



Rep. Barbara Flynn Currie

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LRB097 04882 JDS 72639 a

1 AMENDMENT TO SENATE BILL 281

2 AMENDMENT NO. _____. Amend Senate Bill 281 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Capital Development Board Act is amended by
5 adding Section 9.02b as follows:

6 (20 ILCS 3105/9.02b new)

7 Sec. 9.02b. Continuation of Section 9.02a of the Act;
8 validation.

9 (a) The General Assembly finds and declares that:

10 (1) Public Act 97-786, which took effect on July 13,
11 2012, changed the repeal date set for Section 9.02a of the
12 Capital Development Board Act from June 30, 2012 to June
13 30, 2016.

14 (2) The Statute on Statutes sets forth general rules on
15 the repeal of statutes and the construction of multiple
16 amendments, but Section 1 of that Act also states that

1 these rules will not be observed when the result would be
2 "inconsistent with the manifest intent of the General
3 Assembly or repugnant to the context of the statute".

4 (3) This amendatory Act of the 97th General Assembly
5 manifests the intention of the General Assembly to extend
6 the repeal of Section 9.02a of the Capital Development
7 Board Act and have Section 9.02a of the Capital Development
8 Board Act continue in effect until June 30, 2016.

9 (4) Section 9.02a of the Capital Development Board Act
10 was originally enacted to protect, promote, and preserve
11 the general welfare. Any construction of this Act that
12 results in the repeal of this Act on June 30, 2012 would be
13 inconsistent with the manifest intent of the General
14 Assembly and repugnant to the context of the Capital
15 Development Board Act.

16 (b) It is hereby declared to have been the intent of the
17 General Assembly that Section 9.02a of the Capital Development
18 Board Act not be subject to repeal on June 30, 2012.

19 (c) Section 9.02a of the Capital Development Board Act
20 shall be deemed to have been in continuous effect since June
21 30, 1988 (the effective date of Public Act 85-1026), and it
22 shall continue to be in effect henceforward until it is
23 otherwise lawfully repealed. All previously enacted amendments
24 to the Act taking effect on or after June 30, 2012, are hereby
25 validated.

26 (d) All actions taken in reliance on or pursuant to Section

1 9.02a of the Capital Development Board by the Capital
2 Development Board or any other person or entity are hereby
3 validated.

4 (e) In order to ensure the continuing effectiveness of
5 Section 9.02a of the Capital Development Board Act, it is set
6 forth in full and re-enacted by this amendatory Act of the 97th
7 General Assembly. This re-enactment is intended as a
8 continuation of the Act. It is not intended to supersede any
9 amendment to the Act that is enacted by the 97th General
10 Assembly.

11 (f) Section 9.02a of the Capital Development Board Act
12 applies to all claims, civil actions, and proceedings pending
13 on or filed on or before the effective date of this Act.

14 Section 10. Section 9.02a of the Capital Development Board
15 Act is re-enacted as follows:

16 (20 ILCS 3105/9.02a) (from Ch. 127, par. 779.02a)

17 (This Section is scheduled to be repealed on June 30, 2016)

18 Sec. 9.02a. To charge contract administration fees used to
19 administer and process the terms of contracts awarded by this
20 State. Contract administration fees shall not exceed 3% of the
21 contract amount. Contract administration fees used to
22 administer contracts associated with the legislative complex,
23 as defined in Section 8A-15 of the Legislative Commission
24 Reorganization Act of 1984, shall be deposited into the Capitol

1 Restoration Trust Fund for the use of the Architect of the
2 Capitol in the performance of his or her powers or duties. This
3 Section is repealed June 30, 2016.
4 (Source: P.A. 97-786, eff. 7-13-12.)

5 Section 99. Effective date. This Act takes effect upon
6 becoming law."