

1 AMENDMENT TO HOUSE BILL 3017

2 AMENDMENT NO. _____. Amend House Bill 3017 on page 1,
3 line 1, by replacing "Tourism Promotion Fund" with "tourism";
4 and

5 on page 1, line 6, by replacing "Section 605-710" with
6 "Sections 605-705 and 605-710"; and

7 on page 1, immediately below line 6 by inserting the
8 following:

9 "(20 ILCS 605/605-705) (was 20 ILCS 605/46.6a)
10 Sec. 605-705. Grants to local tourism and convention
11 bureaus.

12 (a) To establish a grant program for local tourism and
13 convention bureaus. The Department will develop and
14 implement a program for the use of funds, as authorized under
15 this Act, by local tourism and convention bureaus. For the
16 purposes of this Act, bureaus eligible to receive funds are
17 those local tourism and convention bureaus that are (i)
18 either units of local government or incorporated as
19 not-for-profit organizations; (ii) in legal existence for a
20 minimum of 2 years before July 1, 2001; (iii) operating with
21 a paid, full-time staff whose sole purpose is to promote
22 tourism in the designated service area; and (iv) affiliated

1 with one or more municipalities or counties that support the
2 bureau with local hotel-motel taxes. After July 1, 2001,
3 bureaus requesting certification in order to receive funds
4 for the first time must be local tourism and convention
5 bureaus that are (i) either units of local government or
6 incorporated as not-for-profit organizations; (ii) in legal
7 existence for a minimum of 2 years before the request for
8 certification; (iii) operating with a paid, full-time staff
9 whose sole purpose is to promote tourism in the designated
10 service area; and (iv) affiliated with multiple
11 municipalities or counties that support the bureau with local
12 hotel-motel taxes bureaus--eligible--to--receive--funds--are
13 defined-as-these-bureaus-in-legal-existence-as-of-January--17,
14 1985---that---are---either---a---unit---of---local---government---or
15 incorporated-as-a-not-for-profit-organization,--are-affiliated
16 with-at-least-one-municipality-or-county,--and-employ-one-full
17 time-staff-person-whose-purpose-is-to-promote--tourism. Each
18 bureau receiving funds under this Act will be certified by
19 the Department as the designated recipient to serve an area
20 of the State. These-funds-may-not-be-used-in-support-of-the
21 Chicago-World's-Fair.

22 (b) To distribute grants to local tourism and convention
23 bureaus from appropriations made from the Local Tourism Fund
24 for that purpose. Of the amounts appropriated annually to
25 the Department for expenditure under this Section, one-third
26 of those monies shall be used for grants to convention and
27 tourism bureaus in cities with a population greater than
28 500,000. The remaining two-thirds of the annual
29 appropriation shall be used for grants to convention and
30 tourism bureaus in the remainder of the State, in accordance
31 with a formula based upon the population served. The
32 Department may reserve up to 10% of the total appropriated to
33 conduct audits of grants, to provide incentive funds to those
34 bureaus that will conduct promotional activities designed to

1 further the Department's statewide advertising campaign, to
2 fund special statewide promotional activities, and to fund
3 promotional activities that support an increased use of the
4 State's parks or historic sites.

5 (Source: P.A. 90-26, eff. 7-1-97; 91-239, eff. 1-1-00;
6 91-357, eff. 7-29-99; revised 8-4-99.)"; and

7 on page 1, immediately below line 28, by inserting the
8 following:

9 "Section 15. The Illinois Promotion Act is amended by
10 changing Sections 1, 2, 3, 4, 4a, 5, 7, 8a, 9, 10, 11, 13,
11 13a, and 14 as follows:

12 (20 ILCS 665/1) (from Ch. 127, par. 200-21)

13 Sec. 1. Short title. This Act shall be known and cited as
14 the Illinois Promotion Act.

15 (Source: Laws 1963, p. 2209.)

16 (20 ILCS 665/2) (from Ch. 127, par. 200-22)

17 Sec. 2. Legislative findings; policy. The General
18 Assembly hereby finds, determines and declares:

19 (a) That the health, safety, morals and general welfare
20 of the people of the State are directly dependent upon the
21 continual encouragement, development, growth and expansion of
22 tourism within the State;

23 (b) That unemployment, the spread of indigency, and the
24 heavy burden of public assistance and unemployment
25 compensation can be alleviated by the promotion, attraction,
26 stimulation, development and expansion of tourism in the
27 State;

28 (c) That the policy of the State of Illinois, in the
29 interest of promoting the health, safety, morals and welfare
30 of all the people of the State, is to increase the economic
31 impact of tourism ~~job--opportunities~~ throughout the State

1 through promotional activities and by making available grants
2 and loans to be made to local promotion groups and others, as
3 provided in Sections 5 and 8a of this Act, for ~~promotional~~
4 purposes of promoting, developing, and expanding tourism
5 destinations, tourism attractions, and tourism events.

6 (Source: Laws 1967, p. 4097.)

7 (20 ILCS 665/3) (from Ch. 127, par. 200-23)

8 Sec. 3. Definitions. The following words and terms,
9 whenever used or referred to in this Act, shall have the
10 following meanings, except where the context may otherwise
11 require:

12 (a) "Department" means the Department of Commerce and
13 Community Affairs of the State of Illinois.

14 (b) "Local promotion group" means any non-profit
15 corporation, organization, association, agency or committee
16 thereof formed for the primary purpose of publicizing,
17 promoting, advertising or otherwise encouraging the
18 development of tourism in any municipality, county, or region
19 of Illinois.

20 (c) "Promotional activities" means preparing, planning
21 and conducting campaigns of information, advertising and
22 publicity through such media as newspapers, radio,
23 television, magazines, trade journals, moving and still
24 photography, posters, outdoor signboards and personal contact
25 within and without the State of Illinois; dissemination of
26 information, advertising, publicity, photographs and other
27 literature and material designed to carry out the purpose of
28 this Act; and participation in and attendance at meetings and
29 conventions concerned primarily with tourism, including
30 travel to and from such meetings.

31 (d) "Municipality" means "municipality" as defined in
32 Section 1-1-2 of the Illinois Municipal Code, as heretofore
33 and hereafter amended.

1 (e) "Tourism" means travel 50 miles or more one-way or
2 an overnight trip outside of a person's normal routine.

3 (Source: P.A. 81-1509.)

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

5 Sec. 4. Powers. The Department shall have the following
6 powers:

7 (a) To formulate a program for the promotion of tourism
8 and the film industry in the State of Illinois, including,
9 but not limited to, the promotion of our State Parks, fishing
10 and hunting areas, historical shrines, vacation regions and
11 areas of historic or scenic interest.

12 (b) To cooperate with civic groups and local, State and
13 federal departments and agencies, and agencies and
14 departments of other states in encouraging educational
15 tourism and developing programs therefor.

16 (c) To publish tourist promotional material such as
17 brochures and booklets.

18 (d) To promote tourism in Illinois through all media,
19 including but not limited to, the Internet, television, by
20 articles and advertisements in magazines, newspapers and
21 travel publications and by establishing promotional
22 exhibitions at fairs, travel shows, and similar exhibitions.

23 (e) To establish and maintain travel offices at major
24 points of entry to the State.

25 (f) To recommend legislation relating to the
26 encouragement of tourism in Illinois.

27 (g) To assist municipalities or local promotion groups in
28 developing new tourist attractions including but not limited
29 to feasibility studies and analyses, research and
30 development, and management and marketing planning for such
31 new tourist attractions.

32 (h) (Blank). ~~To do such other acts as shall, in the~~
33 ~~judgment of the Department, be necessary and proper in~~

~~fostering-and-promoting-tourism-in-the-State-of-Illinois-~~

(i) To implement a program of matching grants and loans to counties, municipalities, or local promotion groups and others, as provided in Sections 5 and 8a of this Act, loans ~~to-for-profit-businesses~~ for the development or improvement of tourism attractions and tourism events in Illinois under the terms and conditions provided in this Act.

(j) To expend funds from the International and Promotional Fund, subject to appropriation, on any activity authorized under this Act.

(k) To do any other acts that, in the judgment of the Department, are necessary and proper in fostering and promoting tourism in the State of Illinois.

(Source: P.A. 90-26, eff. 7-1-97; 91-357, eff. 7-29-99.)

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

Sec. 4a. Funds.

~~(1) As-soon-as-possible-after--the--first--day--of--each month,--beginning-July-1,--1978-and-ending-June-30,--1997,--upon certification-of-the-Department-of-Revenue,--the--Comptroller shall-order-transferred-and-the-Treasurer-shall-transfer-from the--General--Revenue--Fund--to--a--special-fund-in-the-State Treasury,--to-be-known-as-the--"Tourism--Promotion--Fund",--an amount--equal--to--10%--of-the-net-revenue-realized-from-"The Hotel-Operators'-Occupation-Tax-Act",--as--now--or--hereafter amended,--plus--an--amount--equal--to--10%--of-the-net-revenue realized-from-any-tax--imposed--under--Section--4.05--of--the Chicago--World's--Fair----1992--Authority--Act,--as--now--or hereafter--amended,--during--the-preceding-month. Net-revenue realized-for-a-month-shall-be-the-revenue--collected--by--the State-pursuant-to-that-Act-during-the-previous-month-less-the amount--paid--out--during--that--same--month--as--refunds--to taxpayers-for-overpayment-of-liability-under-that-Act.~~

All moneys deposited in the Tourism Promotion Fund

1 pursuant to this subsection are allocated to the Department
2 for utilization, as appropriated, in the performance of its
3 powers under Section 4.

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

17 (1.1) (Blank).

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

32 All monies deposited in the Tourism Promotion Fund under
33 this subsection (2) shall be used solely as provided in this
34 subsection to advertise and promote tourism throughout

1 Illinois. Appropriations of monies deposited in the Tourism
 2 Promotion Fund pursuant to this subsection (2) shall be used
 3 solely for advertising to promote tourism, including but not
 4 limited to advertising production and direct advertisement
 5 costs, but shall not be used to employ any additional staff,
 6 finance any individual event, or lease, rent or purchase any
 7 physical facilities. The Department shall coordinate its
 8 advertising under this subsection (2) with other public and
 9 private entities in the State engaged in similar promotion
 10 activities. Print or electronic media production made
 11 pursuant to this subsection (2) for advertising promotion
 12 shall not contain or include the physical appearance of or
 13 reference to the name or position of any public officer.
 14 "Public officer" means a person who is elected to office
 15 pursuant to statute, or who is appointed to an office which
 16 is established, and the qualifications and duties of which
 17 are prescribed, by statute, to discharge a public duty for
 18 the State or any of its political subdivisions.
 19 (Source: P.A. 90-26, eff. 7-1-97; 90-77, eff. 7-8-97; 90-655,
 20 eff. 7-30-98; 91-472, eff. 8-10-99.)

21 (20 ILCS 665/5) (from Ch. 127, par. 200-25)
 22 Sec. 5. Marketing and private sector programs.
 23 (a) The Department is authorized to make grants, subject
 24 to appropriation, from funds transferred into the Tourism
 25 Promotion Fund under subsection (1) of Section 4a to
 26 counties, municipalities, not-for-profit organizations and
 27 local promotion groups and to assist such counties,
 28 municipalities and local promotion groups in the promotion of
 29 tourism attractions and tourism events their-promotional
 30 activities. The Department, after review of the application
 31 and if satisfied that the program and proposed expenditures
 32 of the applicant appear to be in accord with the purposes of
 33 this Act, must grant to the applicant an amount not to exceed

1 60% of the proposed expenditures.

2 (b) The Department may make grants, subject to
3 appropriation, from funds transferred into the Tourism
4 Promotion Fund under subsection (1) of Section 4a to
5 counties, municipalities, not-for-profit organizations, local
6 promotion groups, and for-profit businesses to assist in
7 attracting and hosting tourism events matched with funds from
8 sources in the private sector. The Department, after review
9 of the application and if satisfied that the program
10 and proposed expenditures of the applicant appear to be in
11 accord with the purposes of this Act, must grant to the
12 applicant an amount not to exceed 50% of the proposed
13 expenditures.

14 Before any such grant may be made the county,
15 municipality, not-for-profit organization, or local promotion
16 group, or for-profit business, ~~---pursuant---to---an---order,~~
17 ~~resolution,~~ ~~ordinance~~ ~~or~~ ~~other~~ ~~appropriate~~ ~~action~~ ~~of~~ ~~its~~
18 ~~governing~~ ~~body,~~ must make application to the Department for
19 such grant, setting forth the studies, surveys and
20 investigations proposed to be made and other promotional
21 activities proposed to be undertaken. The application shall
22 further state, under oath or affirmation, with evidence
23 thereof satisfactory to the Department, the amount of funds
24 held by, committed to or subscribed to, and proposed to be
25 expended by, the applicant for the purposes herein described
26 and the amount of the grant for which application is made.

27 ~~The Department shall make grants from funds transferred~~
28 ~~into the Tourism Promotion Fund under subsection (1) of~~
29 ~~Section 4a to match funds appropriated or otherwise allocated~~
30 ~~by counties, municipalities and local promotion groups~~
31 ~~subsequent to the effective date of this Act. The Department~~
32 ~~shall make grants from funds transferred into the Tourism~~
33 ~~Promotion Fund under subsection (1) of Section 4a only to~~
34 ~~match funds from sources in the private sector.~~

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

2 (20 ILCS 665/7) (from Ch. 127, par. 200-27)

3 Sec. 7. Notice of approval and grant. Upon approval of
4 each application and the making of a grant by the Department
5 in accordance therewith, the Department shall give notice to
6 the applicant of such approval and grant, and shall direct
7 the applicant to proceed with its proposed tourism
8 ~~promotional~~ program as described in its application and to
9 use the funds allocated by the applicant for such purpose.
10 Upon the furnishing of satisfactory evidence to the
11 Department that the applicant has so proceeded, the grant
12 allocated to such applicant shall be paid over on such basis
13 to the applicant by the Department.

14 (Source: Laws 1967, p. 4097.)

15 (20 ILCS 665/8a) (from Ch. 127, par. 200-28a)

16 Sec. 8a. Tourism grants and loans; fund.

17 (1) The Department is authorized to make grants and
18 loans, subject to appropriations by the General Assembly for
19 this purpose from the Tourism Promotion Fund or the Tourism
20 Attraction Development Matching Grant Fund, to counties,
21 municipalities, local promotion groups, not-for-profit
22 organizations, or for-profit businesses for the development
23 or improvement of tourism attractions in Illinois.
24 Individual These grants and loans shall not exceed \$1,000,000
25 and shall not exceed 50% of the entire amount of the actual
26 expenditures for the development or improvement of a tourist
27 attraction. Agreements for loans made by the Department
28 pursuant to this subsection may contain provisions regarding
29 term, interest rate, security as may be required by the
30 Department and any other provisions the Department may
31 require to protect the State's interest.

32 (2) There is hereby created a special fund in the State

1 Treasury to be known as the Tourism Attraction Development
2 Matching Grant Fund. The deposit of monies into this fund
3 shall be limited to the repayments of principal and interest
4 from loans made pursuant to subsection (1).

5 (Source: P.A. 91-683, eff. 1-26-00.)

6 (20 ILCS 665/9) (from Ch. 127, par. 200-29)

7 Sec. 9. Administration; rules. The Department is directed
8 to administer the provisions of this Act with such
9 flexibility so as to bring about as effective and economical
10 a tourism promotion program as possible. In order to
11 effectuate and enforce the provisions of this Act, the
12 Department is authorized to promulgate necessary rules and
13 regulations and prescribe procedures in order to assure
14 compliance by applicants in carrying out the purposes for
15 which grants and loans may be made under this Act.

16 (Source: Laws 1967, p. 4097.)

17 (20 ILCS 665/10) (from Ch. 127, par. 200-30)

18 Sec. 10. Quarterly statement. The Department shall
19 submit quarterly to the Governor and to the State Comptroller
20 a statement on promotional activities undertaken under the
21 terms of this Act.

22 (Source: P.A. 78-592.)

23 (20 ILCS 665/11) (from Ch. 127, par. 200-31)

24 Sec. 11. Promotional material. Any promotional material
25 produced as the result of the financial participation of the
26 State of Illinois under the terms of this Act shall so
27 indicate thereon.

28 (Source: Laws 1963, p. 2209.)

29 (20 ILCS 665/13) (from Ch. 127, par. 200-33)

30 Sec. 13. Powers of municipalities and counties. For the

1 purposes set out in this Act, the corporate authorities of
2 each city, village or incorporated town and the county board
3 of each county may (1) promote the advantages of the
4 municipality or county, as the case may be, for tourism,
5 industrial development and other activities and programs
6 designed to stimulate employment, (2) appropriate funds for
7 promotional activities and programs, (3) accept gifts and
8 grants to be used for promotional purposes, and (4) join with
9 other municipalities, counties, and local promotion groups in
10 promotional activities and programs.

11 (Source: Laws 1963, p. 2209.)

12 (20 ILCS 665/13a) (from Ch. 127, par. 200-33a)

13 Sec. 13a. Affirmative action. The Department shall,
14 within 90 days after the effective date of this amendatory
15 Act of 1984, establish and maintain an affirmative action
16 program designed to promote equal employment opportunity and
17 eliminate the effects of past discrimination. Such program
18 shall include a plan which shall specify goals and methods
19 for increasing participation by women and minorities in
20 employment by parties which receive funds pursuant to this
21 Act. The Department shall submit a detailed plan with the
22 General Assembly prior to March 1 of each year. Such program
23 shall also establish procedures to ensure compliance with the
24 plan established pursuant to this Section and with State and
25 federal laws and regulations relating to the employment of
26 women and minorities.

27 (Source: P.A. 83-1129.)

28 (20 ILCS 665/14) (from Ch. 127, par. 200-34)

29 Sec. 14. Severability. If any section, subdivision,
30 sentence or clause of this Act is for any reason held invalid
31 or unconstitutional, such decision shall not affect the
32 validity of the remaining portions of this Act.

1 (Source: Laws 1963, p. 2209.)

2 (20 ILCS 665/6 rep.)

3 Section 20. The Illinois Promotion Act is amended by
4 repealing Section 6."