



Rep. William Davis

Filed: 5/29/2014

09800SB3443ham006

LRB098 15945 OMW 60425 a

1 AMENDMENT TO SENATE BILL 3443

2 AMENDMENT NO. _____. Amend Senate Bill 3443, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Illinois Governmental Ethics Act is amended
6 by changing Section 3A-40 as follows:

7 (5 ILCS 420/3A-40)

8 Sec. 3A-40. Appointees with expired terms; temporary and
9 acting appointees.

10 (a) A person who is nominated by the Governor on or after
11 August 26, 2011 (the effective date of Public Act 97-582) for
12 any affected office to which appointment requires the advice
13 and consent of the Senate, who is appointed pursuant to that
14 advice and consent, and whose term of office expires on or
15 after August 26, 2011 shall not continue in office longer than
16 60 calendar days after the expiration of that term of office.

1 After that 60th day, each such office is considered vacant and
2 shall be filled only pursuant to the law applicable to making
3 appointments to that office, subject to the provisions of this
4 Section.

5 A person who has been nominated by the Governor before
6 August 26, 2011 (the effective date of Public Act 97-582) for
7 any affected office to which appointment requires the advice
8 and consent of the Senate, who has been appointed pursuant to
9 that advice and consent, and whose term of office has expired
10 shall not continue in office longer than 60 calendar days after
11 the date upon which his or her term of office has expired.
12 After that 60 days, each such office is considered vacant and
13 shall be filled only pursuant to the law applicable to making
14 appointments to that office, subject to the provisions of this
15 Section. If the term of office of a person who is subject to
16 this paragraph expires more than 60 calendar days prior to the
17 effective date of this amendatory Act of the 97th General
18 Assembly, then that office is considered vacant on the
19 effective date of this amendatory Act of the 97th General
20 Assembly, and that vacancy shall be filled only pursuant to the
21 law applicable to making appointments to that office. For the
22 purposes of this subsection (a), "affected office" means (i) an
23 office in which one receives any form of compensation,
24 including salary or per diem, but not including expense
25 reimbursement, or (ii) membership on the board of trustees of a
26 public university.

1 (b) A person who is appointed by the Governor on or after
2 August 26, 2011 (the effective date of Public Act 97-582) to
3 serve as a temporary appointee during a recess of the Senate,
4 pursuant to Article V, Section 9(b) of the Illinois
5 Constitution or any other applicable statute, to any office to
6 which appointment requires the advice and consent of the Senate
7 shall not continue in office after the next meeting of the
8 Senate unless the Governor has filed a message with the
9 Secretary of the Senate nominating that person to fill that
10 office on or before that meeting date. After that meeting date,
11 each such office is considered vacant and shall be filled only
12 pursuant to the law applicable to making appointments to that
13 office, subject to the provisions of this Section. Any
14 temporary appointment made pursuant to subsection (b) of
15 Section 9 of Article V of the Illinois Constitution or any
16 applicable statute shall be filed with the Secretary of State
17 and the Secretary of the Senate. The form of the temporary
18 appointment message shall be established by the Senate under
19 its rules.

20 ~~A person who has been appointed by the Governor before~~
21 ~~August 26, 2011 (the effective date of Public Act 97-582) to~~
22 ~~serve as a temporary appointee, pursuant to Article V, Section~~
23 ~~9(b) of the Illinois Constitution or any other applicable~~
24 ~~statute, to any office to which appointment requires the advice~~
25 ~~and consent of the Senate shall not continue in office after~~
26 ~~August 26, 2011 or the next meeting of the Senate after August~~

1 ~~26, 2011, as applicable, unless the Governor has filed a~~
2 ~~message with the Secretary of the Senate nominating that person~~
3 ~~to fill that office on or before the next meeting of the Senate~~
4 ~~after that temporary appointment was made. After that effective~~
5 ~~date or meeting date, as applicable, each such office is~~
6 ~~considered vacant and shall be filled only pursuant to the law~~
7 ~~applicable to making appointments to that office, subject to~~
8 ~~the provisions of this Section.~~

9 For the purposes of this subsection (b), a meeting of the
10 Senate does not include a perfunctory session day as designated
11 by the Senate under its rules. For the purposes of this
12 subsection (b), the Senate is in recess on a day in which it is
13 not in session and does not include a perfunctory session day
14 as designated by the Senate under its rules.

15 (c) A person who is designated by the Governor on or after
16 August 26, 2011 (the effective date of Public Act 97-582) to
17 serve as an acting appointee to any office to which appointment
18 requires the advice and consent of the Senate shall not
19 continue in office more than 60 calendar days unless the
20 Governor files a message with the Secretary of the Senate
21 nominating that person to fill that office within that 60 days.
22 After that 60 days, each such office is considered vacant and
23 shall be filled only pursuant to the law applicable to making
24 appointments to that office, subject to the provisions of this
25 Section. The Governor shall file with the Secretary of the
26 Senate the name of any person who the Governor designates as an

1 acting appointee under this Section. The form of the message
2 designating an appointee as acting shall be established by the
3 Senate under its rules. No person who has been designated by
4 the Governor to serve as an acting appointee to any office to
5 which appointment requires the advice and consent of the Senate
6 shall, except at the Senate's request, be designated again as
7 an acting appointee for that office at the same session of that
8 Senate, subject to the provisions of this Section.

9 ~~A person who has been designated by the Governor before~~
10 ~~August 26, 2011 (the effective date of Public Act 97-582) to~~
11 ~~serve as an acting appointee to any office to which appointment~~
12 ~~requires the advice and consent of the Senate shall not~~
13 ~~continue in office longer than 60 calendar days after August~~
14 ~~26, 2011 unless the Governor has filed a message with the~~
15 ~~Secretary of the Senate nominating that person to fill that~~
16 ~~office on or before that 60 days. After that 60 days, each such~~
17 ~~office is considered vacant and shall be filled only pursuant~~
18 ~~to the law applicable to making appointments to that office,~~
19 ~~subject to the provisions of this Section. No person who has~~
20 ~~been designated by the Governor to serve as an acting appointee~~
21 ~~to any office to which appointment requires the advice and~~
22 ~~consent of the Senate shall, except at the Senate's request, be~~
23 ~~designated again as an acting appointee for that office at the~~
24 ~~same session of that Senate, subject to the provisions of this~~
25 ~~Section.~~

26 During the term of a General Assembly, the Governor may not

1 designate a person to serve as an acting appointee to any
2 office to which appointment requires the advice and consent of
3 the Senate if that person's nomination to serve as the
4 appointee for the same office was rejected by the Senate of the
5 same General Assembly.

6 For the purposes of this subsection (c), "acting appointee"
7 means a person designated by the Governor to serve as an acting
8 director or acting secretary pursuant to Section 5-605 of the
9 Civil Administrative Code of Illinois. "Acting appointee" also
10 means a person designated by the Governor pursuant to any other
11 statute to serve as an acting holder of any office, to execute
12 the duties and functions of any office, or both.

13 (d) The provisions of this Section apply notwithstanding
14 any law to the contrary. However, the provisions of this
15 Section do not apply to appointments made under Article 1A of
16 the Election Code or to the appointment of any person to serve
17 as Director of the Illinois Power Agency.

18 (Source: P.A. 97-582, eff. 8-26-11; 97-719, eff. 6-29-12.)

19 Section 10. The Personnel Code is amended by changing
20 Section 9 as follows:

21 (20 ILCS 415/9) (from Ch. 127, par. 63b109)

22 Sec. 9. Director, powers and duties. The Director, as
23 executive head of the Department, shall direct and supervise
24 all its administrative and technical activities. In addition to

1 the duties imposed upon him elsewhere in this law, it shall be
2 his duty:

3 (1) To apply and carry out this law and the rules adopted
4 thereunder.

5 (2) To attend meetings of the Commission.

6 (3) To establish and maintain a roster of all employees
7 subject to this Act, in which there shall be set forth, as to
8 each employee, the class, title, pay, status, and other
9 pertinent data.

10 (4) To appoint, subject to the provisions of this Act, such
11 employees of the Department and such experts and special
12 assistants as may be necessary to carry out effectively this
13 law.

14 (5) Subject to such exemptions or modifications as may be
15 necessary to assure the continuity of federal contributions in
16 those agencies supported in whole or in part by federal funds,
17 to make appointments to vacancies; to approve all written
18 charges seeking discharge, demotion, or other disciplinary
19 measures provided in this Act and to approve transfers of
20 employees from one geographical area to another in the State,
21 in offices, positions or places of employment covered by this
22 Act, after consultation with the operating unit.

23 (6) To formulate and administer service wide policies and
24 programs for the improvement of employee effectiveness,
25 including training, safety, health, incentive recognition,
26 counseling, welfare and employee relations. The Department

1 shall formulate and administer recruitment plans and testing of
2 potential employees for agencies having direct contact with
3 significant numbers of non-English speaking or otherwise
4 culturally distinct persons. The Department shall require each
5 State agency to annually assess the need for employees with
6 appropriate bilingual capabilities to serve the significant
7 numbers of non-English speaking or culturally distinct
8 persons. The Department shall develop a uniform procedure for
9 assessing an agency's need for employees with appropriate
10 bilingual capabilities. Agencies shall establish occupational
11 titles or designate positions as "bilingual option" for persons
12 having sufficient linguistic ability or cultural knowledge to
13 be able to render effective service to such persons. The
14 Department shall ensure that any such option is exercised
15 according to the agency's needs assessment and the requirements
16 of this Code. The Department shall make annual reports of the
17 needs assessment of each agency and the number of positions
18 calling for non-English linguistic ability to whom vacancy
19 postings were sent, and the number filled by each agency. Such
20 policies and programs shall be subject to approval by the
21 Governor. Such policies, program reports and needs assessment
22 reports shall be filed with the General Assembly by January 1
23 of each year and shall be available to the public.

24 The Department shall include within the report required
25 above the number of persons receiving the bilingual pay
26 supplement established by Section 8a.2 of this Code. The report

1 shall provide the number of persons receiving the bilingual pay
2 supplement for languages other than English and for signing.
3 The report shall also indicate the number of persons, by the
4 categories of Hispanic and non-Hispanic, who are receiving the
5 bilingual pay supplement for language skills other than
6 signing, in a language other than English.

7 (7) To conduct negotiations affecting pay, hours of work,
8 or other working conditions of employees subject to this Act.

9 (8) To make continuing studies to improve the efficiency of
10 State services to the residents of Illinois, including but not
11 limited to those who are non-English speaking or culturally
12 distinct, and to report his findings and recommendations to the
13 Commission and the Governor.

14 (9) To investigate from time to time the operation and
15 effect of this law and the rules made thereunder and to report
16 his findings and recommendations to the Commission and to the
17 Governor.

18 (10) To make an annual report regarding the work of the
19 Department, and such special reports as he may consider
20 desirable, to the Commission and to the Governor, or as the
21 Governor or Commission may request.

22 (11) (Blank). ~~To conduct research and planning regarding~~
23 ~~the total manpower needs of all offices, including the~~
24 ~~Lieutenant Governor, Secretary of State, State Treasurer,~~
25 ~~State Comptroller, State Superintendent of Education, and~~
26 ~~Attorney General, and of all departments, agencies, boards, and~~

1 ~~commissions of the executive branch, except state-supported~~
2 ~~colleges and universities, and for that purpose to prescribe~~
3 ~~forms for the reporting of such personnel information as the~~
4 ~~department may request both for positions covered by this Act~~
5 ~~and for those exempt in whole or in part.~~

6 (12) To prepare and publish a semi-annual statement showing
7 the number of employees exempt and non-exempt from merit
8 selection in each department. This report shall be in addition
9 to other information on merit selection maintained for public
10 information under existing law.

11 (13) To authorize in every department or agency subject to
12 Jurisdiction C the use of flexible hours positions. A flexible
13 hours position is one that does not require an ordinary work
14 schedule as determined by the Department and includes but is
15 not limited to: 1) a part time job of 20 hours or more per week,
16 2) a job which is shared by 2 employees or a compressed work
17 week consisting of an ordinary number of working hours
18 performed on fewer than the number of days ordinarily required
19 to perform that job. The Department may define flexible time to
20 include other types of jobs that are defined above.

21 The Director and the director of each department or agency
22 shall together establish goals for flexible hours positions to
23 be available in every department or agency.

24 The Department shall give technical assistance to
25 departments and agencies in achieving their goals, and shall
26 report to the Governor and the General Assembly each year on

1 the progress of each department and agency.

2 When a goal of 10% of the positions in a department or
3 agency being available on a flexible hours basis has been
4 reached, the Department shall evaluate the effectiveness and
5 efficiency of the program and determine whether to expand the
6 number of positions available for flexible hours to 20%.

7 When a goal of 20% of the positions in a department or
8 agency being available on a flexible hours basis has been
9 reached, the Department shall evaluate the effectiveness and
10 efficiency of the program and determine whether to expand the
11 number of positions available for flexible hours.

12 Each department shall develop a plan for implementation of
13 flexible work requirements designed to reduce the need for day
14 care of employees' children outside the home. Each department
15 shall submit a report of its plan to the Department of Central
16 Management Services and the General Assembly. This report shall
17 be submitted biennially by March 1, with the first report due
18 March 1, 1993.

19 (14) To perform any other lawful acts which he may consider
20 necessary or desirable to carry out the purposes and provisions
21 of this law.

22 The requirement for reporting to the General Assembly shall
23 be satisfied by filing copies of the report with the Speaker,
24 the Minority Leader and the Clerk of the House of
25 Representatives and the President, the Minority Leader and the
26 Secretary of the Senate and the Legislative Research Unit, as

1 required by Section 3.1 of "An Act to revise the law in
2 relation to the General Assembly", approved February 25, 1874,
3 as amended, and filing such additional copies with the State
4 Government Report Distribution Center for the General Assembly
5 as is required under paragraph (t) of Section 7 of the State
6 Library Act.

7 (Source: P.A. 86-1004; 87-552; 87-1050.)

8 (20 ILCS 605/605-345 rep.)

9 Section 15. The Department of Commerce and Economic
10 Opportunity Law of the Civil Administrative Code of Illinois is
11 amended by repealing Section 605-345.

12 Section 20. The Illinois Commission on Volunteerism and
13 Community Service Act is amended by changing Sections 1, 2, 4,
14 5.1, 6.1, and 7 and by adding Sections 4.1 and 4.2 as follows:

15 (20 ILCS 710/1) (from Ch. 127, par. 3801)

16 Sec. 1. Creation. There is created in the Department of
17 Public Health ~~Human Services~~ the Illinois Commission on
18 Volunteerism and Community Service.

19 (Source: P.A. 91-798, eff. 7-9-00.)

20 (20 ILCS 710/2) (from Ch. 127, par. 3802)

21 Sec. 2. Purpose. The purpose of the Illinois Commission on
22 Volunteerism and Community Service is to promote and support

1 community service in public and private programs to meet the
2 needs of Illinois residents ~~citizens~~; to stimulate new
3 volunteerism and community service initiatives and
4 partnerships; and to serve as a resource and advocate among all
5 State agencies ~~within the Department of Human Services~~ for
6 community service agencies, volunteers, and programs which
7 utilize federal, State, and private volunteers.

8 (Source: P.A. 91-798, eff. 7-9-00.)

9 (20 ILCS 710/4) (from Ch. 127, par. 3804)

10 Sec. 4. Operation. The Governor shall appoint a Director of
11 the Commission on Volunteerism and Community Service who shall
12 serve at the Governor's pleasure and who shall receive such
13 compensation as is determined by the Governor. The Director
14 shall employ such staff as is necessary to carry out the
15 purpose of this Act. The Commission, working in cooperation
16 with State agencies, individuals, local groups, and
17 organizations throughout the State, may undertake programs and
18 activities which further the purposes of this Act, including,
19 but not limited to, the following:

20 (a) providing technical assistance to programs which
21 depend upon volunteers;

22 (b) initiating community service programs to meet
23 previously unmet needs in Illinois;

24 (c) promoting and coordinating efforts to expand and
25 improve the statewide community service network;

1 (d) recognizing outstanding community service
2 accomplishments;

3 (e) disseminating information to support community
4 service programs and to broaden community service
5 involvement throughout the State;

6 (f) implementing federally funded grant programs in
7 Illinois such as the National and Community Service Trust
8 Act, as amended by the Serve America Act;

9 (g) taking an active role in the State's emergency
10 management plan to coordinate volunteers for disaster
11 preparedness and response;

12 (h) promoting intergenerational initiatives and
13 efforts to promote inclusion among diverse populations;
14 and

15 (i) fostering an environment that promotes social
16 innovation throughout the State.

17 ~~The Commission may receive and expend funds, grants and~~
18 ~~services from any source for purposes reasonable and necessary~~
19 ~~to carry out a coordinated plan of community service throughout~~
20 ~~the State.~~

21 (Source: P.A. 91-798, eff. 7-9-00.)

22 (20 ILCS 710/4.1 new)

23 Sec. 4.1. Illinois Service Education Award Grant. The
24 Commission may, subject to appropriation, award an Illinois
25 Service Education Award Grant to recipients of a national

1 service educational award established under 42 U.S.C. 12602 and
2 awarded by the Corporation for National Community Service. The
3 grant must be awarded only as a partial matching grant. An
4 individual who successfully completes a required term of
5 full-time national service in an approved national service
6 position in this State may apply to receive an Illinois Service
7 Education Award Grant. The Commission shall adopt rules to
8 govern the process for applying for the grant and for
9 determining the amount of the grant and any other rules
10 necessary to implement and administer this Section.

11 An Illinois Service Education Award Grant may be used for
12 any of the following purposes:

13 (1) To repay student loans associated with attending an
14 Illinois institution of higher learning, as defined in the
15 Higher Education Student Assistance Act.

16 (2) To pay all or part of the cost of attendance at an
17 Illinois institution of higher learning, as defined in the
18 Higher Education Student Assistance Act.

19 (3) To pay expenses incurred in participating in an
20 approved Illinois school-to-work program.

21 (4) Any other purpose for which the national service
22 educational award may lawfully be used.

23 (20 ILCS 710/4.2 new)

24 Sec. 4.2. Receiving and expending funds. The Commission may
25 receive and expend funds, grants, and services from any source

1 for purposes reasonable and necessary to carry out a
2 coordinated plan of community service throughout the State.

3 (20 ILCS 710/5.1)

4 Sec. 5.1. Commission. The Commission is established to
5 encourage community service and volunteer participation as a
6 means of community and State problem-solving; to promote and
7 support voluntary resident ~~citizen~~ involvement in government
8 and private programs throughout the State; to develop a
9 long-term, comprehensive vision and plan of action for national
10 volunteerism and community service initiatives in Illinois;
11 and to serve as the State's liaison to national and State
12 organizations that support its mission.

13 The Commission shall consist of 15 to 25 bipartisan voting
14 members and up to 15 bipartisan nonvoting members. At least 25%
15 of the members must be from the City of Chicago.

16 The Governor shall appoint up to 25 voting members and up
17 to 15 nonvoting members. Of those initial 25 voting members, 10
18 shall serve for 3 years, 8 shall serve for 2 years, and 7 shall
19 serve for one year. Voting members appointed by the Governor
20 shall include at least ~~one representative of~~ the following: an
21 expert in the education, training, and development needs of
22 youth; an expert in philanthropy ~~the chairman of the City~~
23 ~~Colleges of a municipality having a population of more than 2~~
24 ~~million;~~ a representative of labor organizations; a
25 representative of business; a representative of

1 ~~community-based~~ ~~the human services department of a~~
2 ~~municipality with a population of more than 2 million;~~
3 ~~community-based~~ organizations; the State Superintendent of
4 Education; ~~the Superintendent of Police of a municipality~~
5 ~~having a population of more than 2 million;~~ a youth between 16
6 and 25 years old who is a participant or supervisor in a
7 community service program; ~~the President of a County Board of a~~
8 ~~county having a population of more than 3 million;~~ an expert in
9 older adult volunteerism; a representative of persons with
10 disabilities ~~the public health commissioner of a municipality~~
11 ~~having a population of more than 2 million;~~ a representative of
12 local government; and a representative of a national service
13 program. A representative of the federal Corporation for
14 National Service shall be appointed as a nonvoting member.

15 Appointing authorities shall ensure, to the maximum extent
16 practicable, that the Commission is diverse with respect to
17 race, ethnicity, age, gender, geography, and disability. Not
18 more than 50% of the Commission appointed by the Governor may
19 be from the same political party.

20 Subsequent voting members of the Commission shall serve
21 3-year terms. Commissioners must be allowed to serve until new
22 commissioners are appointed in order to maintain the federally
23 required number of commissioners.

24 Each nonvoting member shall serve at the pleasure of the
25 Governor.

26 Members of the Commission may not serve more than 3

1 consecutive terms. Vacancies shall be filled in the same manner
2 as the original appointments and any member so appointed shall
3 serve during the remainder of the term for which the vacancy
4 occurred. The members shall not receive any compensation but
5 shall be reimbursed for necessary expenses incurred in the
6 performance of their duties.

7 (Source: P.A. 91-798, eff. 7-9-00.)

8 (20 ILCS 710/6.1)

9 Sec. 6.1. Functions of Commission. The Commission shall
10 meet at least quarterly and shall advise and consult with the
11 Department of Public Health and the Governor's Office ~~Human~~
12 ~~Services and the Director~~ on all matters relating to community
13 service in Illinois. In addition, the Commission shall have the
14 following duties:

15 (a) prepare a 3-year State ~~national and community~~ service
16 plan, developed through an open, public process and updated
17 annually;

18 (b) prepare the financial assistance applications of the
19 State under the National and Community Service Trust Fund Act
20 of 1993, as amended by the Serve America Act;

21 (c) assist in the preparation of the application by the
22 State Board of Education for assistance under that Act;

23 (d) prepare the State's application under that Act for the
24 approval of national service positions;

25 (e) assist in the provision of health care and child care

1 benefits under that Act;

2 (f) develop a State recruitment, placement, and
3 information dissemination system for participants in programs
4 that receive assistance under the national service laws;

5 (g) administer the State's grant program including
6 selection, oversight, and evaluation of grant recipients;

7 (h) make technical assistance available to enable
8 applicants to plan and implement service programs and to apply
9 for assistance under the national service laws;

10 (i) develop projects, training methods, curriculum
11 materials, and other activities related to service;

12 (j) coordinate its functions with any division of the
13 federal Corporation for National and Community Service
14 outlined in the National and Community Service Trust Fund Act
15 of 1993, as amended by the Serve America Act.

16 (k) publicize Commission services and promote community
17 involvement in the activities of the Commission;

18 (l) promote increased visibility and support for
19 volunteers of all ages, especially youth and senior citizens,
20 and community service in meeting the needs of Illinois
21 residents ~~citizens~~; and

22 (m) represent the Department of Public Health and the
23 Governor's Office ~~Human Services~~ on such occasions and in such
24 manner as the Department may provide.

25 (Source: P.A. 91-798, eff. 7-9-00.)

1 (20 ILCS 710/7)

2 Sec. 7. Program transfer. On the effective date of this
3 amendatory Act of the 98th General Assembly ~~this amendatory Act~~
4 ~~of the 91st General Assembly~~, the authority, powers, and duties
5 in this Act of the Department of Human Services ~~Commerce and~~
6 ~~Community Affairs~~ (now Department of Commerce and Economic
7 ~~Opportunity~~) are transferred to the Department of Public Health
8 ~~Human Services~~.

9 (Source: P.A. 94-793, eff. 5-19-06.)

10 Section 25. The Energy Conservation and Coal Development
11 Act is amended by changing Section 3 as follows:

12 (20 ILCS 1105/3) (from Ch. 96 1/2, par. 7403)

13 Sec. 3. Powers and Duties.

14 (a) In addition to its other powers, the Department has the
15 following powers:

16 (1) To administer for the State any energy programs and
17 activities under federal law, regulations or guidelines,
18 and to coordinate such programs and activities with other
19 State agencies, units of local government, and educational
20 institutions.

21 (2) To represent the State in energy matters involving
22 the federal government, other states, units of local
23 government, and regional agencies.

24 (3) To prepare energy contingency plans for

1 consideration by the Governor and the General Assembly.
2 Such plans shall include procedures for determining when a
3 foreseeable danger exists of energy shortages, including
4 shortages of petroleum, coal, nuclear power, natural gas,
5 and other forms of energy, and shall specify the actions to
6 be taken to minimize hardship and maintain the general
7 welfare during such energy shortages.

8 (4) To cooperate with State colleges and universities
9 and their governing boards in energy programs and
10 activities.

11 (5) (Blank).

12 (6) To accept, receive, expend, and administer,
13 including by contracts and grants to other State agencies,
14 any energy-related gifts, grants, cooperative agreement
15 funds, and other funds made available to the Department by
16 the federal government and other public and private
17 sources.

18 (7) To investigate practical problems, seek and
19 utilize financial assistance, implement studies and
20 conduct research relating to the production, distribution
21 and use of alcohol fuels.

22 (8) To serve as a clearinghouse for information on
23 alcohol production technology; provide assistance,
24 information and data relating to the production and use of
25 alcohol; develop informational packets and brochures, and
26 hold public seminars to encourage the development and

1 utilization of the best available technology.

2 (9) To coordinate with other State agencies in order to
3 promote the maximum flow of information and to avoid
4 unnecessary overlapping of alcohol fuel programs. In order
5 to effectuate this goal, the Director of the Department or
6 his representative shall consult with the Directors, or
7 their representatives, of the Departments of Agriculture,
8 Central Management Services, Transportation, and Revenue,
9 the Office of the State Fire Marshal, and the Environmental
10 Protection Agency.

11 (10) To operate, within the Department, an Office of
12 Coal Development and Marketing for the promotion and
13 marketing of Illinois coal both domestically and
14 internationally. The Department may use monies
15 appropriated for this purpose for necessary administrative
16 expenses.

17 The Office of Coal Development and Marketing shall
18 develop and implement an initiative to assist the coal
19 industry in Illinois to increase its share of the
20 international coal market.

21 (11) To assist the Department of Central Management
22 Services in establishing and maintaining a system to
23 analyze and report energy consumption of facilities leased
24 by the Department of Central Management Services.

25 (12) To consult with the Departments of Natural
26 Resources and Transportation and the Illinois

1 Environmental Protection Agency for the purpose of
2 developing methods and standards that encourage the
3 utilization of coal combustion by-products as value added
4 products in productive and benign applications.

5 (13) To provide technical assistance and information
6 to sellers and distributors of storage hot water heaters
7 doing business in Illinois, pursuant to Section 1 of the
8 Hot Water Heater Efficiency Act.

9 (b) (Blank).

10 (c) (Blank).

11 (d) The Department shall develop a package of educational
12 materials containing information regarding the necessity of
13 waste reduction and recycling to reduce dependence on landfills
14 and to maintain environmental quality. The Department shall
15 make this information available to the public on its website
16 and for schools to access for their development of materials.
17 Those materials developed shall be suitable for instructional
18 use in grades 3, 4 and 5. ~~The Department shall distribute such~~
19 ~~instructional material to all public elementary and unit school~~
20 ~~districts no later than November 1, of each year.~~

21 (e) (Blank).

22 (f) (Blank).

23 (g) (Blank).

24 (h) (Blank).

25 (i) (Blank).

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

1 (20 ILCS 2310/2310-373 rep.)

2 (20 ILCS 2310/2310-396 rep.)

3 Section 30. The Department of Public Health Powers and
4 Duties Law of the Civil Administrative Code of Illinois is
5 amended by repealing Sections 2310-373 and 2310-396.

6 Section 35. The Governor's Office of Management and Budget
7 Act is amended by changing Section 7.3 as follows:

8 (20 ILCS 3005/7.3)

9 Sec. 7.3. Annual economic and fiscal policy report. No
10 later than the 3rd business day in ~~By~~ January ~~1~~ of each year,
11 the Governor's Office of Management and Budget shall submit an
12 economic and fiscal policy report to the General Assembly. The
13 report must outline the long-term economic and fiscal policy
14 objectives of the State, the economic and fiscal policy
15 intentions for the upcoming fiscal year, and the economic and
16 fiscal policy intentions for the following 2 fiscal years. The
17 report must highlight the total level of revenue, expenditure,
18 deficit or surplus, and debt with respect to each of the
19 reporting categories. The report must be posted on the Office's
20 Internet website and allow members of the public to post
21 comments concerning the report.

22 (Source: P.A. 96-1354, eff. 7-28-10.)

1 Section 40. The Capital Spending Accountability Law is
2 amended by changing Section 805 as follows:

3 (20 ILCS 3020/805)

4 Sec. 805. Reports on capital spending. On the first day of
5 each quarterly period in each fiscal year, the Governor's
6 Office of Management and Budget shall provide to the
7 Comptroller, the Treasurer, the President and the Minority
8 Leader of the Senate, and the Speaker and the Minority Leader
9 of the House of Representatives a report on the status of all
10 capital projects in the State. The report ~~may~~ must be provided
11 in both written and electronic format. The report must include
12 all of the following:

13 (1) A brief description or stated purpose of each
14 capital project where applicable (as referred to in this
15 Section, "project").

16 (2) The amount and source of funds (whether from bond
17 funds or other revenues) appropriated for each project,
18 organized into categories including roads, mass transit,
19 schools, environment, civic centers and other categories
20 as applicable (as referred to in this Section, "category or
21 categories"), with subtotals for each category.

22 (3) The date the appropriation bill relating to each
23 project was signed by the Governor, organized into
24 categories.

25 (4) The date the written release of the Governor for

1 each project was submitted to the Comptroller or is
2 projected to be submitted and, if a release for any project
3 has not been submitted within 6 months after its
4 appropriation became law, an explanation why the project
5 has not yet been released, all organized into categories.

6 (5) The amount of expenditures to date by the State
7 relating to each project and estimated amount of total
8 State expenditures and proposed schedule of future State
9 expenditures relating to each project, all organized into
10 categories.

11 (6) A timeline for completion of each project,
12 including the dates, if applicable, of execution by the
13 State of any grant agreement, any required engineering or
14 design work or environmental approvals, and the estimated
15 or actual dates of the start and completion of
16 construction, all organized into categories. Any
17 substantial variances on any project from this reported
18 timeline must be explained in the next quarterly report.

19 (7) A summary report of the status of all projects,
20 including the amount of undisbursed funds intended to be
21 held or used in the next quarter.

22 (Source: P.A. 96-34, eff. 7-13-09.)

23 Section 45. The General Assembly Operations Act is amended
24 by changing Section 2 as follows:

1 (25 ILCS 10/2) (from Ch. 63, par. 23.2)

2 Sec. 2. The Speaker of the House and the President of the
3 Senate, and the Chairman and members of the Senate Committee on
4 Committees shall be considered as holding continuing offices
5 until their respective successors are elected and qualified.

6 In the event of death or resignation of the Speaker of the
7 House or of the President of the Senate after the sine die
8 adjournment of the session of the General Assembly at which he
9 was elected, the powers held by him shall pass respectively to
10 the Majority Leader of the House of Representatives or to the
11 ~~Assistant~~ Majority Leader of the Senate who, for the purposes
12 of such powers shall be considered as holding continuing
13 offices until his respective successors are elected and
14 qualified.

15 (Source: P.A. 78-10.)

16 Section 50. The General Assembly Compensation Act is
17 amended by changing Section 4.1 as follows:

18 (25 ILCS 115/4.1) (from Ch. 63, par. 15.2)

19 Sec. 4.1. Payment techniques and procedures shall be
20 according to rules made by the Senate Committee on Assignment
21 of Bills ~~Operations Commission~~ or the Rules Committee of the
22 House, as the case may be.

23 (Source: P.A. 79-806; 79-1023; 79-1454.)

1 Section 55. The Legislative Commission Reorganization Act
2 of 1984 is amended by changing Sections 1-5 and 8A-15 as
3 follows:

4 (25 ILCS 130/1-5) (from Ch. 63, par. 1001-5)

5 Sec. 1-5. Composition of agencies; directors.

6 ~~(a) (1) Each legislative support services agency listed in~~
7 ~~Section 1-3 is hereafter in this Section referred to as the~~
8 ~~Agency.~~

9 ~~(2) (Blank).~~

10 ~~(2.1) (Blank).~~

11 ~~(2.5) The Board of the Office of the Architect of the~~
12 ~~Capitol shall consist of the Secretary and Assistant Secretary~~
13 ~~of the Senate and the Clerk and Assistant Clerk of the House of~~
14 ~~Representatives. When the Board has cast a tied vote concerning~~
15 ~~the design, implementation, or construction of a project within~~
16 ~~the legislative complex, as defined in Section 8A-15, the~~
17 ~~Architect of the Capitol may cast the tie breaking vote.~~

18 The Boards of the Joint Committee on Administrative Rules,
19 the Commission on Government Forecasting and Accountability,
20 the Legislative Audit Committee, and the Legislative Research
21 Unit ~~(3) The other legislative support services agencies shall~~
22 each consist of 12 members of the General Assembly, of whom 3
23 shall be appointed by the President of the Senate, 3 shall be
24 appointed by the Minority Leader of the Senate, 3 shall be
25 appointed by the Speaker of the House of Representatives, and 3

1 shall be appointed by the Minority Leader of the House of
2 Representatives. All appointments shall be in writing and filed
3 with the Secretary of State as a public record.

4 Members shall serve a 2-year term, and must be appointed by
5 the Joint Committee during the month of January in each
6 odd-numbered year for terms beginning February 1. Any vacancy
7 in an Agency shall be filled by appointment for the balance of
8 the term in the same manner as the original appointment. A
9 vacancy shall exist when a member no longer holds the elected
10 legislative office held at the time of the appointment or at
11 the termination of the member's legislative service.

12 During the month of February of each odd-numbered year, the
13 Joint Committee on Legislative Support Services shall select
14 from the members of the Board of each Agency 2 co-chairpersons
15 and such other officers as the Joint Committee deems necessary.
16 The co-chairpersons of each Board shall serve for a 2-year
17 term, beginning February 1 of the odd-numbered year, and the 2
18 co-chairpersons shall not be members of or identified with the
19 same house or the same political party.

20 Each Board shall meet twice annually or more often upon the
21 call of the chair or any 9 members. A quorum of the Board shall
22 consist of a majority of the appointed members.

23 (b) The Board of each of the following legislative support
24 agencies shall consist of the Secretary and Assistant Secretary
25 of the Senate and the Clerk and Assistant Clerk of the House of
26 Representatives: the Legislative Information System, the

1 Legislative Printing Unit, the Legislative Reference Bureau,
2 and the Office of the Architect of the Capitol. The
3 co-chairpersons of the Board of the Office of the Architect of
4 the Capitol shall be the Secretary of the Senate and the Clerk
5 of the House of Representatives, each ex officio. (Blank).

6 The Chairperson of each of the other Boards shall be the
7 member who is affiliated with the same caucus as the then
8 serving Chairperson of the Joint Committee on Legislative
9 Support Services. Each Board shall meet twice annually or more
10 often upon the call of the chair or any 3 members. A quorum of
11 the Board shall consist of a majority of the appointed members.

12 When the Board of the Office of the Architect of the
13 Capitol has cast a tied vote concerning the design,
14 implementation, or construction of a project within the
15 legislative complex, as defined in Section 8A-15, the Architect
16 of the Capitol may cast the tie-breaking vote.

17 (c) (Blank). ~~During the month of February of each~~
18 ~~odd numbered year, the Joint Committee on Legislative Support~~
19 ~~Services shall select from the members of each agency, other~~
20 ~~than the Office of the Architect of the Capitol, 2 co chairmen~~
21 ~~and such other officers as the Joint Committee deems necessary.~~
22 ~~The co chairmen of each Agency shall serve for a 2 year term,~~
23 ~~beginning February 1 of the odd numbered year, and the 2~~
24 ~~co chairmen shall not be members of or identified with the same~~
25 ~~house or the same political party. The co chairmen of the Board~~
26 ~~of the Office of the Architect of the Capitol shall be the~~

1 ~~Secretary of the Senate and the Clerk of the House of~~
2 ~~Representatives, each ex officio.~~

3 ~~Each Agency shall meet twice annually or more often upon~~
4 ~~the call of the chair or any 9 members (or any 3 members in the~~
5 ~~case of the Office of the Architect of the Capitol). A quorum~~
6 ~~of the Agency shall consist of a majority of the appointed~~
7 ~~members.~~

8 (d) Members of each Agency shall serve without
9 compensation, but shall be reimbursed for expenses incurred in
10 carrying out the duties of the Agency pursuant to rules and
11 regulations adopted by the Joint Committee on Legislative
12 Support Services.

13 (e) Beginning February 1, 1985, and every 2 years
14 thereafter, the Joint Committee shall select an Executive
15 Director who shall be the chief executive officer and staff
16 director of each Agency. The Executive Director shall receive a
17 salary as fixed by the Joint Committee and shall be authorized
18 to employ and fix the compensation of necessary professional,
19 technical and secretarial staff and prescribe their duties,
20 sign contracts, and issue vouchers for the payment of
21 obligations pursuant to rules and regulations adopted by the
22 Joint Committee on Legislative Support Services. The Executive
23 Director and other employees of the Agency shall not be subject
24 to the Personnel Code.

25 The executive director of the Office of the Architect of
26 the Capitol shall be known as the Architect of the Capitol.

1 (Source: P.A. 96-959, eff. 7-1-10.)

2 (25 ILCS 130/8A-15)

3 Sec. 8A-15. Master plan.

4 (a) The term "legislative complex" means (i) the buildings
5 and facilities located in Springfield, Illinois, and occupied
6 in whole or in part by the General Assembly or any of its
7 support service agencies, (ii) the grounds, walkways, and
8 tunnels surrounding or connected to those buildings and
9 facilities, and (iii) the off-street parking areas serving
10 those buildings and facilities.

11 (b) The Architect of the Capitol shall prepare and
12 implement a long-range master plan of development for the State
13 Capitol Building, ~~and the remaining portions of the legislative~~
14 complex, and the land and State buildings and facilities within
15 the area bounded by Washington, Third, Cook, and Pasfield
16 Streets that addresses the improvement, construction, historic
17 preservation, restoration, maintenance, repair, and
18 landscaping needs of these State buildings and facilities and
19 the land ~~the State Capitol Building and the remaining portions~~
20 ~~of the legislative complex~~. The Architect of the Capitol shall
21 submit the master plan to the Capitol Historic Preservation
22 Board for its review and comment. The Board must confine its
23 review and comment to those portions of the master plan that
24 relate to areas ~~of the legislative complex~~ other than the State
25 Capitol Building. The Architect may incorporate suggestions of

1 the Board into the master plan. The master plan must be
2 submitted to and approved by the Board of the Office of the
3 Architect of the Capitol before its implementation.

4 The Architect of the Capitol may change the master plan and
5 shall submit changes in the master plan that relate to areas ~~of~~
6 ~~the legislative complex~~ other than the State Capitol Building
7 to the Capitol Historic Preservation Board for its review and
8 comment. All changes in the master plan must be submitted to
9 and approved by the Board of the Office of the Architect of the
10 Capitol before implementation.

11 (c) The Architect of the Capitol must review the master
12 plan every 5 years or at the direction of the Board of the
13 Office of the Architect of the Capitol. Changes in the master
14 plan resulting from this review must be made in accordance with
15 the procedure provided in subsection (b).

16 (d) Notwithstanding any other law to the contrary, the
17 Architect of the Capitol has the sole authority to contract for
18 all materials and services necessary for the implementation of
19 the master plan. The Architect (i) may comply with the
20 procedures established by the Joint Committee on Legislative
21 Support Services under Section 1-4 or (ii) upon approval of the
22 Board of the Office of the Architect of the Capitol, may, but
23 is not required to, comply with a portion or all of the
24 Illinois Procurement Code when entering into contracts under
25 this subsection. The Architect's compliance with the Illinois
26 Procurement Code shall not be construed to subject the

1 Architect or any other entity of the legislative branch to the
2 Illinois Procurement Code with respect to any other contract.

3 The Architect may enter into agreements with other State
4 agencies for the provision of materials or performance of
5 services necessary for the implementation of the master plan.

6 State officers and agencies providing normal, day-to-day
7 repair, maintenance, or landscaping or providing security,
8 commissary, utility, parking, banking, tour guide, event
9 scheduling, or other operational services for buildings and
10 facilities within the legislative complex immediately prior to
11 the effective date of this amendatory Act of the 93rd General
12 Assembly shall continue to provide that normal, day-to-day
13 repair, maintenance, or landscaping or those services on the
14 same basis, whether by contract or employees, that the repair,
15 maintenance, landscaping, or services were provided
16 immediately prior to the effective date of this amendatory Act
17 of the 93rd General Assembly, subject to the provisions of the
18 master plan and as otherwise directed by the Architect of the
19 Capitol.

20 (e) The Architect of the Capitol shall monitor
21 construction, preservation, restoration, maintenance, repair,
22 and landscaping work in the legislative complex and
23 implementation of the master plan, as well as ~~all other~~
24 activities that alter the historic integrity of the legislative
25 complex and the other land and State buildings and facilities
26 in the master plan.

1 (Source: P.A. 93-632, eff. 2-1-04.)

2 (30 ILCS 105/5.250 rep.)

3 Section 60. The State Finance Act is amended by repealing
4 Section 5.250.

5 Section 65. The Adult Education Reporting Act is amended by
6 changing Section 1 as follows:

7 (105 ILCS 410/1) (from Ch. 122, par. 1851)

8 Sec. 1. As used in this Act, "agency" means: the
9 Departments of Corrections, ~~Public Aid,~~ Commerce and Economic
10 Opportunity, Human Services, and Public Health; the Secretary
11 of State; the Illinois Community College Board; and the
12 Administrative Office of the Illinois Courts. On and after July
13 1, 2001, "agency" includes the State Board of Education and
14 does not include the Illinois Community College Board.

15 (Source: P.A. 94-793, eff. 5-19-06.)

16 Section 70. The Public Community College Act is amended by
17 changing Section 2-10 as follows:

18 (110 ILCS 805/2-10) (from Ch. 122, par. 102-10)

19 Sec. 2-10. The State Board shall make a thorough,
20 comprehensive and continuous study of the status of community
21 college education, its problems, needs for improvement, and

1 projected developments and shall make a detailed report thereof
2 to the General Assembly not later than March 1 of each
3 odd-numbered year and shall submit recommendations for such
4 legislation as it deems necessary.

5 The requirement for reporting to the General Assembly shall
6 be satisfied by electronically filing copies of the report with
7 the Speaker, the Minority Leader and the Clerk of the House of
8 Representatives and the President, the Minority Leader and the
9 Secretary of the Senate and the Legislative Research Unit, as
10 required by Section 3.1 of "An Act to revise the law in
11 relation to the General Assembly", approved February 25, 1874,
12 as amended, and electronically filing such additional copies
13 with the State Government Report Distribution Center for the
14 General Assembly as is required under paragraph (t) of Section
15 7 of the State Library Act. A copy of the report shall also be
16 posted on the State Board's website.

17 (Source: P.A. 84-1438.)

18 (215 ILCS 5/178 rep.)

19 Section 75. The Illinois Insurance Code is amended by
20 repealing Section 178.

21 (215 ILCS 5/Art. XVI rep.)

22 (215 ILCS 5/Art. XIXB rep.)

23 Section 80. The Illinois Insurance Code is amended by
24 repealing Articles XVI and XIXB.

1 (225 ILCS 120/24 rep.)

2 Section 85. The Wholesale Drug Distribution Licensing Act
3 is amended by repealing Section 24.

4 Section 90. The Solid Waste Site Operator Certification Law
5 is amended by changing Section 1011 as follows:

6 (225 ILCS 230/1011) (from Ch. 111, par. 7861)

7 Sec. 1011. Fees.

8 (a) Fees for the issuance or renewal of a Solid Waste Site
9 Operator Certificate shall be as follows:

10 (1) (A) \$400 for issuance or renewal for Class A Solid
11 Waste Site Operators; (B) \$200 for issuance or renewal for
12 Class B Solid Waste Site Operators; and (C) \$100 for
13 issuance or renewal for special waste endorsements.

14 (2) If the fee for renewal is not paid within the grace
15 period the above fees for renewal shall each be increased
16 by \$50.

17 (b) Before the effective date of this amendatory Act of the
18 98th General Assembly, all ~~All~~ fees collected by the Agency
19 under this Section shall be deposited into the Hazardous Waste
20 Occupational Licensing Fund. The Agency is authorized to use
21 monies in the Hazardous Waste Occupational Licensing Fund to
22 perform its functions, powers, and duties under this Section.

23 On and after the effective date of this amendatory Act of

1 the 98th General Assembly, all fees collected by the Agency
2 under this Section shall be deposited into the Environmental
3 Protection Permit and Inspection Fund to be used in accordance
4 with the provisions of Section 22.8 of the Environmental
5 Protection Act.

6 (Source: P.A. 86-1363.)

7 Section 95. The Illinois Athlete Agents Act is amended by
8 changing Section 180 as follows:

9 (225 ILCS 401/180)

10 Sec. 180. Civil penalties.

11 (a) In addition to any other penalty provided by law, any
12 person who violates this Act shall forfeit and pay a civil
13 penalty to the Department in an amount not to exceed \$10,000
14 for each violation as determined by the Department. The civil
15 penalty shall be assessed by the Department in accordance with
16 the provisions of this Act.

17 (b) The Department has the authority and power to
18 investigate any and all unlicensed activity.

19 (c) The civil penalty shall be paid within 60 days after
20 the effective date of the order imposing the civil penalty. The
21 order shall constitute a judgment and may be filed and
22 execution had thereon in the same manner as any judgment from
23 any court of record.

24 (d) All moneys collected under this Section shall be

1 deposited into the General Professions Dedicated Fund.

2 (Source: P.A. 96-1030, eff. 1-1-11.)

3 Section 100. The Illinois Horse Racing Act of 1975 is
4 amended by changing Section 30 as follows:

5 (230 ILCS 5/30) (from Ch. 8, par. 37-30)

6 Sec. 30. (a) The General Assembly declares that it is the
7 policy of this State to encourage the breeding of thoroughbred
8 horses in this State and the ownership of such horses by
9 residents of this State in order to provide for: sufficient
10 numbers of high quality thoroughbred horses to participate in
11 thoroughbred racing meetings in this State, and to establish
12 and preserve the agricultural and commercial benefits of such
13 breeding and racing industries to the State of Illinois. It is
14 the intent of the General Assembly to further this policy by
15 the provisions of this Act.

16 (b) Each organization licensee conducting a thoroughbred
17 racing meeting pursuant to this Act shall provide at least two
18 races each day limited to Illinois conceived and foaled horses
19 or Illinois foaled horses or both. A minimum of 6 races shall
20 be conducted each week limited to Illinois conceived and foaled
21 or Illinois foaled horses or both. No horses shall be permitted
22 to start in such races unless duly registered under the rules
23 of the Department of Agriculture.

24 (c) Conditions of races under subsection (b) shall be

1 commensurate with past performance, quality, and class of
2 Illinois conceived and foaled and Illinois foaled horses
3 available. If, however, sufficient competition cannot be had
4 among horses of that class on any day, the races may, with
5 consent of the Board, be eliminated for that day and substitute
6 races provided.

7 (d) There is hereby created a special fund of the State
8 Treasury to be known as the Illinois Thoroughbred Breeders
9 Fund.

10 Except as provided in subsection (g) of Section 27 of this
11 Act, 8.5% of all the monies received by the State as privilege
12 taxes on Thoroughbred racing meetings shall be paid into the
13 Illinois Thoroughbred Breeders Fund.

14 (e) The Illinois Thoroughbred Breeders Fund shall be
15 administered by the Department of Agriculture with the advice
16 and assistance of the Advisory Board created in subsection (f)
17 of this Section.

18 (f) The Illinois Thoroughbred Breeders Fund Advisory Board
19 shall consist of the Director of the Department of Agriculture,
20 who shall serve as Chairman; a member of the Illinois Racing
21 Board, designated by it; 2 representatives of the organization
22 licensees conducting thoroughbred racing meetings, recommended
23 by them; 2 representatives of the Illinois Thoroughbred
24 Breeders and Owners Foundation, recommended by it; and 2
25 representatives of the Horsemen's Benevolent Protective
26 Association or any successor organization established in

1 Illinois comprised of the largest number of owners and
2 trainers, recommended by it, with one representative of the
3 Horsemen's Benevolent and Protective Association to come from
4 its Illinois Division, and one from its Chicago Division.
5 Advisory Board members shall serve for 2 years commencing
6 January 1 of each odd numbered year. If representatives of the
7 organization licensees conducting thoroughbred racing
8 meetings, the Illinois Thoroughbred Breeders and Owners
9 Foundation, and the Horsemen's Benevolent Protection
10 Association have not been recommended by January 1, of each odd
11 numbered year, the Director of the Department of Agriculture
12 shall make an appointment for the organization failing to so
13 recommend a member of the Advisory Board. Advisory Board
14 members shall receive no compensation for their services as
15 members but shall be reimbursed for all actual and necessary
16 expenses and disbursements incurred in the execution of their
17 official duties.

18 (g) No monies shall be expended from the Illinois
19 Thoroughbred Breeders Fund except as appropriated by the
20 General Assembly. Monies appropriated from the Illinois
21 Thoroughbred Breeders Fund shall be expended by the Department
22 of Agriculture, with the advice and assistance of the Illinois
23 Thoroughbred Breeders Fund Advisory Board, for the following
24 purposes only:

25 (1) To provide purse supplements to owners of horses
26 participating in races limited to Illinois conceived and

1 foaled and Illinois foaled horses. Any such purse
2 supplements shall not be included in and shall be paid in
3 addition to any purses, stakes, or breeders' awards offered
4 by each organization licensee as determined by agreement
5 between such organization licensee and an organization
6 representing the horsemen. No monies from the Illinois
7 Thoroughbred Breeders Fund shall be used to provide purse
8 supplements for claiming races in which the minimum
9 claiming price is less than \$7,500.

10 (2) To provide stakes and awards to be paid to the
11 owners of the winning horses in certain races limited to
12 Illinois conceived and foaled and Illinois foaled horses
13 designated as stakes races.

14 (2.5) To provide an award to the owner or owners of an
15 Illinois conceived and foaled or Illinois foaled horse that
16 wins a maiden special weight, an allowance, overnight
17 handicap race, or claiming race with claiming price of
18 \$10,000 or more providing the race is not restricted to
19 Illinois conceived and foaled or Illinois foaled horses.
20 Awards shall also be provided to the owner or owners of
21 Illinois conceived and foaled and Illinois foaled horses
22 that place second or third in those races. To the extent
23 that additional moneys are required to pay the minimum
24 additional awards of 40% of the purse the horse earns for
25 placing first, second or third in those races for Illinois
26 foaled horses and of 60% of the purse the horse earns for

1 placing first, second or third in those races for Illinois
2 conceived and foaled horses, those moneys shall be provided
3 from the purse account at the track where earned.

4 (3) To provide stallion awards to the owner or owners
5 of any stallion that is duly registered with the Illinois
6 Thoroughbred Breeders Fund Program prior to the effective
7 date of this amendatory Act of 1995 whose duly registered
8 Illinois conceived and foaled offspring wins a race
9 conducted at an Illinois thoroughbred racing meeting other
10 than a claiming race. Such award shall not be paid to the
11 owner or owners of an Illinois stallion that served outside
12 this State at any time during the calendar year in which
13 such race was conducted.

14 (4) To provide \$75,000 annually for purses to be
15 distributed to county fairs that provide for the running of
16 races during each county fair exclusively for the
17 thoroughbreds conceived and foaled in Illinois. The
18 conditions of the races shall be developed by the county
19 fair association and reviewed by the Department with the
20 advice and assistance of the Illinois Thoroughbred
21 Breeders Fund Advisory Board. There shall be no wagering of
22 any kind on the running of Illinois conceived and foaled
23 races at county fairs.

24 (4.1) To provide purse money for an Illinois stallion
25 stakes program.

26 (5) No less than 80% of all monies appropriated from

1 the Illinois Thoroughbred Breeders Fund shall be expended
2 for the purposes in (1), (2), (2.5), (3), (4), (4.1), and
3 (5) as shown above.

4 (6) To provide for educational programs regarding the
5 thoroughbred breeding industry.

6 (7) To provide for research programs concerning the
7 health, development and care of the thoroughbred horse.

8 (8) To provide for a scholarship and training program
9 for students of equine veterinary medicine.

10 (9) To provide for dissemination of public information
11 designed to promote the breeding of thoroughbred horses in
12 Illinois.

13 (10) To provide for all expenses incurred in the
14 administration of the Illinois Thoroughbred Breeders Fund.

15 (h) Whenever the Governor finds that the amount in the
16 Illinois Thoroughbred Breeders Fund is more than the total of
17 the outstanding appropriations from such fund, the Governor
18 shall notify the State Comptroller and the State Treasurer of
19 such fact. The Comptroller and the State Treasurer, upon
20 receipt of such notification, shall transfer such excess amount
21 from the Illinois Thoroughbred Breeders Fund to the General
22 Revenue Fund.

23 (i) A sum equal to 12 1/2% of the first prize money of
24 every purse won by an Illinois foaled or an Illinois conceived
25 and foaled horse in races not limited to Illinois foaled horses
26 or Illinois conceived and foaled horses, or both, shall be paid

1 by the organization licensee conducting the horse race meeting.
2 Such sum shall be paid from the organization licensee's share
3 of the money wagered as follows: 11 1/2% to the breeder of the
4 winning horse and 1% to the organization representing
5 thoroughbred breeders and owners whose representative serves
6 on the Illinois Thoroughbred Breeders Fund Advisory Board for
7 verifying the amounts of breeders' awards earned, assuring
8 their distribution in accordance with this Act, and servicing
9 and promoting the Illinois thoroughbred horse racing industry.
10 The organization representing thoroughbred breeders and owners
11 shall cause all expenditures of monies received under this
12 subsection (i) to be audited at least annually by a registered
13 public accountant. The organization shall file copies of each
14 annual audit with the Racing Board, the Clerk of the House of
15 Representatives and the Secretary of the Senate, and shall make
16 copies of each annual audit available to the public upon
17 request and upon payment of the reasonable cost of photocopying
18 the requested number of copies. Such payments shall not reduce
19 any award to the owner of the horse or reduce the taxes payable
20 under this Act. Upon completion of its racing meet, each
21 organization licensee shall deliver to the organization
22 representing thoroughbred breeders and owners whose
23 representative serves on the Illinois Thoroughbred Breeders
24 Fund Advisory Board a listing of all the Illinois foaled and
25 the Illinois conceived and foaled horses which won breeders'
26 awards and the amount of such breeders' awards under this

1 subsection to verify accuracy of payments and assure proper
2 distribution of breeders' awards in accordance with the
3 provisions of this Act. Such payments shall be delivered by the
4 organization licensee within 30 days of the end of each race
5 meeting.

6 (j) A sum equal to 12 1/2% of the first prize money won in
7 each race limited to Illinois foaled horses or Illinois
8 conceived and foaled horses, or both, shall be paid in the
9 following manner by the organization licensee conducting the
10 horse race meeting, from the organization licensee's share of
11 the money wagered: 11 1/2% to the breeders of the horses in
12 each such race which are the official first, second, third and
13 fourth finishers and 1% to the organization representing
14 thoroughbred breeders and owners whose representative serves
15 on the Illinois Thoroughbred Breeders Fund Advisory Board for
16 verifying the amounts of breeders' awards earned, assuring
17 their proper distribution in accordance with this Act, and
18 servicing and promoting the Illinois thoroughbred horse racing
19 industry. The organization representing thoroughbred breeders
20 and owners shall cause all expenditures of monies received
21 under this subsection (j) to be audited at least annually by a
22 registered public accountant. The organization shall file
23 copies of each annual audit with the Racing Board, the Clerk of
24 the House of Representatives and the Secretary of the Senate,
25 and shall make copies of each annual audit available to the
26 public upon request and upon payment of the reasonable cost of

1 photocopying the requested number of copies.

2 The 11 1/2% paid to the breeders in accordance with this
3 subsection shall be distributed as follows:

4 (1) 60% of such sum shall be paid to the breeder of the
5 horse which finishes in the official first position;

6 (2) 20% of such sum shall be paid to the breeder of the
7 horse which finishes in the official second position;

8 (3) 15% of such sum shall be paid to the breeder of the
9 horse which finishes in the official third position; and

10 (4) 5% of such sum shall be paid to the breeder of the
11 horse which finishes in the official fourth position.

12 Such payments shall not reduce any award to the owners of a
13 horse or reduce the taxes payable under this Act. Upon
14 completion of its racing meet, each organization licensee shall
15 deliver to the organization representing thoroughbred breeders
16 and owners whose representative serves on the Illinois
17 Thoroughbred Breeders Fund Advisory Board a listing of all the
18 Illinois foaled and the Illinois conceived and foaled horses
19 which won breeders' awards and the amount of such breeders'
20 awards in accordance with the provisions of this Act. Such
21 payments shall be delivered by the organization licensee within
22 30 days of the end of each race meeting.

23 (k) The term "breeder", as used herein, means the owner of
24 the mare at the time the foal is dropped. An "Illinois foaled
25 horse" is a foal dropped by a mare which enters this State on
26 or before December 1, in the year in which the horse is bred,

1 provided the mare remains continuously in this State until its
2 foal is born. An "Illinois foaled horse" also means a foal born
3 of a mare in the same year as the mare enters this State on or
4 before March 1, and remains in this State at least 30 days
5 after foaling, is bred back during the season of the foaling to
6 an Illinois Registered Stallion (unless a veterinarian
7 certifies that the mare should not be bred for health reasons),
8 and is not bred to a stallion standing in any other state
9 during the season of foaling. An "Illinois foaled horse" also
10 means a foal born in Illinois of a mare purchased at public
11 auction subsequent to the mare entering this State prior to
12 February 1 of the foaling year providing the mare is owned
13 solely by one or more Illinois residents or an Illinois entity
14 that is entirely owned by one or more Illinois residents.

15 (1) The Department of Agriculture shall, by rule, with the
16 advice and assistance of the Illinois Thoroughbred Breeders
17 Fund Advisory Board:

18 (1) Qualify stallions for Illinois breeding; such
19 stallions to stand for service within the State of Illinois
20 at the time of a foal's conception. Such stallion must not
21 stand for service at any place outside the State of
22 Illinois during the calendar year in which the foal is
23 conceived. The Department of Agriculture may assess and
24 collect application fees for the registration of
25 Illinois-eligible stallions. All fees collected are to be
26 paid into the Illinois Thoroughbred Breeders Fund.

1 (2) Provide for the registration of Illinois conceived
2 and foaled horses and Illinois foaled horses. No such horse
3 shall compete in the races limited to Illinois conceived
4 and foaled horses or Illinois foaled horses or both unless
5 registered with the Department of Agriculture. The
6 Department of Agriculture may prescribe such forms as are
7 necessary to determine the eligibility of such horses. The
8 Department of Agriculture may assess and collect
9 application fees for the registration of Illinois-eligible
10 foals. All fees collected are to be paid into the Illinois
11 Thoroughbred Breeders Fund. No person shall knowingly
12 prepare or cause preparation of an application for
13 registration of such foals containing false information.

14 (m) The Department of Agriculture, with the advice and
15 assistance of the Illinois Thoroughbred Breeders Fund Advisory
16 Board, shall provide that certain races limited to Illinois
17 conceived and foaled and Illinois foaled horses be stakes races
18 and determine the total amount of stakes and awards to be paid
19 to the owners of the winning horses in such races.

20 In determining the stakes races and the amount of awards
21 for such races, the Department of Agriculture shall consider
22 factors, including but not limited to, the amount of money
23 appropriated for the Illinois Thoroughbred Breeders Fund
24 program, organization licensees' contributions, availability
25 of stakes caliber horses as demonstrated by past performances,
26 whether the race can be coordinated into the proposed racing

1 dates within organization licensees' racing dates, opportunity
2 for colts and fillies and various age groups to race, public
3 wagering on such races, and the previous racing schedule.

4 (n) The Board and the organizational licensee shall notify
5 the Department of the conditions and minimum purses for races
6 limited to Illinois conceived and foaled and Illinois foaled
7 horses conducted for each organizational licensee conducting a
8 thoroughbred racing meeting. The Department of Agriculture
9 with the advice and assistance of the Illinois Thoroughbred
10 Breeders Fund Advisory Board may allocate monies for purse
11 supplements for such races. In determining whether to allocate
12 money and the amount, the Department of Agriculture shall
13 consider factors, including but not limited to, the amount of
14 money appropriated for the Illinois Thoroughbred Breeders Fund
15 program, the number of races that may occur, and the
16 organizational licensee's purse structure.

17 (o) (Blank). ~~In order to improve the breeding quality of~~
18 ~~thoroughbred horses in the State, the General Assembly~~
19 ~~recognizes that existing provisions of this Section to~~
20 ~~encourage such quality breeding need to be revised and~~
21 ~~strengthened. As such, a Thoroughbred Breeder's Program Task~~
22 ~~Force is to be appointed by the Governor by September 1, 1999~~
23 ~~to make recommendations to the General Assembly by no later~~
24 ~~than March 1, 2000. This task force is to be composed of 2~~
25 ~~representatives from the Illinois Thoroughbred Breeders and~~
26 ~~Owners Foundation, 2 from the Illinois Thoroughbred Horsemen's~~

1 ~~Association, 3 from Illinois race tracks operating~~
2 ~~thoroughbred race meets for an average of at least 30 days in~~
3 ~~the past 3 years, the Director of Agriculture, the Executive~~
4 ~~Director of the Racing Board, who shall serve as Chairman.~~

5 (Source: P.A. 91-40, eff. 6-25-99.)

6 Section 105. The Liquor Control Act of 1934 is amended by
7 changing Section 6-15 as follows:

8 (235 ILCS 5/6-15) (from Ch. 43, par. 130)

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

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

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

1 college district, provided that with respect to a facility for
2 conference and convention type activities alcoholic liquors
3 shall be limited to the use of the convention or conference
4 participants or participants in cultural, political or
5 educational activities held in such facilities, and provided
6 further that the faculty or staff of the State university or a
7 public community college district, or members of an
8 organization of students, alumni, faculty or staff of the State
9 university or a public community college district are active
10 participants in the conference or convention, or in Memorial
11 Stadium on the campus of the University of Illinois at
12 Urbana-Champaign during games in which the Chicago Bears
13 professional football team is playing in that stadium during
14 the renovation of Soldier Field, not more than one and a half
15 hours before the start of the game and not after the end of the
16 third quarter of the game, or in the Pavilion Facility on the
17 campus of the University of Illinois at Chicago during games in
18 which the Chicago Storm professional soccer team is playing in
19 that facility, not more than one and a half hours before the
20 start of the game and not after the end of the third quarter of
21 the game, or in the Pavilion Facility on the campus of the
22 University of Illinois at Chicago during games in which the
23 WNBA professional women's basketball team is playing in that
24 facility, not more than one and a half hours before the start
25 of the game and not after the 10-minute mark of the second half
26 of the game, or by a catering establishment which has rented

1 facilities from a board of trustees of a public community
2 college district, or in a restaurant that is operated by a
3 commercial tenant in the North Campus Parking Deck building
4 that (1) is located at 1201 West University Avenue, Urbana,
5 Illinois and (2) is owned by the Board of Trustees of the
6 University of Illinois, or, if approved by the District board,
7 on land owned by the Metropolitan Sanitary District of Greater
8 Chicago and leased to others for a term of at least 20 years.
9 Nothing in this Section precludes the sale or delivery of
10 alcoholic liquor in the form of original packaged goods in
11 premises located at 500 S. Racine in Chicago belonging to the
12 University of Illinois and used primarily as a grocery store by
13 a commercial tenant during the term of a lease that predates
14 the University's acquisition of the premises; but the
15 University shall have no power or authority to renew, transfer,
16 or extend the lease with terms allowing the sale of alcoholic
17 liquor; and the sale of alcoholic liquor shall be subject to
18 all local laws and regulations. After the acquisition by
19 Winnebago County of the property located at 404 Elm Street in
20 Rockford, a commercial tenant who sold alcoholic liquor at
21 retail on a portion of the property under a valid license at
22 the time of the acquisition may continue to do so for so long
23 as the tenant and the County may agree under existing or future
24 leases, subject to all local laws and regulations regarding the
25 sale of alcoholic liquor. Alcoholic liquors may be delivered to
26 and sold at Memorial Hall, located at 211 North Main Street,

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

1 being utilized for fire protection purposes.

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

1 participants from providing their own alcoholic liquors to the
2 venue. In addition, any policy submitted by the Board of
3 Trustees to the Illinois Liquor Control Commission must require
4 that any event at which alcoholic liquors are served or sold in
5 buildings under the control of the Board of Trustees shall
6 require the prior written approval of the Office of the
7 Chancellor for the University campus where the event is
8 located. The Board of Trustees shall submit its policy, and any
9 subsequently revised, updated, new, or amended policies, to the
10 Illinois Liquor Control Commission, and any University event,
11 or location for an event, exempted under such policies shall
12 apply for a license under the applicable Sections of this Act.

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

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

14 Alcoholic liquors may be served or sold in buildings under
15 the control of the Board of Trustees of Chicago State
16 University for events that the Board may determine are public
17 events and not student-related activities. The Board of
18 Trustees shall issue a written policy within 6 months after
19 August 2, 2013 (the effective date of Public Act 98-132) ~~this~~
20 ~~amendatory Act of the 98th General Assembly~~ concerning the
21 types of events that would be eligible for an exemption.
22 Thereafter, the Board of Trustees may issue revised, updated,
23 new, or amended policies as it deems necessary and appropriate.
24 In preparing its written policy, the Board of Trustees shall,
25 in addition to other factors it considers relevant and
26 important, give consideration to the following: (i) whether the

1 event is a student activity or student-related activity; (ii)
2 whether the physical setting of the event is conducive to
3 control of liquor sales and distribution; (iii) the ability of
4 the event operator to ensure that the sale or serving of
5 alcoholic liquors and the demeanor of the participants are in
6 accordance with State law and University policies; (iv) the
7 anticipated attendees at the event and the relative proportion
8 of individuals under the age of 21 to individuals age 21 or
9 older; (v) the ability of the venue operator to prevent the
10 sale or distribution of alcoholic liquors to individuals under
11 the age of 21; (vi) whether the event prohibits participants
12 from removing alcoholic beverages from the venue; and (vii)
13 whether the event prohibits participants from providing their
14 own alcoholic liquors to the venue.

15 Alcoholic liquors may be served or sold in buildings under
16 the control of the Board of Trustees of Illinois State
17 University for events that the Board may determine are public
18 events and not student-related activities. The Board of
19 Trustees shall issue a written policy within 6 months after the
20 effective date of this amendatory Act of the 97th General
21 Assembly concerning the types of events that would be eligible
22 for an exemption. Thereafter, the Board of Trustees may issue
23 revised, updated, new, or amended policies as it deems
24 necessary and appropriate. In preparing its written policy, the
25 Board of Trustees shall, in addition to other factors it
26 considers relevant and important, give consideration to the

1 following: (i) whether the event is a student activity or
2 student-related activity; (ii) whether the physical setting of
3 the event is conducive to control of liquor sales and
4 distribution; (iii) the ability of the event operator to ensure
5 that the sale or serving of alcoholic liquors and the demeanor
6 of the participants are in accordance with State law and
7 University policies; (iv) the anticipated attendees at the
8 event and the relative proportion of individuals under the age
9 of 21 to individuals age 21 or older; (v) the ability of the
10 venue operator to prevent the sale or distribution of alcoholic
11 liquors to individuals under the age of 21; (vi) whether the
12 event prohibits participants from removing alcoholic beverages
13 from the venue; and (vii) whether the event prohibits
14 participants from providing their own alcoholic liquors to the
15 venue.

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

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

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

4 (ii) the alcoholic liquor is sold or dispensed only in
5 connection with organized functions held on special
6 occasions;

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

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

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

15 (i) the written consent of the Public Building
16 Commission which administers the Chicago Civic Center is
17 filed with the Commission;

18 (ii) the alcoholic liquor is sold or dispensed only in
19 connection with organized functions held on special
20 occasions;

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

23 (iv) the facility selling or dispensing the alcoholic
24 liquors has provided dram shop liability insurance in
25 maximum limits so as to hold harmless the Civic Center, the
26 City of Chicago and the State from all financial loss,

1 damage or harm; and

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

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

1 the Joliet Park District. Beer and wine may be sold in
2 buildings on the grounds of State veterans' homes when written
3 consent to the issuance of a license to sell beer and wine in
4 such buildings is filed with the Commission by the Department
5 of Veterans' Affairs, and the facility shall provide dram shop
6 liability in maximum insurance coverage limits so as to save
7 the facility harmless from all financial loss, damage or harm.
8 Such liquors may be delivered to and sold at any property owned
9 or held under lease by a Metropolitan Pier and Exposition
10 Authority or Metropolitan Exposition and Auditorium Authority.

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

19 Nothing in this Section shall preclude the sale or delivery
20 of beer and wine at a State or county fair or the sale or
21 delivery of beer or wine at a city fair in any otherwise lawful
22 manner.

23 Alcoholic liquors may be sold at retail in buildings in
24 State parks under the control of the Department of Natural
25 Resources, provided:

26 a. the State park has overnight lodging facilities with

1 some restaurant facilities or, not having overnight
2 lodging facilities, has restaurant facilities which serve
3 complete luncheon and dinner or supper meals,

4 b. (blank), and ~~consent to the issuance of a license to~~
5 ~~sell alcoholic liquors in the buildings has been filed with~~
6 ~~the commission by the Department of Natural Resources, and~~

7 c. the alcoholic liquors are sold by the State park
8 lodge or restaurant concessionaire only during the hours
9 from 11 o'clock a.m. until 12 o'clock midnight.

10 Notwithstanding any other provision of this Act, alcoholic
11 liquor sold by the State park or restaurant concessionaire
12 is not subject to the provisions of Articles IV and IX.

13 Alcoholic liquors may be sold at retail in buildings on
14 properties under the control of the Historic Sites and
15 Preservation Division of the Historic Preservation Agency or
16 the Abraham Lincoln Presidential Library and Museum provided:

17 a. the property has overnight lodging facilities with
18 some restaurant facilities or, not having overnight
19 lodging facilities, has restaurant facilities which serve
20 complete luncheon and dinner or supper meals,

21 b. consent to the issuance of a license to sell
22 alcoholic liquors in the buildings has been filed with the
23 commission by the Historic Sites and Preservation Division
24 of the Historic Preservation Agency or the Abraham Lincoln
25 Presidential Library and Museum, and

26 c. the alcoholic liquors are sold by the lodge or

1 restaurant concessionaire only during the hours from 11
2 o'clock a.m. until 12 o'clock midnight.

3 The sale of alcoholic liquors pursuant to this Section does
4 not authorize the establishment and operation of facilities
5 commonly called taverns, saloons, bars, cocktail lounges, and
6 the like except as a part of lodge and restaurant facilities in
7 State parks or golf courses owned by Forest Preserve Districts
8 with a population of less than 3,000,000 or municipalities or
9 park districts.

10 Alcoholic liquors may be sold at retail in the Springfield
11 Administration Building of the Department of Transportation
12 and the Illinois State Armory in Springfield; provided, that
13 the controlling government authority may consent to such sales
14 only if

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

16 b. such sales would not impede normal operations of the
17 departments involved;

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

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

24 e. the consent is in writing.

25 Alcoholic liquors may be sold at retail in buildings in
26 recreational areas of river conservancy districts under the

1 control of, or leased from, the river conservancy districts.
2 Such sales are subject to reasonable local regulations as
3 provided in Article IV; however, no such regulations may
4 prohibit or substantially impair the sale of alcoholic liquors
5 on Sundays or Holidays.

6 Alcoholic liquors may be provided in long term care
7 facilities owned or operated by a county under Division 5-21 or
8 5-22 of the Counties Code, when approved by the facility
9 operator and not in conflict with the regulations of the
10 Illinois Department of Public Health, to residents of the
11 facility who have had their consumption of the alcoholic
12 liquors provided approved in writing by a physician licensed to
13 practice medicine in all its branches.

14 Alcoholic liquors may be delivered to and dispensed in
15 State housing assigned to employees of the Department of
16 Corrections. No person shall furnish or allow to be furnished
17 any alcoholic liquors to any prisoner confined in any jail,
18 reformatory, prison or house of correction except upon a
19 physician's prescription for medicinal purposes.

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

1 organization, provided that such organization:

2 a. Obtains written consent from the controlling
3 government authority;

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

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

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

15 Nothing in this Act shall prevent a not-for-profit
16 organization or agency of the State from employing the services
17 of a catering establishment for the selling or dispensing of
18 alcoholic liquors at authorized functions.

19 The controlling government authority for the Willard Ice
20 Building in Springfield shall be the Director of the Department
21 of Revenue. The controlling government authority for Illinois
22 State Museum facilities shall be the Director of the Illinois
23 State Museum. The controlling government authority for the
24 State Library in Springfield shall be the Secretary of State.

25 Alcoholic liquors may be delivered to and sold at retail or
26 dispensed at any facility, property or building under the

1 jurisdiction of the Historic Sites and Preservation Division of
2 the Historic Preservation Agency or the Abraham Lincoln
3 Presidential Library and Museum where the delivery, sale or
4 dispensing is by (1) an agency of the State, whether
5 legislative, judicial or executive, provided that such agency
6 first obtains written permission to sell or dispense alcoholic
7 liquors from a controlling government authority, or by (2) an
8 individual or organization provided that such individual or
9 organization:

10 a. Obtains written consent from the controlling
11 government authority;

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

15 c. Sells or dispenses alcoholic liquors only in
16 connection with an official activity of the individual or
17 organization in the facility, property or building;

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

24 The controlling government authority for the Historic
25 Sites and Preservation Division of the Historic Preservation
26 Agency shall be the Director of the Historic Sites and

1 Preservation, and the controlling government authority for the
2 Abraham Lincoln Presidential Library and Museum shall be the
3 Director of the Abraham Lincoln Presidential Library and
4 Museum.

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

- 25 a. obtains written consent from the Department of
26 Central Management Services;

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

4 c. accepts delivery of and sells or dispenses alcoholic
5 liquors only in connection with an official activity in the
6 building; and

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

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

18 Alcoholic liquors may be sold at retail or dispensed at the
19 James R. Thompson Center in Chicago, subject to the provisions
20 of Section 7.4 of the State Property Control Act, and 222 South
21 College Street in Springfield, Illinois by (1) a commercial
22 tenant or subtenant conducting business on the premises under a
23 lease or sublease made pursuant to Section 405-315 of the
24 Department of Central Management Services Law (20 ILCS
25 405/405-315), provided that such tenant or subtenant who sells
26 or dispenses alcoholic liquors shall procure and maintain dram

1 shop liability insurance in maximum coverage limits and in
2 which the carrier agrees to defend, indemnify and save harmless
3 the State of Illinois from all financial loss, damage or harm
4 arising out of the sale or dispensing of alcoholic liquors, or
5 by (2) an agency of the State, whether legislative, judicial or
6 executive, provided that such agency first obtains written
7 permission to sell or dispense alcoholic liquors from the
8 Director of Central Management Services, or by (3) a
9 not-for-profit organization, provided that such organization:

10 a. Obtains written consent from the Department of
11 Central Management Services;

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

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

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

23 Nothing in this Act shall prevent a not-for-profit
24 organization or agency of the State from employing the services
25 of a catering establishment for the selling or dispensing of
26 alcoholic liquors at functions authorized by the Director of

1 Central Management Services.

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

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

14 a. Obtains written consent from the Department of
15 Central Management Services;

16 b. Sells or dispenses the alcoholic liquors in a manner
17 that does not impair normal operations of State offices
18 located in the building;

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

21 d. Provides, or its catering service provides, dram
22 shop liability insurance in maximum coverage limits and in
23 which the carrier agrees to defend, save harmless and
24 indemnify the State of Illinois from all financial loss,
25 damage or harm arising out of the selling or dispensing of
26 alcoholic liquors.

1 Nothing in this Act shall prevent a not-for-profit
2 organization or agency of the State from employing the services
3 of a catering establishment for the selling or dispensing of
4 alcoholic liquors at functions authorized by the Department of
5 Central Management Services.

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

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

26 Alcoholic liquors may be sold or delivered in buildings

1 owned by the Community Building Complex Committee of Boone
2 County, Illinois if the person or facility selling or
3 dispensing the alcoholic liquor has provided dram shop
4 liability insurance with coverage and in amounts that the
5 Committee reasonably determines are necessary.

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

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

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

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

20 Alcoholic liquors may be delivered to and sold at the
21 building located at 446 East Hickory Avenue in Apple River,
22 Illinois, owned by the Apple River Fire Protection District,
23 and occupied by the Apple River Community Association if the
24 alcoholic liquor is sold or dispensed only in connection with
25 organized functions approved by the Apple River Community
26 Association for which the planned attendance is 20 or more

1 persons and if the person or facility selling or dispensing the
2 alcoholic liquor has provided dram shop liability insurance in
3 maximum limits so as to hold harmless the Apple River Fire
4 Protection District, the Village of Apple River, and the Apple
5 River Community Association from all financial loss, damage,
6 and harm.

7 Alcoholic liquors may be delivered to and sold at the Sikia
8 Restaurant, Kennedy King College Campus, located at 740 West
9 63rd Street, Chicago, and at the Food Services in the Great
10 Hall/Washburne Culinary Institute Department facility, Kennedy
11 King College Campus, located at 740 West 63rd Street, Chicago,
12 owned by or under the control of City Colleges of Chicago,
13 Illinois Community College District No. 508.

14 (Source: P.A. 97-33, eff. 6-28-11; 97-45, eff. 6-28-11; 97-51,
15 eff. 6-28-11; 97-167, eff. 7-22-11; 97-250, eff. 8-4-11;
16 97-395, eff. 8-16-11; 97-813, eff. 7-13-12; 97-1166, eff.
17 3-1-13; 98-132, eff. 8-2-13; 98-201, eff. 8-9-13; revised
18 9-24-13.)

19 (320 ILCS 65/20 rep.)

20 Section 110. The Family Caregiver Act is amended by
21 repealing Section 20.

22 (410 ILCS 3/10 rep.)

23 Section 115. The Atherosclerosis Prevention Act is amended
24 by repealing Section 10.

1 (410 ILCS 425/Act rep.)

2 Section 120. The High Blood Pressure Control Act is
3 repealed.

4 Section 125. The Environmental Protection Act is amended by
5 changing Section 22.8 as follows:

6 (415 ILCS 5/22.8) (from Ch. 111 1/2, par. 1022.8)

7 Sec. 22.8. Environmental Protection Permit and Inspection
8 Fund.

9 (a) There is hereby created in the State Treasury a special
10 fund to be known as the Environmental Protection Permit and
11 Inspection Fund. All fees collected by the Agency pursuant to
12 this Section, Section 9.6, 12.2, 16.1, ~~22.2 (j) (6) (E) (v) (IV),~~
13 56.4, 56.5, 56.6, and subsection (f) of Section 5 of this Act,
14 or pursuant to Section 22 of the Public Water Supply Operations
15 Act or Section 1011 of the Solid Waste Site Operator
16 Certification Law, as well as ~~and~~ funds collected under
17 subsection (b.5) of Section 42 of this Act, shall be deposited
18 into the Fund. In addition to any monies appropriated from the
19 General Revenue Fund, monies in the Fund shall be appropriated
20 by the General Assembly to the Agency in amounts deemed
21 necessary for manifest, permit, and inspection activities and
22 for performing its functions, powers, and duties under the
23 Solid Waste Site Operator Certification Law ~~processing~~

1 ~~requests under Section 22.2 (j) (6) (E) (v) (IV).~~

2 The General Assembly may appropriate monies in the Fund
3 deemed necessary for Board regulatory and adjudicatory
4 proceedings.

5 (a-5) As soon as practicable after the effective date of
6 this amendatory Act of the 98th General Assembly, but no later
7 than January 1, 2014, the State Comptroller shall direct and
8 the State Treasurer shall transfer all monies in the Industrial
9 Hygiene Regulatory and Enforcement Fund to the Environmental
10 Protection Permit and Inspection Fund to be used in accordance
11 with the terms of the Environmental Protection Permit and
12 Inspection Fund.

13 (a-6) As soon as practicable after the effective date of
14 this amendatory Act of the 98th General Assembly, but no later
15 than December 31, 2014, the State Comptroller shall order the
16 transfer of, and the State Treasurer shall transfer, all moneys
17 in the Hazardous Waste Occupational Licensing Fund into the
18 Environmental Protection Permit and Inspection Fund to be used
19 in accordance with the terms of the Environmental Protection
20 Permit and Inspection Fund.

21 (b) The Agency shall collect from the owner or operator of
22 any of the following types of hazardous waste disposal sites or
23 management facilities which require a RCRA permit under
24 subsection (f) of Section 21 of this Act, or a UIC permit under
25 subsection (g) of Section 12 of this Act, an annual fee in the
26 amount of:

1 (1) \$35,000 (\$70,000 beginning in 2004) for a hazardous
2 waste disposal site receiving hazardous waste if the
3 hazardous waste disposal site is located off the site where
4 such waste was produced;

5 (2) \$9,000 (\$18,000 beginning in 2004) for a hazardous
6 waste disposal site receiving hazardous waste if the
7 hazardous waste disposal site is located on the site where
8 such waste was produced;

9 (3) \$7,000 (\$14,000 beginning in 2004) for a hazardous
10 waste disposal site receiving hazardous waste if the
11 hazardous waste disposal site is an underground injection
12 well;

13 (4) \$2,000 (\$4,000 beginning in 2004) for a hazardous
14 waste management facility treating hazardous waste by
15 incineration;

16 (5) \$1,000 (\$2,000 beginning in 2004) for a hazardous
17 waste management facility treating hazardous waste by a
18 method, technique or process other than incineration;

19 (6) \$1,000 (\$2,000 beginning in 2004) for a hazardous
20 waste management facility storing hazardous waste in a
21 surface impoundment or pile;

22 (7) \$250 (\$500 beginning in 2004) for a hazardous waste
23 management facility storing hazardous waste other than in a
24 surface impoundment or pile; and

25 (8) Beginning in 2004, \$500 for a large quantity
26 hazardous waste generator required to submit an annual or

1 biennial report for hazardous waste generation.

2 (c) Where two or more operational units are located within
3 a single hazardous waste disposal site, the Agency shall
4 collect from the owner or operator of such site an annual fee
5 equal to the highest fee imposed by subsection (b) of this
6 Section upon any single operational unit within the site.

7 (d) The fee imposed upon a hazardous waste disposal site
8 under this Section shall be the exclusive permit and inspection
9 fee applicable to hazardous waste disposal at such site,
10 provided that nothing in this Section shall be construed to
11 diminish or otherwise affect any fee imposed upon the owner or
12 operator of a hazardous waste disposal site by Section 22.2.

13 (e) The Agency shall establish procedures, no later than
14 December 1, 1984, relating to the collection of the hazardous
15 waste disposal site fees authorized by this Section. Such
16 procedures shall include, but not be limited to the time and
17 manner of payment of fees to the Agency, which shall be
18 quarterly, payable at the beginning of each quarter for
19 hazardous waste disposal site fees. Annual fees required under
20 paragraph (7) of subsection (b) of this Section shall accompany
21 the annual report required by Board regulations for the
22 calendar year for which the report applies.

23 (f) For purposes of this Section, a hazardous waste
24 disposal site consists of one or more of the following
25 operational units:

26 (1) a landfill receiving hazardous waste for disposal;

1 (2) a waste pile or surface impoundment, receiving
2 hazardous waste, in which residues which exhibit any of the
3 characteristics of hazardous waste pursuant to Board
4 regulations are reasonably expected to remain after
5 closure;

6 (3) a land treatment facility receiving hazardous
7 waste; or

8 (4) a well injecting hazardous waste.

9 (g) The Agency shall assess a fee for each manifest
10 provided by the Agency. For manifests provided on or after
11 January 1, 1989 but before July 1, 2003, the fee shall be \$1
12 per manifest. For manifests provided on or after July 1, 2003,
13 the fee shall be \$3 per manifest.

14 (Source: P.A. 98-78, eff. 7-15-13.)

15 Section 130. The Illinois Pesticide Act is amended by
16 changing Sections 19.3 and 22.2 as follows:

17 (415 ILCS 60/19.3)

18 Sec. 19.3. Agrichemical Facility Response Action Program.

19 (a) It is the policy of the State of Illinois that an
20 Agrichemical Facility Response Action Program be implemented
21 to reduce potential agrichemical pollution and minimize
22 environmental degradation risk potential at these sites. In
23 this Section, "agrichemical facility" means a site where
24 agrichemicals are stored or handled, or both, in preparation

1 for end use. "Agrichemical facility" does not include basic
2 manufacturing or central distribution sites utilized only for
3 wholesale purposes. As used in this Section, "agrichemical"
4 means pesticides or commercial fertilizers at an agrichemical
5 facility.

6 The program shall provide guidance for assessing the threat
7 of soil agrichemical contaminants to groundwater and
8 recommending which sites need to establish a voluntary
9 corrective action program.

10 The program shall establish appropriate site-specific soil
11 cleanup objectives, which shall be based on the potential for
12 the agrichemical contaminants to move from the soil to
13 groundwater and the potential of the specific soil agrichemical
14 contaminants to cause an exceedence of a Class I or Class III
15 groundwater quality standard or a health advisory level. The
16 Department shall use the information found and procedures
17 developed in the Agrichemical Facility Site Contamination
18 Study or other appropriate physical evidence to establish the
19 soil agrichemical contaminant levels of concern to groundwater
20 in the various hydrological settings to establish
21 site-specific cleanup objectives.

22 No remediation of a site may be recommended unless (i) the
23 agrichemical contamination level in the soil exceeds the
24 site-specific cleanup objectives or (ii) the agrichemical
25 contaminant level in the soil exceeds levels where physical
26 evidence and risk evaluation indicates probability of the site

1 causing an exceedence of a groundwater quality standard.

2 When a remediation plan must be carried out over a number
3 of years due to limited financial resources of the owner or
4 operator of the agrichemical facility, those soil agrichemical
5 contaminated areas that have the greatest potential to
6 adversely impact vulnerable Class I groundwater aquifers and
7 adjacent potable water wells shall receive the highest priority
8 rating and be remediated first.

9 (b) (Blank). ~~The Agrichemical Facility Response Action~~
10 ~~Program Board ("the Board") is created. The Board members shall~~
11 ~~consist of the following:~~

12 ~~(1) The Director or the Director's designee.~~

13 ~~(2) One member who represents pesticide manufacturers.~~

14 ~~(3) Two members who represent retail agrichemical~~
15 ~~dealers.~~

16 ~~(4) One member who represents agrichemical~~
17 ~~distributors.~~

18 ~~(5) One member who represents active farmers.~~

19 ~~(6) One member at large.~~

20 ~~The public members of the Board shall be appointed by the~~
21 ~~Governor for terms of 2 years. Those persons on the Board who~~
22 ~~represent pesticide manufacturers, agrichemical dealers,~~
23 ~~agrichemical distributors, and farmers shall be selected from~~
24 ~~recommendations made by the associations whose membership~~
25 ~~reflects those specific areas of interest. The members of the~~
26 ~~Board shall be appointed within 90 days after the effective~~

1 ~~date of this amendatory Act of 1995. Vacancies on the Board~~
2 ~~shall be filled within 30 days. The Board may fill any~~
3 ~~membership position vacant for a period exceeding 30 days.~~

4 ~~The members of the Board shall be paid no compensation, but~~
5 ~~shall be reimbursed for their expenses incurred in performing~~
6 ~~their duties. If a civil proceeding is commenced against a~~
7 ~~Board member arising out of an act or omission occurring within~~
8 ~~the scope of the Board member's performance of his or her~~
9 ~~duties under this Section, the State, as provided by rule,~~
10 ~~shall indemnify the Board member for any damages awarded and~~
11 ~~court costs and attorney's fees assessed as part of a final and~~
12 ~~unreversed judgement, or shall pay the judgment, unless the~~
13 ~~court or jury finds that the conduct or inaction that gave rise~~
14 ~~to the claim or cause of action was intentional, wilful or~~
15 ~~wanton misconduct and was not intended to serve or benefit~~
16 ~~interests of the State.~~

17 ~~The chairperson of the Board shall be selected by the Board~~
18 ~~from among the public members.~~

19 (c) (Blank). ~~The Board has the authority to do the~~
20 ~~following:~~

21 ~~(1) Cooperate with the Department and review and~~
22 ~~approve an agrichemical facility remediation program as~~
23 ~~outlined in the handbook or manual as set forth in~~
24 ~~subdivision (d) (8) of this Section.~~

25 ~~(2) Review and give final approval to each agrichemical~~
26 ~~facility corrective action plan.~~

1 ~~(3) Approve any changes to an agrichemical facility's~~
2 ~~corrective action plan that may be necessary.~~

3 ~~(4) Upon completion of the corrective action plan,~~
4 ~~recommend to the Department that the site specific cleanup~~
5 ~~objectives have been met and that a notice of closure be~~
6 ~~issued by the Department stating that no further remedial~~
7 ~~action is required to remedy the past agrichemical~~
8 ~~contamination.~~

9 ~~(5) When a soil agrichemical contaminant assessment~~
10 ~~confirms that remedial action is not required in accordance~~
11 ~~with the Agrichemical Facility Response Action Program,~~
12 ~~recommend that a notice of closure be issued by the~~
13 ~~Department stating that no further remedial action is~~
14 ~~required to remedy the past agrichemical contamination.~~

15 ~~(6) Periodically review the Department's~~
16 ~~administration of the Agrichemical Incident Response Trust~~
17 ~~Fund and actions taken with respect to the Fund. The Board~~
18 ~~shall also provide advice to the Interagency Committee on~~
19 ~~Pesticides regarding the proper handling of agrichemical~~
20 ~~incidents at agrichemical facilities in Illinois.~~

21 (d) The Director has the authority to do the following:

22 (1) When requested by the owner or operator of an
23 agrichemical facility, may investigate the agrichemical
24 facility site contamination.

25 (2) After completion of the investigation under item
26 ~~subdivision (d) (1) of this subsection~~ Section, recommend

1 to the owner or operator of an agrichemical facility that a
2 voluntary assessment be made of the soil agrichemical
3 contaminant when there is evidence that the evaluation of
4 risk indicates that groundwater could be adversely
5 impacted.

6 (3) Review and make recommendations on any corrective
7 action plan submitted by the owner or operator of an
8 agrichemical facility ~~to the Board for final approval.~~

9 (4) On approval by the Director Board, issue an order
10 to the owner or operator of an agrichemical facility that
11 has filed a voluntary corrective action plan that the owner
12 or operator may proceed with that plan.

13 (5) Provide remedial project oversight and ~~7~~ monitor
14 remedial work progress, ~~and report to the Board on the~~
15 ~~status of remediation projects.~~

16 (6) Provide staff to support program ~~the~~ activities ~~of~~
17 ~~the Board.~~

18 (7) (Blank). ~~Take appropriate action on the Board's~~
19 ~~recommendations regarding policy needed to carry out the~~
20 ~~Board's responsibilities under this Section.~~

21 (8) Incorporate ~~In cooperation with the Board,~~
22 ~~incorporate~~ the following into a handbook or manual: the
23 procedures for site assessment; pesticide constituents of
24 concern and associated parameters; guidance on remediation
25 techniques, land application, and corrective action plans;
26 and other information or instructions that the Department

1 may find necessary.

2 (9) Coordinate preventive response actions at
3 agrichemical facilities pursuant to the Groundwater
4 Quality Standards adopted pursuant to Section 8 of the
5 Illinois Groundwater Protection Act to mitigate resource
6 groundwater impairment.

7 Upon completion of the corrective action plan ~~and upon~~
8 ~~recommendation of the Board~~, the Department shall issue a
9 notice of closure stating that site-specific cleanup
10 objectives have been met and no further remedial action is
11 required to remedy the past agrichemical contamination.

12 When a soil agrichemical contaminant assessment confirms
13 that remedial action is not required in accordance with the
14 Agrichemical Facility Response Action Program ~~and upon the~~
15 ~~recommendation of the Board~~, a notice of closure shall be
16 issued by the Department stating that no further remedial
17 action is required to remedy the past agrichemical
18 contamination.

19 (e) Upon receipt of notification of an agrichemical
20 contaminant in groundwater pursuant to the Groundwater Quality
21 Standards, the Department shall evaluate the severity of the
22 agrichemical contamination and shall submit to the
23 Environmental Protection Agency an informational notice
24 characterizing it as follows:

25 (1) An agrichemical contaminant in Class I or Class III
26 groundwater has exceeded the levels of a standard adopted

1 pursuant to the Illinois Groundwater Protection Act or a
2 health advisory established by the Illinois Environmental
3 Protection Agency or the United States Environmental
4 Protection Agency; or

5 (2) An agrichemical has been detected at a level that
6 requires preventive notification pursuant to a standard
7 adopted pursuant to the Illinois Groundwater Protection
8 Act.

9 (f) When agrichemical contamination is characterized as in
10 subsection ~~subdivision~~ (e) (1) of this Section, a facility may
11 elect to participate in the Agrichemical Facility Response
12 Action Program. In these instances, the scope of the corrective
13 action plans developed, approved, and completed under this
14 program shall be limited to the soil agrichemical contamination
15 present at the site unless implementation of the plan is
16 coordinated with the Illinois Environmental Protection Agency
17 as follows:

18 (1) Upon receipt of notice of intent to include
19 groundwater in an action by a facility, the Department
20 shall also notify the Illinois Environmental Protection
21 Agency.

22 (2) Upon receipt of the corrective action plan, the
23 Department shall coordinate a joint review of the plan with
24 the Illinois Environmental Protection Agency.

25 (3) The Illinois Environmental Protection Agency may
26 provide a written endorsement of the corrective action

1 plan.

2 (4) The Illinois Environmental Protection Agency may
3 approve a groundwater management zone for a period of 5
4 years after the implementation of the corrective action
5 plan to allow for groundwater impairment mitigation
6 results.

7 (5) (Blank). ~~The Department, in cooperation with the~~
8 ~~Illinois Environmental Protection Agency, shall recommend~~
9 ~~a proposed corrective action plan to the Board for final~~
10 ~~approval to proceed with remediation. The recommendation~~
11 ~~shall be based on the joint review conducted under~~
12 ~~subdivision (f)(2) of this Section and the status of any~~
13 ~~endorsement issued under subdivision (f)(3) of this~~
14 ~~Section.~~

15 (6) The Department, in cooperation with the Illinois
16 Environmental Protection Agency, shall provide remedial
17 project oversight, monitor remedial work progress, ~~and~~
18 ~~report to the Board on the status of the remediation~~
19 ~~project.~~

20 (7) The Department shall, upon completion of the
21 corrective action plan ~~and recommendation of the Board,~~
22 issue a notice of closure stating that no further remedial
23 action is required to remedy the past agrichemical
24 contamination.

25 (g) When an owner or operator of an agrichemical facility
26 initiates a soil contamination assessment on the owner's or

1 operator's own volition and independent of any requirement
2 under this Section 19.3, information contained in that
3 assessment may be held as confidential information by the owner
4 or operator of the facility.

5 (h) Except as otherwise provided by Department rule, on and
6 after the effective date of this amendatory Act of the 98th
7 General Assembly, any Agrichemical Facility Response Action
8 Program requirement that may be satisfied by an industrial
9 hygienist licensed pursuant to the Industrial Hygienists
10 Licensure Act repealed in this amendatory Act may be satisfied
11 by a Certified Industrial Hygienist certified by the American
12 Board of Industrial Hygiene.

13 (Source: P.A. 98-78, eff. 7-15-13.)

14 (415 ILCS 60/22.2) (from Ch. 5, par. 822.2)

15 Sec. 22.2. (a) There is hereby created a trust fund in the
16 State Treasury to be known as the Agrichemical Incident
17 Response Trust Fund. Any funds received by the Director of
18 Agriculture from the mandates of Section 13.1 shall be
19 deposited with the Treasurer as ex-officio custodian and held
20 separate and apart from any public money of this State, with
21 accruing interest on the trust funds deposited into the trust
22 fund. Disbursement from the fund for purposes as set forth in
23 this Section shall be by voucher ordered by the Director and
24 paid by a warrant drawn by the State Comptroller and
25 countersigned by the State Treasurer. The Director shall order

1 disbursements from the Agrichemical Incident Response Trust
2 Fund only for payment of the expenses authorized by this Act.
3 Monies in this trust fund shall not be subject to appropriation
4 by the General Assembly but shall be subject to audit by the
5 Auditor General. Should the program be terminated, all
6 unobligated funds in the trust fund shall be transferred to a
7 trust fund to be used for purposes as originally intended or be
8 transferred to the Pesticide Control Fund. Interest earned on
9 the Fund shall be deposited in the Fund. Monies in the Fund may
10 be used by the Department of Agriculture for the following
11 purposes:

12 (1) for payment of costs of response action incurred by
13 owners or operators of agrichemical facilities as provided
14 in Section 22.3 of this Act;

15 (2) for the Department to take emergency action in
16 response to a release of agricultural pesticides from an
17 agrichemical facility that has created an imminent threat
18 to public health or the environment;

19 (3) for the costs of administering its activities
20 relative to the Fund as delineated in subsections (b) and
21 (c) of this Section; and

22 (4) for the Department to:

23 (A) (blank); and ~~reimburse members of the~~
24 ~~Agrichemical Facility Response Action Program Board~~
25 ~~for their expenses incurred in performing their duties~~
26 ~~as defined under Section 19.3 of this Act; and~~

1 (B) administer ~~provide staff to support the~~
2 ~~activities of~~ the Agrichemical Facility Response
3 Action Program ~~Board~~.

4 The total annual expenditures from the Fund for these
5 purposes under this paragraph (4) shall not be more than
6 \$120,000, and no expenditure from the Fund for these
7 purposes shall be made when the Fund balance becomes less
8 than \$750,000.

9 (b) The action undertaken shall be such as may be necessary
10 or appropriate to protect human health or the environment.

11 (c) The Director of Agriculture is authorized to enter into
12 contracts and agreements as may be necessary to carry out the
13 Department's duties under this Section.

14 (d) Neither the State, the Director, nor any State employee
15 shall be liable for any damages or injury arising out of or
16 resulting from any action taken under this Section.

17 (e) (Blank). ~~On a quarterly basis, the Department shall~~
18 ~~advise and consult with the Agrichemical Facility Response~~
19 ~~Action Program Board as to the Department's administration of~~
20 ~~the Fund.~~

21 (Source: P.A. 89-94, eff. 7-6-95.)

22 Section 135. The Hazardous Material Emergency Response
23 Reimbursement Act is amended by changing Sections 3, 4, and 5
24 as follows:

1 (430 ILCS 55/3) (from Ch. 127 1/2, par. 1003)

2 Sec. 3. Definitions. As used in this Act:

3 (a) "Emergency action" means any action taken at or near
4 the scene of a hazardous materials emergency incident to
5 prevent or minimize harm to human health, to property, or to
6 the environments from the unintentional release of a hazardous
7 material.

8 (b) "Emergency response agency" means a unit of local
9 government, volunteer fire protection organization, or the
10 American Red Cross that provides:

- 11 (1) firefighting services;
12 (2) emergency rescue services;
13 (3) emergency medical services;
14 (4) hazardous materials response teams;
15 (5) civil defense;
16 (6) technical rescue teams; or
17 (7) mass care or assistance to displaced persons.

18 (c) "Responsible party" means a person who:

19 (1) owns or has custody of hazardous material that is
20 involved in an incident requiring emergency action by an
21 emergency response agency; or

22 (2) owns or has custody of bulk or non-bulk packaging
23 or a transport vehicle that contains hazardous material
24 that is involved in an incident requiring emergency action
25 by an emergency response agency; and

26 (3) who causes or substantially contributed to the

1 cause of the incident.

2 (d) "Person" means an individual, a corporation, a
3 partnership, an unincorporated association, or any unit of
4 federal, State or local government.

5 (e) "Annual budget" means the cost to operate an emergency
6 response agency excluding personnel costs, which include
7 salary, benefits and training expenses; and costs to acquire
8 capital equipment including buildings, vehicles and other such
9 major capital cost items.

10 (f) "Hazardous material" means a substance or material in a
11 quantity and form determined by the United States Department of
12 Transportation to be capable of posing an unreasonable risk to
13 health and safety or property when transported in commerce.

14 (g) "Fund" means the Fire Prevention Fund ~~"Panel" means~~
15 ~~administrative panel.~~

16 (Source: P.A. 93-159, eff. 1-1-04; 94-96, eff. 1-1-06.)

17 (430 ILCS 55/4) (from Ch. 127 1/2, par. 1004)

18 Sec. 4. Establishment. The Emergency Response
19 Reimbursement Fund in the State Treasury, hereinafter called
20 the Fund, is hereby created. Appropriations shall be made from
21 the general revenue fund to the Fund. Monies in the Fund shall
22 be used as provided in this Act.

23 The Emergency Response Reimbursement Fund is dissolved as
24 of the effective date of this amendatory Act of the 98th
25 General Assembly. Any moneys remaining in the fund shall be

1 transferred to the Fire Prevention Fund.

2 (Source: P.A. 86-972.)

3 (430 ILCS 55/5) (from Ch. 127 1/2, par. 1005)

4 Sec. 5. Reimbursement to agencies.

5 (a) It shall be the duty of the responsible party to
6 reimburse, within 60 days after the receipt of a bill for the
7 hazardous material emergency incident, the emergency response
8 agencies responding to a hazardous material emergency
9 incident, and any private contractor responding to the incident
10 at the request of an emergency response agency, for the costs
11 incurred in the course of providing emergency action.

12 (b) In the event that the emergency response agencies are
13 not reimbursed by a responsible party as required under
14 subsection (a), monies in the Fund, subject to appropriation,
15 shall be used to reimburse the emergency response agencies
16 providing emergency action at or near the scene of a hazardous
17 materials emergency incident subject to the following
18 limitations:

19 (1) Cost recovery from the Fund is limited to
20 replacement of expended materials including, but not
21 limited to, specialized firefighting foam, damaged hose or
22 other reasonable and necessary supplies.

23 (2) The applicable cost of supplies must exceed 2% of
24 the emergency response agency's annual budget.

25 (3) A minimum of \$500 must have been expended.

1 (4) A maximum of \$10,000 may be requested per incident.

2 (5) The response was made to an incident involving
3 hazardous materials facilities such as rolling stock which
4 are not in a terminal and which are not included on the
5 property tax roles for the jurisdiction where the incident
6 occurred.

7 (c) Application for reimbursement from the Fund shall be
8 made to the State Fire Marshal or his designee. The State Fire
9 Marshal shall, through rulemaking, promulgate a standard form
10 for such application. The State Fire Marshal shall adopt rules
11 for the administration of this Act.

12 (d) Claims against the Fund shall be reviewed by the
13 Illinois Fire Advisory Commission at its normally scheduled
14 meetings, as the claims are received. The Commission shall be
15 responsible for:

16 (1) reviewing claims made against the Fund and
17 determining reasonable and necessary expenses to be
18 reimbursed for an emergency response agency:

19 (2) affirming that the emergency response agency has
20 made a reasonable effort to recover expended costs from
21 involved parties; and

22 (3) advising the State Fire Marshal as to those claims
23 against the Fund which merit reimbursement.

24 (e) The State Fire Marshal shall either accept or reject
25 the Commission's recommendations as to a claim's eligibility.
26 The eligibility decision of the State Fire Marshal shall be a

1 final administrative decision, and may be reviewed as provided
2 under the Administrative Review Law.

3 (Source: P.A. 93-989, eff. 1-1-05.)

4 (430 ILCS 55/7 rep.)

5 Section 140. The Hazardous Material Emergency Response
6 Reimbursement Act is amended by repealing Section 7.

7 (510 ILCS 15/1 rep.)

8 Section 145. The Animal Gastroenteritis Act is amended by
9 repealing Section 1.

10 Section 150. The Illinois Pseudorabies Control Act is
11 amended by changing Section 5.1 as follows:

12 (510 ILCS 90/5.1) (from Ch. 8, par. 805.1)

13 Sec. 5.1. Pseudorabies Advisory Committee. Upon the
14 detection of pseudorabies within the State, the ~~The~~ Director of
15 Agriculture is authorized to establish within the Department an
16 advisory committee to be known as the Pseudorabies Advisory
17 Committee. The Committee ~~Such committee~~ shall consist of, but
18 not be limited to, representatives of swine producers, general
19 swine organizations within the State, licensed veterinarians,
20 general farm organizations, auction markets, the packing
21 industry and the University of Illinois. Members of the
22 Committee shall only be appointed and meet during the timeframe

1 of the detection. ~~The Director shall, from time to time,~~
2 ~~consult with the Pseudorabies Advisory Committee on changes in~~
3 ~~the pseudorabies control program.~~

4 The Director shall appoint a Technical Committee from the
5 membership of the Pseudorabies Advisory Committee, which shall
6 be comprised of a veterinarian, a swine extension specialist,
7 and a pork producer. This committee shall serve as resource
8 persons for the technical aspects of the herd plans and may
9 advise the Department on procedures to be followed, timetables
10 for accomplishing the elimination of infection, assist in
11 obtaining cooperation from swine herd owners, and recommend
12 adjustments in the approved herd plan as necessary.

13 These Committee members shall be entitled to reimbursement
14 of all necessary and actual expenses incurred in the
15 performance of their duties.

16 (Source: P.A. 89-154, eff. 7-19-95.)

17 (525 ILCS 25/10 rep.)

18 Section 155. The Illinois Lake Management Program Act is
19 amended by repealing Section 10.

20 (815 ILCS 325/6 rep.)

21 Section 160. The Recyclable Metal Purchase Registration
22 Law is amended by repealing Section 6.

23 Section 995. Illinois Compiled Statutes reassignment.

1 The Legislative Reference Bureau shall reassign the
2 following Act to the specified location in the Illinois
3 Compiled Statutes and file appropriate documents with the Index
4 Division of the Office of the Secretary of State in accordance
5 with subsection (c) of Section 5.04 of the Legislative
6 Reference Bureau Act:

7 Illinois Commission on Volunteerism and Community
8 Service Act, reassigned from 20 ILCS 710/ to 20 ILCS 2330/.

9 Section 999. Effective date. This Act takes effect upon
10 becoming law, except that Section 60 takes effect January 1,
11 2015."