants from removing alcoholic beverages
7 from the venue; and (vii) whether the event prohibits
8 participants from providing their own alcoholic liquors to the
9 venue.

10 Alcoholic liquors may be served or sold in buildings under
11 the control of the Board of Trustees of Chicago State
12 University for events that the Board may determine are public
13 events and not student-related activities. The Board of
14 Trustees shall issue a written policy within 6 months after
15 August 2, 2013 (the effective date of Public Act 98-132)
16 concerning the types of events that would be eligible for an
17 exemption. Thereafter, the Board of Trustees may issue revised,
18 updated, new, or amended policies as it deems necessary and
19 appropriate. In preparing its written policy, the Board of
20 Trustees shall, in addition to other factors it considers
21 relevant and important, give consideration to the following:
22 (i) whether the event is a student activity or student-related
23 activity; (ii) whether the physical setting of the event is
24 conducive to control of liquor sales and distribution; (iii)
25 the ability of the event operator to ensure that the sale or
26 serving of alcoholic liquors and the demeanor of the

1 participants are in accordance with State law and University
2 policies; (iv) the anticipated attendees at the event and the
3 relative proportion of individuals under the age of 21 to
4 individuals age 21 or older; (v) the ability of the venue
5 operator to prevent the sale or distribution of alcoholic
6 liquors to individuals under the age of 21; (vi) whether the
7 event prohibits participants from removing alcoholic beverages
8 from the venue; and (vii) whether the event prohibits
9 participants from providing their own alcoholic liquors to the
10 venue.

11 Alcoholic liquors may be served or sold in buildings under
12 the control of the Board of Trustees of Illinois State
13 University for events that the Board may determine are public
14 events and not student-related activities. The Board of
15 Trustees shall issue a written policy within 6 months after the
16 effective date of this amendatory Act of the 97th General
17 Assembly concerning the types of events that would be eligible
18 for an exemption. Thereafter, the Board of Trustees may issue
19 revised, updated, new, or amended policies as it deems
20 necessary and appropriate. In preparing its written policy, the
21 Board of Trustees shall, in addition to other factors it
22 considers relevant and important, give consideration to the
23 following: (i) whether the event is a student activity or
24 student-related activity; (ii) whether the physical setting of
25 the event is conducive to control of liquor sales and
26 distribution; (iii) the ability of the event operator to ensure

1 that the sale or serving of alcoholic liquors and the demeanor
2 of the participants are in accordance with State law and
3 University policies; (iv) the anticipated attendees at the
4 event and the relative proportion of individuals under the age
5 of 21 to individuals age 21 or older; (v) the ability of the
6 venue operator to prevent the sale or distribution of alcoholic
7 liquors to individuals under the age of 21; (vi) whether the
8 event prohibits participants from removing alcoholic beverages
9 from the venue; and (vii) whether the event prohibits
10 participants from providing their own alcoholic liquors to the
11 venue.

12 Alcoholic liquor may be delivered to and sold at retail in
13 the Dorchester Senior Business Center owned by the Village of
14 Dolton if the alcoholic liquor is sold or dispensed only in
15 connection with organized functions for which the planned
16 attendance is 20 or more persons, and if the person or facility
17 selling or dispensing the alcoholic liquor has provided dram
18 shop liability insurance in maximum limits so as to hold
19 harmless the Village of Dolton and the State from all financial
20 loss, damage and harm.

21 Alcoholic liquors may be delivered to and sold at retail in
22 any building used as an Illinois State Armory provided:

23 (i) the Adjutant General's written consent to the
24 issuance of a license to sell alcoholic liquor in such
25 building is filed with the Commission;

26 (ii) the alcoholic liquor is sold or dispensed only in

1 connection with organized functions held on special
2 occasions;

3 (iii) the organized function is one for which the
4 planned attendance is 25 or more persons; and

5 (iv) the facility selling or dispensing the alcoholic
6 liquors has provided dram shop liability insurance in
7 maximum limits so as to save harmless the facility and the
8 State from all financial loss, damage or harm.

9 Alcoholic liquors may be delivered to and sold at retail in
10 the Chicago Civic Center, provided that:

11 (i) the written consent of the Public Building
12 Commission which administers the Chicago Civic Center is
13 filed with the Commission;

14 (ii) the alcoholic liquor is sold or dispensed only in
15 connection with organized functions held on special
16 occasions;

17 (iii) the organized function is one for which the
18 planned attendance is 25 or more persons;

19 (iv) the facility selling or dispensing the alcoholic
20 liquors has provided dram shop liability insurance in
21 maximum limits so as to hold harmless the Civic Center, the
22 City of Chicago and the State from all financial loss,
23 damage or harm; and

24 (v) all applicable local ordinances are complied with.

25 Alcoholic liquors may be delivered or sold in any building
26 belonging to or under the control of any city, village or

1 incorporated town where more than 75% of the physical
2 properties of the building is used for commercial or
3 recreational purposes, and the building is located upon a pier
4 extending into or over the waters of a navigable lake or stream
5 or on the shore of a navigable lake or stream. In accordance
6 with a license issued under this Act, alcoholic liquor may be
7 sold, served, or delivered in buildings and facilities under
8 the control of the Department of Natural Resources during
9 events or activities lasting no more than 7 continuous days
10 upon the written approval of the Director of Natural Resources
11 acting as the controlling government authority. The Director of
12 Natural Resources may specify conditions on that approval,
13 including but not limited to requirements for insurance and
14 hours of operation. Notwithstanding any other provision of this
15 Act, alcoholic liquor sold by a United States Army Corps of
16 Engineers or Department of Natural Resources concessionaire
17 who was operating on June 1, 1991 for on-premises consumption
18 only is not subject to the provisions of Articles IV and IX.
19 Beer and wine may be sold on the premises of the Joliet Park
20 District Stadium owned by the Joliet Park District when written
21 consent to the issuance of a license to sell beer and wine in
22 such premises is filed with the local liquor commissioner by
23 the Joliet Park District. Beer and wine may be sold in
24 buildings on the grounds of State veterans' homes when written
25 consent to the issuance of a license to sell beer and wine in
26 such buildings is filed with the Commission by the Department

1 of Veterans' Affairs, and the facility shall provide dram shop
2 liability in maximum insurance coverage limits so as to save
3 the facility harmless from all financial loss, damage or harm.
4 Such liquors may be delivered to and sold at any property owned
5 or held under lease by a Metropolitan Pier and Exposition
6 Authority or Metropolitan Exposition and Auditorium Authority.

7 Beer and wine may be sold and dispensed at professional
8 sporting events and at professional concerts and other
9 entertainment events conducted on premises owned by the Forest
10 Preserve District of Kane County, subject to the control of the
11 District Commissioners and applicable local law, provided that
12 dram shop liability insurance is provided at maximum coverage
13 limits so as to hold the District harmless from all financial
14 loss, damage and harm.

15 Nothing in this Section shall preclude the sale or delivery
16 of beer and wine at a State or county fair or the sale or
17 delivery of beer or wine at a city fair in any otherwise lawful
18 manner.

19 Alcoholic liquors may be sold at retail in buildings in
20 State parks under the control of the Department of Natural
21 Resources, provided:

22 a. the State park has overnight lodging facilities with
23 some restaurant facilities or, not having overnight
24 lodging facilities, has restaurant facilities which serve
25 complete luncheon and dinner or supper meals,

26 b. (blank), and

1 c. the alcoholic liquors are sold by the State park
2 lodge or restaurant concessionaire only during the hours
3 from 11 o'clock a.m. until 12 o'clock midnight.
4 Notwithstanding any other provision of this Act, alcoholic
5 liquor sold by the State park or restaurant concessionaire
6 is not subject to the provisions of Articles IV and IX.

7 Alcoholic liquors may be sold at retail in buildings on
8 properties under the control of the ~~Historic Sites and~~
9 ~~Preservation Division of the~~ Historic Preservation Agency or
10 the Abraham Lincoln Presidential Library and Museum provided:

11 a. the property has overnight lodging facilities with
12 some restaurant facilities or, not having overnight
13 lodging facilities, has restaurant facilities which serve
14 complete luncheon and dinner or supper meals,

15 b. consent to the issuance of a license to sell
16 alcoholic liquors in the buildings has been filed with the
17 commission by the ~~Historic Sites and Preservation Division~~
18 ~~of the~~ Historic Preservation Agency or the Abraham Lincoln
19 Presidential Library and Museum, and

20 c. the alcoholic liquors are sold by the lodge or
21 restaurant concessionaire only during the hours from 11
22 o'clock a.m. until 12 o'clock midnight.

23 The sale of alcoholic liquors pursuant to this Section does
24 not authorize the establishment and operation of facilities
25 commonly called taverns, saloons, bars, cocktail lounges, and
26 the like except as a part of lodge and restaurant facilities in

1 State parks or golf courses owned by Forest Preserve Districts
2 with a population of less than 3,000,000 or municipalities or
3 park districts.

4 Alcoholic liquors may be sold at retail in the Springfield
5 Administration Building of the Department of Transportation
6 and the Illinois State Armory in Springfield; provided, that
7 the controlling government authority may consent to such sales
8 only if

9 a. the request is from a not-for-profit organization;

10 b. such sales would not impede normal operations of the
11 departments involved;

12 c. the not-for-profit organization provides dram shop
13 liability in maximum insurance coverage limits and agrees
14 to defend, save harmless and indemnify the State of
15 Illinois from all financial loss, damage or harm;

16 d. no such sale shall be made during normal working
17 hours of the State of Illinois; and

18 e. the consent is in writing.

19 Alcoholic liquors may be sold at retail in buildings in
20 recreational areas of river conservancy districts under the
21 control of, or leased from, the river conservancy districts.
22 Such sales are subject to reasonable local regulations as
23 provided in Article IV; however, no such regulations may
24 prohibit or substantially impair the sale of alcoholic liquors
25 on Sundays or Holidays.

26 Alcoholic liquors may be provided in long term care

1 facilities owned or operated by a county under Division 5-21 or
2 5-22 of the Counties Code, when approved by the facility
3 operator and not in conflict with the regulations of the
4 Illinois Department of Public Health, to residents of the
5 facility who have had their consumption of the alcoholic
6 liquors provided approved in writing by a physician licensed to
7 practice medicine in all its branches.

8 Alcoholic liquors may be delivered to and dispensed in
9 State housing assigned to employees of the Department of
10 Corrections. No person shall furnish or allow to be furnished
11 any alcoholic liquors to any prisoner confined in any jail,
12 reformatory, prison or house of correction except upon a
13 physician's prescription for medicinal purposes.

14 Alcoholic liquors may be sold at retail or dispensed at the
15 Willard Ice Building in Springfield, at the State Library in
16 Springfield, and at Illinois State Museum facilities by (1) an
17 agency of the State, whether legislative, judicial or
18 executive, provided that such agency first obtains written
19 permission to sell or dispense alcoholic liquors from the
20 controlling government authority, or by (2) a not-for-profit
21 organization, provided that such organization:

22 a. Obtains written consent from the controlling
23 government authority;

24 b. Sells or dispenses the alcoholic liquors in a manner
25 that does not impair normal operations of State offices
26 located in the building;

1 c. Sells or dispenses alcoholic liquors only in
2 connection with an official activity in the building;

3 d. Provides, or its catering service provides, dram
4 shop liability insurance in maximum coverage limits and in
5 which the carrier agrees to defend, save harmless and
6 indemnify the State of Illinois from all financial loss,
7 damage or harm arising out of the selling or dispensing of
8 alcoholic liquors.

9 Nothing in this Act shall prevent a not-for-profit
10 organization or agency of the State from employing the services
11 of a catering establishment for the selling or dispensing of
12 alcoholic liquors at authorized functions.

13 The controlling government authority for the Willard Ice
14 Building in Springfield shall be the Director of the Department
15 of Revenue. The controlling government authority for Illinois
16 State Museum facilities shall be the Director of the Illinois
17 State Museum. The controlling government authority for the
18 State Library in Springfield shall be the Secretary of State.

19 Alcoholic liquors may be delivered to and sold at retail or
20 dispensed at any facility, property or building under the
21 jurisdiction of the ~~Historic Sites and Preservation Division of~~
22 ~~the~~ Historic Preservation Agency or the Abraham Lincoln
23 Presidential Library and Museum where the delivery, sale or
24 dispensing is by (1) an agency of the State, whether
25 legislative, judicial or executive, provided that such agency
26 first obtains written permission to sell or dispense alcoholic

1 liquors from a controlling government authority, or by (2) an
2 individual or organization provided that such individual or
3 organization:

4 a. Obtains written consent from the controlling
5 government authority;

6 b. Sells or dispenses the alcoholic liquors in a manner
7 that does not impair normal workings of State offices or
8 operations located at the facility, property or building;

9 c. Sells or dispenses alcoholic liquors only in
10 connection with an official activity of the individual or
11 organization in the facility, property or building;

12 d. Provides, or its catering service provides, dram
13 shop liability insurance in maximum coverage limits and in
14 which the carrier agrees to defend, save harmless and
15 indemnify the State of Illinois from all financial loss,
16 damage or harm arising out of the selling or dispensing of
17 alcoholic liquors.

18 The controlling government authority for the ~~Historic~~
19 ~~Sites and Preservation Division of the~~ Historic Preservation
20 Agency shall be the Executive Director of the Historic ~~Sites~~
21 ~~and~~ Preservation Agency, and the controlling government
22 authority for the Abraham Lincoln Presidential Library and
23 Museum shall be the Executive Director of the Abraham Lincoln
24 Presidential Library and Museum.

25 Alcoholic liquors may be delivered to and sold at retail or
26 dispensed for consumption at the Michael Bilandic Building at

1 160 North LaSalle Street, Chicago IL 60601, after the normal
2 business hours of any day care or child care facility located
3 in the building, by (1) a commercial tenant or subtenant
4 conducting business on the premises under a lease made pursuant
5 to Section 405-315 of the Department of Central Management
6 Services Law (20 ILCS 405/405-315), provided that such tenant
7 or subtenant who accepts delivery of, sells, or dispenses
8 alcoholic liquors shall procure and maintain dram shop
9 liability insurance in maximum coverage limits and in which the
10 carrier agrees to defend, indemnify, and save harmless the
11 State of Illinois from all financial loss, damage, or harm
12 arising out of the delivery, sale, or dispensing of alcoholic
13 liquors, or by (2) an agency of the State, whether legislative,
14 judicial, or executive, provided that such agency first obtains
15 written permission to accept delivery of and sell or dispense
16 alcoholic liquors from the Director of Central Management
17 Services, or by (3) a not-for-profit organization, provided
18 that such organization:

19 a. obtains written consent from the Department of
20 Central Management Services;

21 b. accepts delivery of and sells or dispenses the
22 alcoholic liquors in a manner that does not impair normal
23 operations of State offices located in the building;

24 c. accepts delivery of and sells or dispenses alcoholic
25 liquors only in connection with an official activity in the
26 building; and

1 d. provides, or its catering service provides, dram
2 shop liability insurance in maximum coverage limits and in
3 which the carrier agrees to defend, save harmless, and
4 indemnify the State of Illinois from all financial loss,
5 damage, or harm arising out of the selling or dispensing of
6 alcoholic liquors.

7 Nothing in this Act shall prevent a not-for-profit
8 organization or agency of the State from employing the services
9 of a catering establishment for the selling or dispensing of
10 alcoholic liquors at functions authorized by the Director of
11 Central Management Services.

12 Alcoholic liquors may be sold at retail or dispensed at the
13 James R. Thompson Center in Chicago, subject to the provisions
14 of Section 7.4 of the State Property Control Act, and 222 South
15 College Street in Springfield, Illinois by (1) a commercial
16 tenant or subtenant conducting business on the premises under a
17 lease or sublease made pursuant to Section 405-315 of the
18 Department of Central Management Services Law (20 ILCS
19 405/405-315), provided that such tenant or subtenant who sells
20 or dispenses alcoholic liquors shall procure and maintain dram
21 shop liability insurance in maximum coverage limits and in
22 which the carrier agrees to defend, indemnify and save harmless
23 the State of Illinois from all financial loss, damage or harm
24 arising out of the sale or dispensing of alcoholic liquors, or
25 by (2) an agency of the State, whether legislative, judicial or
26 executive, provided that such agency first obtains written

1 permission to sell or dispense alcoholic liquors from the
2 Director of Central Management Services, or by (3) a
3 not-for-profit organization, provided that such organization:

4 a. Obtains written consent from the Department of
5 Central Management Services;

6 b. Sells or dispenses the alcoholic liquors in a manner
7 that does not impair normal operations of State offices
8 located in the building;

9 c. Sells or dispenses alcoholic liquors only in
10 connection with an official activity in the building;

11 d. Provides, or its catering service provides, dram
12 shop liability insurance in maximum coverage limits and in
13 which the carrier agrees to defend, save harmless and
14 indemnify the State of Illinois from all financial loss,
15 damage or harm arising out of the selling or dispensing of
16 alcoholic liquors.

17 Nothing in this Act shall prevent a not-for-profit
18 organization or agency of the State from employing the services
19 of a catering establishment for the selling or dispensing of
20 alcoholic liquors at functions authorized by the Director of
21 Central Management Services.

22 Alcoholic liquors may be sold or delivered at any facility
23 owned by the Illinois Sports Facilities Authority provided that
24 dram shop liability insurance has been made available in a
25 form, with such coverage and in such amounts as the Authority
26 reasonably determines is necessary.

1 Alcoholic liquors may be sold at retail or dispensed at the
2 Rockford State Office Building by (1) an agency of the State,
3 whether legislative, judicial or executive, provided that such
4 agency first obtains written permission to sell or dispense
5 alcoholic liquors from the Department of Central Management
6 Services, or by (2) a not-for-profit organization, provided
7 that such organization:

8 a. Obtains written consent from the Department of
9 Central Management Services;

10 b. Sells or dispenses the alcoholic liquors in a manner
11 that does not impair normal operations of State offices
12 located in the building;

13 c. Sells or dispenses alcoholic liquors only in
14 connection with an official activity in the building;

15 d. Provides, or its catering service provides, dram
16 shop liability insurance in maximum coverage limits and in
17 which the carrier agrees to defend, save harmless and
18 indemnify the State of Illinois from all financial loss,
19 damage or harm arising out of the selling or dispensing of
20 alcoholic liquors.

21 Nothing in this Act shall prevent a not-for-profit
22 organization or agency of the State from employing the services
23 of a catering establishment for the selling or dispensing of
24 alcoholic liquors at functions authorized by the Department of
25 Central Management Services.

26 Alcoholic liquors may be sold or delivered in a building

1 that is owned by McLean County, situated on land owned by the
2 county in the City of Bloomington, and used by the McLean
3 County Historical Society if the sale or delivery is approved
4 by an ordinance adopted by the county board, and the
5 municipality in which the building is located may not prohibit
6 that sale or delivery, notwithstanding any other provision of
7 this Section. The regulation of the sale and delivery of
8 alcoholic liquor in a building that is owned by McLean County,
9 situated on land owned by the county, and used by the McLean
10 County Historical Society as provided in this paragraph is an
11 exclusive power and function of the State and is a denial and
12 limitation under Article VII, Section 6, subsection (h) of the
13 Illinois Constitution of the power of a home rule municipality
14 to regulate that sale and delivery.

15 Alcoholic liquors may be sold or delivered in any building
16 situated on land held in trust for any school district
17 organized under Article 34 of the School Code, if the building
18 is not used for school purposes and if the sale or delivery is
19 approved by the board of education.

20 Alcoholic liquors may be delivered to and sold at retail in
21 any building owned by the Six Mile Regional Library District,
22 provided that the delivery and sale is approved by the board of
23 trustees of the Six Mile Regional Library District and the
24 delivery and sale is limited to a maximum of 6 library district
25 events per year. The Six Mile Regional Library District shall
26 provide dram shop liability in maximum insurance coverage

1 limits so as to save harmless the library district from all
2 financial loss, damage, or harm.

3 Alcoholic liquors may be sold or delivered in buildings
4 owned by the Community Building Complex Committee of Boone
5 County, Illinois if the person or facility selling or
6 dispensing the alcoholic liquor has provided dram shop
7 liability insurance with coverage and in amounts that the
8 Committee reasonably determines are necessary.

9 Alcoholic liquors may be sold or delivered in the building
10 located at 1200 Centerville Avenue in Belleville, Illinois and
11 occupied by either the Belleville Area Special Education
12 District or the Belleville Area Special Services Cooperative.

13 Alcoholic liquors may be delivered to and sold at the Louis
14 Joliet Renaissance Center, City Center Campus, located at 214
15 N. Ottawa Street, Joliet, and the Food Services/Culinary Arts
16 Department facilities, Main Campus, located at 1215 Houbolt
17 Road, Joliet, owned by or under the control of Joliet Junior
18 College, Illinois Community College District No. 525.

19 Alcoholic liquors may be delivered to and sold at Triton
20 College, Illinois Community College District No. 504.

21 Alcoholic liquors may be delivered to and sold at the
22 College of DuPage, Illinois Community College District No. 502.

23 Alcoholic liquors may be delivered to and sold at the
24 building located at 446 East Hickory Avenue in Apple River,
25 Illinois, owned by the Apple River Fire Protection District,
26 and occupied by the Apple River Community Association if the

1 alcoholic liquor is sold or dispensed only in connection with
2 organized functions approved by the Apple River Community
3 Association for which the planned attendance is 20 or more
4 persons and if the person or facility selling or dispensing the
5 alcoholic liquor has provided dram shop liability insurance in
6 maximum limits so as to hold harmless the Apple River Fire
7 Protection District, the Village of Apple River, and the Apple
8 River Community Association from all financial loss, damage,
9 and harm.

10 Alcoholic liquors may be delivered to and sold at the Sikia
11 Restaurant, Kennedy King College Campus, located at 740 West
12 63rd Street, Chicago, and at the Food Services in the Great
13 Hall/Washburne Culinary Institute Department facility, Kennedy
14 King College Campus, located at 740 West 63rd Street, Chicago,
15 owned by or under the control of City Colleges of Chicago,
16 Illinois Community College District No. 508.

17 (Source: P.A. 97-33, eff. 6-28-11; 97-45, eff. 6-28-11; 97-51,
18 eff. 6-28-11; 97-167, eff. 7-22-11; 97-250, eff. 8-4-11;
19 97-395, eff. 8-16-11; 97-813, eff. 7-13-12; 97-1166, eff.
20 3-1-13; 98-132, eff. 8-2-13; 98-201, eff. 8-9-13; 98-692, eff.
21 7-1-14; 98-756, eff. 7-16-14; 98-1092, eff. 8-26-14; revised
22 10-3-14.)

23 (20 ILCS 801/1-25 rep.)

24 (20 ILCS 801/20-5 rep.)

25 (20 ILCS 801/20-10 rep.)

1 (20 ILCS 801/20-15 rep.)

2 (20 ILCS 801/20-20 rep.)

3 Section 2-40. The Department of Natural Resources Act is
4 amended by repealing Sections 1-25, 20-5, 20-10, 20-15, and
5 20-20.

6 (20 ILCS 3405/17 rep.)

7 (20 ILCS 3405/30 rep.)

8 (20 ILCS 3405/31 rep.)

9 (20 ILCS 3405/32 rep.)

10 (20 ILCS 3405/33 rep.)

11 Section 2-45. The Historic Preservation Agency Act is
12 amended by repealing Sections 17, 30, 31, 32, and 33.

13 (20 ILCS 3425/4 rep.)

14 Section 2-50. The State Historical Library Act is amended
15 by repealing Section 4.

16 Article III.

17 Section 3-99. Effective date. This Act takes effect upon
18 becoming law."