

1 AN ACT concerning government.

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

4 Section 5. The Department of Central Management Services
5 Law of the Civil Administrative Code of Illinois is amended by
6 changing Section 405-292 as follows:

7 (20 ILCS 405/405-292)

8 Sec. 405-292. Business processing reengineering; planning
9 for a more efficient government.

10 (a) The Department shall be responsible for recommending to
11 the Governor efficiency initiatives to reorganize,
12 restructure, and reengineer the business processes of the
13 State. In performing this responsibility the Department shall
14 have the power and duty to do the following:

15 (1) propose the transfer, consolidation,
16 reorganization, restructuring, reengineering, or
17 elimination of programs, processes, or functions in order
18 to attain efficiency in operations and cost savings through
19 the efficiency initiatives;

20 (2) control the procurement of contracted services in
21 connection with the efficiency initiatives to assist in the
22 analysis, design, planning, and implementation of
23 proposals approved by the Governor to attain efficiency in

1 operations and cost savings; and

2 (3) establish the amount of cost savings to be realized
3 by State agencies from implementing the efficiency
4 initiatives, which ~~may shall~~ be paid at the direction of ~~to~~
5 the Department ~~for deposit~~ into the General Revenue
6 ~~Efficiency Initiatives Revolving~~ Fund, except that any
7 cost savings realized by the Illinois Department of
8 Transportation shall be deposited into the State
9 Construction Account Fund.

10 (b) For the purposes of this Section, "State agencies"
11 means all departments, boards, commissions, and agencies of the
12 State of Illinois subject to the Governor.

13 (Source: P.A. 93-25, eff. 6-20-03; 94-139, eff. 7-7-05.)

14 (20 ILCS 605/605-416 rep.)

15 Section 10. The Department of Commerce and Economic
16 Opportunity Law of the Civil Administrative Code of Illinois is
17 amended by repealing Section 605-416.

18 Section 15. The Brownfields Redevelopment and Intermodal
19 Promotion Act is amended by changing Sections 3-15 and 3-20 as
20 follows:

21 (20 ILCS 607/3-15)

22 Sec. 3-15. South Suburban Brownfields Redevelopment ~~Zone~~
23 Fund. The South Suburban Brownfields Redevelopment ~~Zone~~ Fund is

1 created as a special fund in the State treasury. Upon
2 certification of the Department of Revenue following review of
3 the amounts contained in the quarter-annual report required
4 under paragraph 4 of Section 3-50 of this Act and subject to
5 the limits set forth in Section 3-25 of this Act, the
6 Comptroller shall order transferred and the Treasurer shall
7 transfer from the General Revenue Fund to the South Suburban
8 Brownfields Redevelopment Fund an amount equal to the
9 incremental income tax for the previous month attributable to
10 new employees at finished facilities on property that was
11 redeveloped as part of the South Suburban Brownfields
12 Redevelopment Zone. These revenues may be used to pay the
13 Managing Partner for its administrative expenses pursuant to
14 Section 3-45 of this Act or to reimburse Eligible Developers or
15 Eligible Employers for the cost of the activities detailed
16 under Section 3-45 of this Act for Projects being undertaken
17 within the South Suburban Brownfields Redevelopment Zone.

18 (Source: P.A. 98-109, eff. 7-25-13.)

19 (20 ILCS 607/3-20)

20 Sec. 3-20. South Suburban Brownfields Redevelopment Fund;
21 eligible projects. In State fiscal years 2015 through 2021, all
22 moneys in the South Suburban Brownfields Redevelopment ~~Zone~~
23 Fund shall be held solely to fund eligible projects undertaken
24 pursuant to the provisions of Section 3-35 of this Act and
25 performed either directly by Cook County through a development

1 agreement with the Department, by an entity designated by Cook
2 County through a development agreement with the Department to
3 perform specific tasks, or by an Eligible Developer or an
4 Eligible Employer through a development agreement. All
5 Eligible Projects are subject to review and approval by the
6 Managing Partner and by the Department. The life span of the
7 Fund may be extended past 2026 by law.

8 (Source: P.A. 98-109, eff. 7-25-13.)

9 (20 ILCS 720/35 rep.)

10 Section 20. The Illinois Main Street Act is amended by
11 repealing Section 35.

12 (20 ILCS 2310/2310-352 rep.)

13 (20 ILCS 2310/2310-357 rep.)

14 (20 ILCS 2310/2310-359 rep.)

15 (20 ILCS 2310/2310-361 rep.)

16 (20 ILCS 2310/2310-399 rep.)

17 (20 ILCS 2310/2310-403 rep.)

18 (20 ILCS 2310/2310-612 rep.)

19 Section 25. The Department of Public Health Powers and
20 Duties Law of the Civil Administrative Code of Illinois is
21 amended by repealing Sections 2310-352, 2310-357, 2310-359,
22 2310-361, 2310-399, 2310-403, and 2310-612.

23 (20 ILCS 3958/Act rep.)

1 Section 30. The I-FLY Act is repealed.

2 (25 ILCS 130/4-9 rep.)

3 Section 35. The Legislative Commission Reorganization Act
4 of 1984 is amended by repealing Section 4-9.

5 Section 40. The State Finance Act is amended by changing
6 Sections 13.2 and 25 as follows:

7 (30 ILCS 105/13.2) (from Ch. 127, par. 149.2)

8 Sec. 13.2. Transfers among line item appropriations.

9 (a) Transfers among line item appropriations from the same
10 treasury fund for the objects specified in this Section may be
11 made in the manner provided in this Section when the balance
12 remaining in one or more such line item appropriations is
13 insufficient for the purpose for which the appropriation was
14 made.

15 (a-1) No transfers may be made from one agency to another
16 agency, nor may transfers be made from one institution of
17 higher education to another institution of higher education
18 except as provided by subsection (a-4).

19 (a-2) Except as otherwise provided in this Section,
20 transfers may be made only among the objects of expenditure
21 enumerated in this Section, except that no funds may be
22 transferred from any appropriation for personal services, from
23 any appropriation for State contributions to the State

1 Employees' Retirement System, from any separate appropriation
2 for employee retirement contributions paid by the employer, nor
3 from any appropriation for State contribution for employee
4 group insurance. During State fiscal year 2005, an agency may
5 transfer amounts among its appropriations within the same
6 treasury fund for personal services, employee retirement
7 contributions paid by employer, and State Contributions to
8 retirement systems; notwithstanding and in addition to the
9 transfers authorized in subsection (c) of this Section, the
10 fiscal year 2005 transfers authorized in this sentence may be
11 made in an amount not to exceed 2% of the aggregate amount
12 appropriated to an agency within the same treasury fund. During
13 State fiscal year 2007, the Departments of Children and Family
14 Services, Corrections, Human Services, and Juvenile Justice
15 may transfer amounts among their respective appropriations
16 within the same treasury fund for personal services, employee
17 retirement contributions paid by employer, and State
18 contributions to retirement systems. During State fiscal year
19 2010, the Department of Transportation may transfer amounts
20 among their respective appropriations within the same treasury
21 fund for personal services, employee retirement contributions
22 paid by employer, and State contributions to retirement
23 systems. During State fiscal years 2010 and 2014 only, an
24 agency may transfer amounts among its respective
25 appropriations within the same treasury fund for personal
26 services, employee retirement contributions paid by employer,

1 and State contributions to retirement systems.
2 Notwithstanding, and in addition to, the transfers authorized
3 in subsection (c) of this Section, these transfers may be made
4 in an amount not to exceed 2% of the aggregate amount
5 appropriated to an agency within the same treasury fund.

6 (a-2.5) During State fiscal year 2015 only, the State's
7 Attorneys Appellate Prosecutor may transfer amounts among its
8 respective appropriations contained in operational line items
9 within the same treasury fund. Notwithstanding, and in addition
10 to, the transfers authorized in subsection (c) of this Section,
11 these transfers may be made in an amount not to exceed 4% of
12 the aggregate amount appropriated to the State's Attorneys
13 Appellate Prosecutor within the same treasury fund.

14 (a-3) Further, if an agency receives a separate
15 appropriation for employee retirement contributions paid by
16 the employer, any transfer by that agency into an appropriation
17 for personal services must be accompanied by a corresponding
18 transfer into the appropriation for employee retirement
19 contributions paid by the employer, in an amount sufficient to
20 meet the employer share of the employee contributions required
21 to be remitted to the retirement system.

22 (a-4) Long-Term Care Rebalancing. The Governor may
23 designate amounts set aside for institutional services
24 appropriated from the General Revenue Fund or any other State
25 fund that receives monies for long-term care services to be
26 transferred to all State agencies responsible for the

1 administration of community-based long-term care programs,
2 including, but not limited to, community-based long-term care
3 programs administered by the Department of Healthcare and
4 Family Services, the Department of Human Services, and the
5 Department on Aging, provided that the Director of Healthcare
6 and Family Services first certifies that the amounts being
7 transferred are necessary for the purpose of assisting persons
8 in or at risk of being in institutional care to transition to
9 community-based settings, including the financial data needed
10 to prove the need for the transfer of funds. The total amounts
11 transferred shall not exceed 4% in total of the amounts
12 appropriated from the General Revenue Fund or any other State
13 fund that receives monies for long-term care services for each
14 fiscal year. A notice of the fund transfer must be made to the
15 General Assembly and posted at a minimum on the Department of
16 Healthcare and Family Services website, the Governor's Office
17 of Management and Budget website, and any other website the
18 Governor sees fit. These postings shall serve as notice to the
19 General Assembly of the amounts to be transferred. Notice shall
20 be given at least 30 days prior to transfer.

21 (b) In addition to the general transfer authority provided
22 under subsection (c), the following agencies have the specific
23 transfer authority granted in this subsection:

24 The Department of Healthcare and Family Services is
25 authorized to make transfers representing savings attributable
26 to not increasing grants due to the births of additional

1 children from line items for payments of cash grants to line
2 items for payments for employment and social services for the
3 purposes outlined in subsection (f) of Section 4-2 of the
4 Illinois Public Aid Code.

5 The Department of Children and Family Services is
6 authorized to make transfers not exceeding 2% of the aggregate
7 amount appropriated to it within the same treasury fund for the
8 following line items among these same line items: Foster Home
9 and Specialized Foster Care and Prevention, Institutions and
10 Group Homes and Prevention, and Purchase of Adoption and
11 Guardianship Services.

12 The Department on Aging is authorized to make transfers not
13 exceeding 2% of the aggregate amount appropriated to it within
14 the same treasury fund for the following Community Care Program
15 line items among these same line items: purchase of services
16 covered by the Community Care Program and Comprehensive Case
17 Coordination.

18 ~~The State Treasurer is authorized to make transfers among~~
19 ~~line item appropriations from the Capital Litigation Trust~~
20 ~~Fund, with respect to costs incurred in fiscal years 2002 and~~
21 ~~2003 only, when the balance remaining in one or more such line~~
22 ~~item appropriations is insufficient for the purpose for which~~
23 ~~the appropriation was made, provided that no such transfer may~~
24 ~~be made unless the amount transferred is no longer required for~~
25 ~~the purpose for which that appropriation was made.~~

26 The State Board of Education is authorized to make

1 transfers from line item appropriations within the same
2 treasury fund for General State Aid, General State Aid - Hold
3 Harmless, and Evidence-Based Funding, provided that no such
4 transfer may be made unless the amount transferred is no longer
5 required for the purpose for which that appropriation was made,
6 to the line item appropriation for Transitional Assistance when
7 the balance remaining in such line item appropriation is
8 insufficient for the purpose for which the appropriation was
9 made.

10 The State Board of Education is authorized to make
11 transfers between the following line item appropriations
12 within the same treasury fund: Disabled Student
13 Services/Materials (Section 14-13.01 of the School Code),
14 Disabled Student Transportation Reimbursement (Section
15 14-13.01 of the School Code), Disabled Student Tuition -
16 Private Tuition (Section 14-7.02 of the School Code),
17 Extraordinary Special Education (Section 14-7.02b of the
18 School Code), Reimbursement for Free Lunch/Breakfast Program,
19 Summer School Payments (Section 18-4.3 of the School Code), and
20 Transportation - Regular/Vocational Reimbursement (Section
21 29-5 of the School Code). Such transfers shall be made only
22 when the balance remaining in one or more such line item
23 appropriations is insufficient for the purpose for which the
24 appropriation was made and provided that no such transfer may
25 be made unless the amount transferred is no longer required for
26 the purpose for which that appropriation was made.

1 The Department of Healthcare and Family Services is
2 authorized to make transfers not exceeding 4% of the aggregate
3 amount appropriated to it, within the same treasury fund, among
4 the various line items appropriated for Medical Assistance.

5 (c) The sum of such transfers for an agency in a fiscal
6 year shall not exceed 2% of the aggregate amount appropriated
7 to it within the same treasury fund for the following objects:
8 Personal Services; Extra Help; Student and Inmate
9 Compensation; State Contributions to Retirement Systems; State
10 Contributions to Social Security; State Contribution for
11 Employee Group Insurance; Contractual Services; Travel;
12 Commodities; Printing; Equipment; Electronic Data Processing;
13 Operation of Automotive Equipment; Telecommunications
14 Services; Travel and Allowance for Committed, Paroled and
15 Discharged Prisoners; Library Books; Federal Matching Grants
16 for Student Loans; Refunds; Workers' Compensation,
17 Occupational Disease, and Tort Claims; Late Interest Penalties
18 under the State Prompt Payment Act and Sections 368a and 370a
19 of the Illinois Insurance Code; and, in appropriations to
20 institutions of higher education, Awards and Grants.
21 Notwithstanding the above, any amounts appropriated for
22 payment of workers' compensation claims to an agency to which
23 the authority to evaluate, administer and pay such claims has
24 been delegated by the Department of Central Management Services
25 may be transferred to any other expenditure object where such
26 amounts exceed the amount necessary for the payment of such

1 claims.

2 (c-1) Special provisions for State fiscal year 2003.
3 Notwithstanding any other provision of this Section to the
4 contrary, for State fiscal year 2003 only, transfers among line
5 item appropriations to an agency from the same treasury fund
6 may be made provided that the sum of such transfers for an
7 agency in State fiscal year 2003 shall not exceed 3% of the
8 aggregate amount appropriated to that State agency for State
9 fiscal year 2003 for the following objects: personal services,
10 except that no transfer may be approved which reduces the
11 aggregate appropriations for personal services within an
12 agency; extra help; student and inmate compensation; State
13 contributions to retirement systems; State contributions to
14 social security; State contributions for employee group
15 insurance; contractual services; travel; commodities;
16 printing; equipment; electronic data processing; operation of
17 automotive equipment; telecommunications services; travel and
18 allowance for committed, paroled, and discharged prisoners;
19 library books; federal matching grants for student loans;
20 refunds; workers' compensation, occupational disease, and tort
21 claims; and, in appropriations to institutions of higher
22 education, awards and grants.

23 (c-2) Special provisions for State fiscal year 2005.
24 Notwithstanding subsections (a), (a-2), and (c), for State
25 fiscal year 2005 only, transfers may be made among any line
26 item appropriations from the same or any other treasury fund

1 for any objects or purposes, without limitation, when the
2 balance remaining in one or more such line item appropriations
3 is insufficient for the purpose for which the appropriation was
4 made, provided that the sum of those transfers by a State
5 agency shall not exceed 4% of the aggregate amount appropriated
6 to that State agency for fiscal year 2005.

7 (c-3) Special provisions for State fiscal year 2015.
8 Notwithstanding any other provision of this Section, for State
9 fiscal year 2015, transfers among line item appropriations to a
10 State agency from the same State treasury fund may be made for
11 operational or lump sum expenses only, provided that the sum of
12 such transfers for a State agency in State fiscal year 2015
13 shall not exceed 4% of the aggregate amount appropriated to
14 that State agency for operational or lump sum expenses for
15 State fiscal year 2015. For the purpose of this subsection,
16 "operational or lump sum expenses" includes the following
17 objects: personal services; extra help; student and inmate
18 compensation; State contributions to retirement systems; State
19 contributions to social security; State contributions for
20 employee group insurance; contractual services; travel;
21 commodities; printing; equipment; electronic data processing;
22 operation of automotive equipment; telecommunications
23 services; travel and allowance for committed, paroled, and
24 discharged prisoners; library books; federal matching grants
25 for student loans; refunds; workers' compensation,
26 occupational disease, and tort claims; lump sum and other

1 purposes; and lump sum operations. For the purpose of this
2 subsection (c-3), "State agency" does not include the Attorney
3 General, the Secretary of State, the Comptroller, the
4 Treasurer, or the legislative or judicial branches.

5 (c-4) Special provisions for State fiscal year 2018.
6 Notwithstanding any other provision of this Section, for State
7 fiscal year 2018, transfers among line item appropriations to a
8 State agency from the same State treasury fund may be made for
9 operational or lump sum expenses only, provided that the sum of
10 such transfers for a State agency in State fiscal year 2018
11 shall not exceed 4% of the aggregate amount appropriated to
12 that State agency for operational or lump sum expenses for
13 State fiscal year 2018. For the purpose of this subsection
14 (c-4), "operational or lump sum expenses" includes the
15 following objects: personal services; extra help; student and
16 inmate compensation; State contributions to retirement
17 systems; State contributions to social security; State
18 contributions for employee group insurance; contractual
19 services; travel; commodities; printing; equipment; electronic
20 data processing; operation of automotive equipment;
21 telecommunications services; travel and allowance for
22 committed, paroled, and discharged prisoners; library books;
23 federal matching grants for student loans; refunds; workers'
24 compensation, occupational disease, and tort claims; lump sum
25 and other purposes; and lump sum operations. For the purpose of
26 this subsection (c-4), "State agency" does not include the

1 Attorney General, the Secretary of State, the Comptroller, the
2 Treasurer, or the legislative or judicial branches.

3 (c-5) Special provisions for State fiscal year 2019.
4 Notwithstanding any other provision of this Section, for State
5 fiscal year 2019, transfers among line item appropriations to a
6 State agency from the same State treasury fund may be made for
7 operational or lump sum expenses only, provided that the sum of
8 such transfers for a State agency in State fiscal year 2019
9 shall not exceed 4% of the aggregate amount appropriated to
10 that State agency for operational or lump sum expenses for
11 State fiscal year 2019. For the purpose of this subsection
12 (c-5), "operational or lump sum expenses" includes the
13 following objects: personal services; extra help; student and
14 inmate compensation; State contributions to retirement
15 systems; State contributions to social security; State
16 contributions for employee group insurance; contractual
17 services; travel; commodities; printing; equipment; electronic
18 data processing; operation of automotive equipment;
19 telecommunications services; travel and allowance for
20 committed, paroled, and discharged prisoners; library books;
21 federal matching grants for student loans; refunds; workers'
22 compensation, occupational disease, and tort claims; lump sum
23 and other purposes; and lump sum operations. For the purpose of
24 this subsection (c-5), "State agency" does not include the
25 Attorney General, the Secretary of State, the Comptroller, the
26 Treasurer, or the legislative or judicial branches.

1 (d) Transfers among appropriations made to agencies of the
2 Legislative and Judicial departments and to the
3 constitutionally elected officers in the Executive branch
4 require the approval of the officer authorized in Section 10 of
5 this Act to approve and certify vouchers. Transfers among
6 appropriations made to the University of Illinois, Southern
7 Illinois University, Chicago State University, Eastern
8 Illinois University, Governors State University, Illinois
9 State University, Northeastern Illinois University, Northern
10 Illinois University, Western Illinois University, the Illinois
11 Mathematics and Science Academy and the Board of Higher
12 Education require the approval of the Board of Higher Education
13 and the Governor. Transfers among appropriations to all other
14 agencies require the approval of the Governor.

15 The officer responsible for approval shall certify that the
16 transfer is necessary to carry out the programs and purposes
17 for which the appropriations were made by the General Assembly
18 and shall transmit to the State Comptroller a certified copy of
19 the approval which shall set forth the specific amounts
20 transferred so that the Comptroller may change his records
21 accordingly. The Comptroller shall furnish the Governor with
22 information copies of all transfers approved for agencies of
23 the Legislative and Judicial departments and transfers
24 approved by the constitutionally elected officials of the
25 Executive branch other than the Governor, showing the amounts
26 transferred and indicating the dates such changes were entered

1 on the Comptroller's records.

2 (e) The State Board of Education, in consultation with the
3 State Comptroller, may transfer line item appropriations for
4 General State Aid or Evidence-Based Funding between the Common
5 School Fund and the Education Assistance Fund. With the advice
6 and consent of the Governor's Office of Management and Budget,
7 the State Board of Education, in consultation with the State
8 Comptroller, may transfer line item appropriations between the
9 General Revenue Fund and the Education Assistance Fund for the
10 following programs:

11 (1) Disabled Student Personnel Reimbursement (Section
12 14-13.01 of the School Code);

13 (2) Disabled Student Transportation Reimbursement
14 (subsection (b) of Section 14-13.01 of the School Code);

15 (3) Disabled Student Tuition - Private Tuition
16 (Section 14-7.02 of the School Code);

17 (4) Extraordinary Special Education (Section 14-7.02b
18 of the School Code);

19 (5) Reimbursement for Free Lunch/Breakfast Programs;

20 (6) Summer School Payments (Section 18-4.3 of the
21 School Code);

22 (7) Transportation - Regular/Vocational Reimbursement
23 (Section 29-5 of the School Code);

24 (8) Regular Education Reimbursement (Section 18-3 of
25 the School Code); and

26 (9) Special Education Reimbursement (Section 14-7.03

1 of the School Code).

2 (Source: P.A. 99-2, eff. 3-26-15; 100-23, eff. 7-6-17; 100-465,
3 eff. 8-31-17; 100-587, eff. 6-4-18; 100-863, eff. 8-14-18;
4 100-1064, eff. 8-24-18; revised 10-9-18.)

5 (30 ILCS 105/25) (from Ch. 127, par. 161)

6 Sec. 25. Fiscal year limitations.

7 (a) All appropriations shall be available for expenditure
8 for the fiscal year or for a lesser period if the Act making
9 that appropriation so specifies. A deficiency or emergency
10 appropriation shall be available for expenditure only through
11 June 30 of the year when the Act making that appropriation is
12 enacted unless that Act otherwise provides.

13 (b) Outstanding liabilities as of June 30, payable from
14 appropriations which have otherwise expired, may be paid out of
15 the expiring appropriations during the 2-month period ending at
16 the close of business on August 31. Any service involving
17 professional or artistic skills or any personal services by an
18 employee whose compensation is subject to income tax
19 withholding must be performed as of June 30 of the fiscal year
20 in order to be considered an "outstanding liability as of June
21 30" that is thereby eligible for payment out of the expiring
22 appropriation.

23 (b-1) However, payment of tuition reimbursement claims
24 under Section 14-7.03 or 18-3 of the School Code may be made by
25 the State Board of Education from its appropriations for those

1 respective purposes for any fiscal year, even though the claims
2 reimbursed by the payment may be claims attributable to a prior
3 fiscal year, and payments may be made at the direction of the
4 State Superintendent of Education from the fund from which the
5 appropriation is made without regard to any fiscal year
6 limitations, except as required by subsection (j) of this
7 Section. Beginning on June 30, 2021, payment of tuition
8 reimbursement claims under Section 14-7.03 or 18-3 of the
9 School Code as of June 30, payable from appropriations that
10 have otherwise expired, may be paid out of the expiring
11 appropriation during the 4-month period ending at the close of
12 business on October 31.

13 (b-2) All outstanding liabilities as of June 30, 2010,
14 payable from appropriations that would otherwise expire at the
15 conclusion of the lapse period for fiscal year 2010, and
16 interest penalties payable on those liabilities under the State
17 Prompt Payment Act, may be paid out of the expiring
18 appropriations until December 31, 2010, without regard to the
19 fiscal year in which the payment is made, as long as vouchers
20 for the liabilities are received by the Comptroller no later
21 than August 31, 2010.

22 (b-2.5) All outstanding liabilities as of June 30, 2011,
23 payable from appropriations that would otherwise expire at the
24 conclusion of the lapse period for fiscal year 2011, and
25 interest penalties payable on those liabilities under the State
26 Prompt Payment Act, may be paid out of the expiring

1 appropriations until December 31, 2011, without regard to the
2 fiscal year in which the payment is made, as long as vouchers
3 for the liabilities are received by the Comptroller no later
4 than August 31, 2011.

5 (b-2.6) All outstanding liabilities as of June 30, 2012,
6 payable from appropriations that would otherwise expire at the
7 conclusion of the lapse period for fiscal year 2012, and
8 interest penalties payable on those liabilities under the State
9 Prompt Payment Act, may be paid out of the expiring
10 appropriations until December 31, 2012, without regard to the
11 fiscal year in which the payment is made, as long as vouchers
12 for the liabilities are received by the Comptroller no later
13 than August 31, 2012.

14 (b-2.6a) All outstanding liabilities as of June 30, 2017,
15 payable from appropriations that would otherwise expire at the
16 conclusion of the lapse period for fiscal year 2017, and
17 interest penalties payable on those liabilities under the State
18 Prompt Payment Act, may be paid out of the expiring
19 appropriations until December 31, 2017, without regard to the
20 fiscal year in which the payment is made, as long as vouchers
21 for the liabilities are received by the Comptroller no later
22 than September 30, 2017.

23 (b-2.6b) All outstanding liabilities as of June 30, 2018,
24 payable from appropriations that would otherwise expire at the
25 conclusion of the lapse period for fiscal year 2018, and
26 interest penalties payable on those liabilities under the State

1 Prompt Payment Act, may be paid out of the expiring
2 appropriations until December 31, 2018, without regard to the
3 fiscal year in which the payment is made, as long as vouchers
4 for the liabilities are received by the Comptroller no later
5 than October 31, 2018.

6 (b-2.7) For fiscal years 2012, 2013, and 2014, interest
7 penalties payable under the State Prompt Payment Act associated
8 with a voucher for which payment is issued after June 30 may be
9 paid out of the next fiscal year's appropriation. The future
10 year appropriation must be for the same purpose and from the
11 same fund as the original payment. An interest penalty voucher
12 submitted against a future year appropriation must be submitted
13 within 60 days after the issuance of the associated voucher,
14 and the Comptroller must issue the interest payment within 60
15 days after acceptance of the interest voucher.

16 (b-3) Medical payments may be made by the Department of
17 Veterans' Affairs from its appropriations for those purposes
18 for any fiscal year, without regard to the fact that the
19 medical services being compensated for by such payment may have
20 been rendered in a prior fiscal year, except as required by
21 subsection (j) of this Section. Beginning on June 30, 2021,
22 medical payments payable from appropriations that have
23 otherwise expired may be paid out of the expiring appropriation
24 during the 4-month period ending at the close of business on
25 October 31.

26 (b-4) Medical payments and child care payments may be made

1 by the Department of Human Services (as successor to the
2 Department of Public Aid) from appropriations for those
3 purposes for any fiscal year, without regard to the fact that
4 the medical or child care services being compensated for by
5 such payment may have been rendered in a prior fiscal year; and
6 payments may be made at the direction of the Department of
7 Healthcare and Family Services (or successor agency) from the
8 Health Insurance Reserve Fund without regard to any fiscal year
9 limitations, except as required by subsection (j) of this
10 Section. Beginning on June 30, 2021, medical and child care
11 payments made by the Department of Human Services and payments
12 made at the discretion of the Department of Healthcare and
13 Family Services (or successor agency) from the Health Insurance
14 Reserve Fund and payable from appropriations that have
15 otherwise expired may be paid out of the expiring appropriation
16 during the 4-month period ending at the close of business on
17 October 31.

18 (b-5) Medical payments may be made by the Department of
19 Human Services from its appropriations relating to substance
20 abuse treatment services for any fiscal year, without regard to
21 the fact that the medical services being compensated for by
22 such payment may have been rendered in a prior fiscal year,
23 provided the payments are made on a fee-for-service basis
24 consistent with requirements established for Medicaid
25 reimbursement by the Department of Healthcare and Family
26 Services, except as required by subsection (j) of this Section.

1 Beginning on June 30, 2021, medical payments made by the
2 Department of Human Services relating to substance abuse
3 treatment services payable from appropriations that have
4 otherwise expired may be paid out of the expiring appropriation
5 during the 4-month period ending at the close of business on
6 October 31.

7 (b-6) (Blank). ~~Additionally, payments may be made by the~~
8 ~~Department of Human Services from its appropriations, or any~~
9 ~~other State agency from its appropriations with the approval of~~
10 ~~the Department of Human Services, from the Immigration Reform~~
11 ~~and Control Fund for purposes authorized pursuant to the~~
12 ~~Immigration Reform and Control Act of 1986, without regard to~~
13 ~~any fiscal year limitations, except as required by subsection~~
14 ~~(j) of this Section. Beginning on June 30, 2021, payments made~~
15 ~~by the Department of Human Services from the Immigration Reform~~
16 ~~and Control Fund for purposes authorized pursuant to the~~
17 ~~Immigration Reform and Control Act of 1986 payable from~~
18 ~~appropriations that have otherwise expired may be paid out of~~
19 ~~the expiring appropriation during the 4 month period ending at~~
20 ~~the close of business on October 31.~~

21 (b-7) Payments may be made in accordance with a plan
22 authorized by paragraph (11) or (12) of Section 405-105 of the
23 Department of Central Management Services Law from
24 appropriations for those payments without regard to fiscal year
25 limitations.

26 (b-8) Reimbursements to eligible airport sponsors for the

1 construction or upgrading of Automated Weather Observation
2 Systems may be made by the Department of Transportation from
3 appropriations for those purposes for any fiscal year, without
4 regard to the fact that the qualification or obligation may
5 have occurred in a prior fiscal year, provided that at the time
6 the expenditure was made the project had been approved by the
7 Department of Transportation prior to June 1, 2012 and, as a
8 result of recent changes in federal funding formulas, can no
9 longer receive federal reimbursement.

10 (b-9) Medical payments not exceeding \$150,000,000 may be
11 made by the Department on Aging from its appropriations
12 relating to the Community Care Program for fiscal year 2014,
13 without regard to the fact that the medical services being
14 compensated for by such payment may have been rendered in a
15 prior fiscal year, provided the payments are made on a
16 fee-for-service basis consistent with requirements established
17 for Medicaid reimbursement by the Department of Healthcare and
18 Family Services, except as required by subsection (j) of this
19 Section.

20 (c) Further, payments may be made by the Department of
21 Public Health and the Department of Human Services (acting as
22 successor to the Department of Public Health under the
23 Department of Human Services Act) from their respective
24 appropriations for grants for medical care to or on behalf of
25 premature and high-mortality risk infants and their mothers and
26 for grants for supplemental food supplies provided under the

1 United States Department of Agriculture Women, Infants and
2 Children Nutrition Program, for any fiscal year without regard
3 to the fact that the services being compensated for by such
4 payment may have been rendered in a prior fiscal year, except
5 as required by subsection (j) of this Section. Beginning on
6 June 30, 2021, payments made by the Department of Public Health
7 and the Department of Human Services from their respective
8 appropriations for grants for medical care to or on behalf of
9 premature and high-mortality risk infants and their mothers and
10 for grants for supplemental food supplies provided under the
11 United States Department of Agriculture Women, Infants and
12 Children Nutrition Program payable from appropriations that
13 have otherwise expired may be paid out of the expiring
14 appropriations during the 4-month period ending at the close of
15 business on October 31.

16 (d) The Department of Public Health and the Department of
17 Human Services (acting as successor to the Department of Public
18 Health under the Department of Human Services Act) shall each
19 annually submit to the State Comptroller, Senate President,
20 Senate Minority Leader, Speaker of the House, House Minority
21 Leader, and the respective Chairmen and Minority Spokesmen of
22 the Appropriations Committees of the Senate and the House, on
23 or before December 31, a report of fiscal year funds used to
24 pay for services provided in any prior fiscal year. This report
25 shall document by program or service category those
26 expenditures from the most recently completed fiscal year used

1 to pay for services provided in prior fiscal years.

2 (e) The Department of Healthcare and Family Services, the
3 Department of Human Services (acting as successor to the
4 Department of Public Aid), and the Department of Human Services
5 making fee-for-service payments relating to substance abuse
6 treatment services provided during a previous fiscal year shall
7 each annually submit to the State Comptroller, Senate
8 President, Senate Minority Leader, Speaker of the House, House
9 Minority Leader, the respective Chairmen and Minority
10 Spokesmen of the Appropriations Committees of the Senate and
11 the House, on or before November 30, a report that shall
12 document by program or service category those expenditures from
13 the most recently completed fiscal year used to pay for (i)
14 services provided in prior fiscal years and (ii) services for
15 which claims were received in prior fiscal years.

16 (f) The Department of Human Services (as successor to the
17 Department of Public Aid) shall annually submit to the State
18 Comptroller, Senate President, Senate Minority Leader, Speaker
19 of the House, House Minority Leader, and the respective
20 Chairmen and Minority Spokesmen of the Appropriations
21 Committees of the Senate and the House, on or before December
22 31, a report of fiscal year funds used to pay for services
23 (other than medical care) provided in any prior fiscal year.
24 This report shall document by program or service category those
25 expenditures from the most recently completed fiscal year used
26 to pay for services provided in prior fiscal years.

1 (g) In addition, each annual report required to be
2 submitted by the Department of Healthcare and Family Services
3 under subsection (e) shall include the following information
4 with respect to the State's Medicaid program:

5 (1) Explanations of the exact causes of the variance
6 between the previous year's estimated and actual
7 liabilities.

8 (2) Factors affecting the Department of Healthcare and
9 Family Services' liabilities, including but not limited to
10 numbers of aid recipients, levels of medical service
11 utilization by aid recipients, and inflation in the cost of
12 medical services.

13 (3) The results of the Department's efforts to combat
14 fraud and abuse.

15 (h) As provided in Section 4 of the General Assembly
16 Compensation Act, any utility bill for service provided to a
17 General Assembly member's district office for a period
18 including portions of 2 consecutive fiscal years may be paid
19 from funds appropriated for such expenditure in either fiscal
20 year.

21 (i) An agency which administers a fund classified by the
22 Comptroller as an internal service fund may issue rules for:

23 (1) billing user agencies in advance for payments or
24 authorized inter-fund transfers based on estimated charges
25 for goods or services;

26 (2) issuing credits, refunding through inter-fund

1 transfers, or reducing future inter-fund transfers during
2 the subsequent fiscal year for all user agency payments or
3 authorized inter-fund transfers received during the prior
4 fiscal year which were in excess of the final amounts owed
5 by the user agency for that period; and

6 (3) issuing catch-up billings to user agencies during
7 the subsequent fiscal year for amounts remaining due when
8 payments or authorized inter-fund transfers received from
9 the user agency during the prior fiscal year were less than
10 the total amount owed for that period.

11 User agencies are authorized to reimburse internal service
12 funds for catch-up billings by vouchers drawn against their
13 respective appropriations for the fiscal year in which the
14 catch-up billing was issued or by increasing an authorized
15 inter-fund transfer during the current fiscal year. For the
16 purposes of this Act, "inter-fund transfers" means transfers
17 without the use of the voucher-warrant process, as authorized
18 by Section 9.01 of the State Comptroller Act.

19 (i-1) Beginning on July 1, 2021, all outstanding
20 liabilities, not payable during the 4-month lapse period as
21 described in subsections (b-1), (b-3), (b-4), (b-5), (b-6), and
22 (c) of this Section, that are made from appropriations for that
23 purpose for any fiscal year, without regard to the fact that
24 the services being compensated for by those payments may have
25 been rendered in a prior fiscal year, are limited to only those
26 claims that have been incurred but for which a proper bill or

1 invoice as defined by the State Prompt Payment Act has not been
2 received by September 30th following the end of the fiscal year
3 in which the service was rendered.

4 (j) Notwithstanding any other provision of this Act, the
5 aggregate amount of payments to be made without regard for
6 fiscal year limitations as contained in subsections (b-1),
7 (b-3), (b-4), (b-5), (b-6), and (c) of this Section, and
8 determined by using Generally Accepted Accounting Principles,
9 shall not exceed the following amounts:

10 (1) \$6,000,000,000 for outstanding liabilities related
11 to fiscal year 2012;

12 (2) \$5,300,000,000 for outstanding liabilities related
13 to fiscal year 2013;

14 (3) \$4,600,000,000 for outstanding liabilities related
15 to fiscal year 2014;

16 (4) \$4,000,000,000 for outstanding liabilities related
17 to fiscal year 2015;

18 (5) \$3,300,000,000 for outstanding liabilities related
19 to fiscal year 2016;

20 (6) \$2,600,000,000 for outstanding liabilities related
21 to fiscal year 2017;

22 (7) \$2,000,000,000 for outstanding liabilities related
23 to fiscal year 2018;

24 (8) \$1,300,000,000 for outstanding liabilities related
25 to fiscal year 2019;

26 (9) \$600,000,000 for outstanding liabilities related

1 to fiscal year 2020; and

2 (10) \$0 for outstanding liabilities related to fiscal
3 year 2021 and fiscal years thereafter.

4 (k) Department of Healthcare and Family Services Medical
5 Assistance Payments.

6 (1) Definition of Medical Assistance.

7 For purposes of this subsection, the term "Medical
8 Assistance" shall include, but not necessarily be
9 limited to, medical programs and services authorized
10 under Titles XIX and XXI of the Social Security Act,
11 the Illinois Public Aid Code, the Children's Health
12 Insurance Program Act, the Covering ALL KIDS Health
13 Insurance Act, the Long Term Acute Care Hospital
14 Quality Improvement Transfer Program Act, and medical
15 care to or on behalf of persons suffering from chronic
16 renal disease, persons suffering from hemophilia, and
17 victims of sexual assault.

18 (2) Limitations on Medical Assistance payments that
19 may be paid from future fiscal year appropriations.

20 (A) The maximum amounts of annual unpaid Medical
21 Assistance bills received and recorded by the
22 Department of Healthcare and Family Services on or
23 before June 30th of a particular fiscal year
24 attributable in aggregate to the General Revenue Fund,
25 Healthcare Provider Relief Fund, Tobacco Settlement
26 Recovery Fund, Long-Term Care Provider Fund, and the

1 Drug Rebate Fund that may be paid in total by the
2 Department from future fiscal year Medical Assistance
3 appropriations to those funds are: \$700,000,000 for
4 fiscal year 2013 and \$100,000,000 for fiscal year 2014
5 and each fiscal year thereafter.

6 (B) Bills for Medical Assistance services rendered
7 in a particular fiscal year, but received and recorded
8 by the Department of Healthcare and Family Services
9 after June 30th of that fiscal year, may be paid from
10 either appropriations for that fiscal year or future
11 fiscal year appropriations for Medical Assistance.
12 Such payments shall not be subject to the requirements
13 of subparagraph (A).

14 (C) Medical Assistance bills received by the
15 Department of Healthcare and Family Services in a
16 particular fiscal year, but subject to payment amount
17 adjustments in a future fiscal year may be paid from a
18 future fiscal year's appropriation for Medical
19 Assistance. Such payments shall not be subject to the
20 requirements of subparagraph (A).

21 (D) Medical Assistance payments made by the
22 Department of Healthcare and Family Services from
23 funds other than those specifically referenced in
24 subparagraph (A) may be made from appropriations for
25 those purposes for any fiscal year without regard to
26 the fact that the Medical Assistance services being

1 compensated for by such payment may have been rendered
2 in a prior fiscal year. Such payments shall not be
3 subject to the requirements of subparagraph (A).

4 (3) Extended lapse period for Department of Healthcare
5 and Family Services Medical Assistance payments.
6 Notwithstanding any other State law to the contrary,
7 outstanding Department of Healthcare and Family Services
8 Medical Assistance liabilities, as of June 30th, payable
9 from appropriations which have otherwise expired, may be
10 paid out of the expiring appropriations during the 6-month
11 period ending at the close of business on December 31st.

12 (1) The changes to this Section made by Public Act 97-691
13 shall be effective for payment of Medical Assistance bills
14 incurred in fiscal year 2013 and future fiscal years. The
15 changes to this Section made by Public Act 97-691 shall not be
16 applied to Medical Assistance bills incurred in fiscal year
17 2012 or prior fiscal years.

18 (m) The Comptroller must issue payments against
19 outstanding liabilities that were received prior to the lapse
20 period deadlines set forth in this Section as soon thereafter
21 as practical, but no payment may be issued after the 4 months
22 following the lapse period deadline without the signed
23 authorization of the Comptroller and the Governor.

24 (Source: P.A. 100-23, eff. 7-6-17; 100-587, eff. 6-4-18.)

25 (30 ILCS 105/5.95 rep.)

- 1 (30 ILCS 105/5.231 rep.)
- 2 (30 ILCS 105/5.290 rep.)
- 3 (30 ILCS 105/5.298 rep.)
- 4 (30 ILCS 105/5.460 rep.)
- 5 (30 ILCS 105/5.518 rep.)
- 6 (30 ILCS 105/5.606 rep.)
- 7 (30 ILCS 105/5.614 rep.)
- 8 (30 ILCS 105/5.615 rep.)
- 9 (30 ILCS 105/5.622 rep.)
- 10 (30 ILCS 105/5.633 rep.)
- 11 (30 ILCS 105/5.639 rep.)
- 12 (30 ILCS 105/5.641 rep.)
- 13 (30 ILCS 105/5.647 rep.)
- 14 (30 ILCS 105/5.649 rep.)
- 15 (30 ILCS 105/5.658 rep.)
- 16 (30 ILCS 105/5.660 rep.)
- 17 (30 ILCS 105/5.687 rep.)
- 18 (30 ILCS 105/5.701 rep.)
- 19 (30 ILCS 105/5.722 rep.)
- 20 (30 ILCS 105/5.738 rep.)
- 21 (30 ILCS 105/5.794 rep.)
- 22 (30 ILCS 105/5.803 rep.)
- 23 (30 ILCS 105/5.807 rep.)
- 24 (30 ILCS 105/6p-5 rep.)
- 25 (30 ILCS 105/6u rep.)
- 26 (30 ILCS 105/6z rep.)

- 1 (30 ILCS 105/6z-1 rep.)
2 (30 ILCS 105/6z-8a rep.)
3 (30 ILCS 105/6z-27.1 rep.)
4 (30 ILCS 105/6z-33 rep.)
5 (30 ILCS 105/6z-46 rep.)
6 (30 ILCS 105/6z-69 rep.)
7 (30 ILCS 105/6z-73 rep.)
8 (30 ILCS 105/6z-91 rep.)
9 (30 ILCS 105/8.16c rep.)
10 (30 ILCS 105/8.32 rep.)

11 Section 45. The State Finance Act is amended by repealing
12 Sections 5.95, 5.231, 5.290, 5.298, 5.460, 5.518, 5.606, 5.614,
13 5.615, 5.622, 5.633, 5.639, 5.641, 5.647, 5.649, 5.658, 5.660,
14 5.687, 5.701, 5.722, 5.738, 5.794, 5.803, 5.807, 6p-5, 6u, 6z,
15 6z-1, 6z-8a, 6z-27.1, 6z-33, 6z-46, 6z-69, 6z-73, 6z-91, 8.16c,
16 and 8.32.

17 (30 ILCS 177/Act rep.)

18 Section 50. The Transportation Development Partnership Act
19 is repealed.

20 Section 55. The Short Term Borrowing Act is amended by
21 changing Section 3 as follows:

22 (30 ILCS 340/3) (from Ch. 120, par. 408)

23 Sec. 3. There shall be prepared under the direction of the

1 officers named in this Act such form of bonds or certificates
2 as they shall deem advisable, which, when issued, shall be
3 signed by the Governor, Comptroller and Treasurer, and shall be
4 recorded by the Comptroller in a book to be kept by him or her
5 for that purpose. The interest and principal of such loan shall
6 be paid by the treasurer out of the General Obligation Bond
7 Retirement and Interest Fund.

8 There is hereby appropriated out of any money in the
9 Treasury a sum sufficient for the payment of the interest and
10 principal of any debts contracted under this Act.

11 The Governor, Comptroller, and Treasurer are authorized to
12 order pursuant to the proceedings authorizing those debts the
13 transfer of any moneys on deposit in the treasury into the
14 General Obligation Bond Retirement and Interest Fund at times
15 and in amounts they deem necessary to provide for the payment
16 of that interest and principal.

17 The Comptroller is hereby authorized and directed to draw
18 his warrant on the State Treasurer for the amount of all such
19 payments.

20 The directive authorizing borrowing under Section 1 or 1.1
21 of this Act shall set forth a pro forma cash flow statement
22 that identifies estimated monthly receipts and expenditures
23 with identification of sources for repaying the borrowed funds.

24 ~~All proceeds from any borrowing under this Act received by~~
25 ~~the State on or after June 10, 2004 and before July 1, 2004~~
26 ~~shall be deposited into the Medicaid Provider Relief Fund.~~

1 (Source: P.A. 88-669, eff. 11-29-94; 93-674, eff. 6-10-04;
2 93-1046, eff. 10-15-04.)

3 (30 ILCS 780/5-55 rep.)

4 Section 60. The Eliminate the Digital Divide Law is amended
5 by repealing Section 5-55.

6 (35 ILCS 5/507CC rep.)

7 (35 ILCS 5/507HH rep.)

8 (35 ILCS 5/507II rep.)

9 (35 ILCS 5/507KK rep.)

10 (35 ILCS 5/507LL rep.)

11 (35 ILCS 5/507PP rep.)

12 Section 65. The Illinois Income Tax Act is amended by
13 repealing Sections 507CC, 507HH, 507II, 507KK, 507LL, and
14 507PP.

15 Section 70. The Counties Code is amended by changing
16 Sections 3-9005, 5-1006.5, and 5-1035.1 as follows:

17 (55 ILCS 5/3-9005) (from Ch. 34, par. 3-9005)

18 Sec. 3-9005. Powers and duties of State's attorney.

19 (a) The duty of each State's attorney shall be:

20 (1) To commence and prosecute all actions, suits,
21 indictments and prosecutions, civil and criminal, in the
22 circuit court for his county, in which the people of the

1 State or county may be concerned.

2 (2) To prosecute all forfeited bonds and
3 recognizances, and all actions and proceedings for the
4 recovery of debts, revenues, moneys, fines, penalties and
5 forfeitures accruing to the State or his county, or to any
6 school district or road district in his county; also, to
7 prosecute all suits in his county against railroad or
8 transportation companies, which may be prosecuted in the
9 name of the People of the State of Illinois.

10 (3) To commence and prosecute all actions and
11 proceedings brought by any county officer in his official
12 capacity.

13 (4) To defend all actions and proceedings brought
14 against his county, or against any county or State officer,
15 in his official capacity, within his county.

16 (5) To attend the examination of all persons brought
17 before any judge on habeas corpus, when the prosecution is
18 in his county.

19 (6) To attend before judges and prosecute charges of
20 felony or misdemeanor, for which the offender is required
21 to be recognized to appear before the circuit court, when
22 in his power so to do.

23 (7) To give his opinion, without fee or reward, to any
24 county officer in his county, upon any question or law
25 relating to any criminal or other matter, in which the
26 people or the county may be concerned.

1 (8) To assist the attorney general whenever it may be
2 necessary, and in cases of appeal from his county to the
3 Supreme Court, to which it is the duty of the attorney
4 general to attend, he shall furnish the attorney general at
5 least 10 days before such is due to be filed, a manuscript
6 of a proposed statement, brief and argument to be printed
7 and filed on behalf of the people, prepared in accordance
8 with the rules of the Supreme Court. However, if such
9 brief, argument or other document is due to be filed by law
10 or order of court within this 10-day period, then the
11 State's attorney shall furnish such as soon as may be
12 reasonable.

13 (9) To pay all moneys received by him in trust, without
14 delay, to the officer who by law is entitled to the custody
15 thereof.

16 (10) To notify, by first class mail, complaining
17 witnesses of the ultimate disposition of the cases arising
18 from an indictment or an information.

19 (11) To perform such other and further duties as may,
20 from time to time, be enjoined on him by law.

21 (12) To appear in all proceedings by collectors of
22 taxes against delinquent taxpayers for judgments to sell
23 real estate, and see that all the necessary preliminary
24 steps have been legally taken to make the judgment legal
25 and binding.

26 (13) To notify, by first-class mail, the State

1 Superintendent of Education, the applicable regional
2 superintendent of schools, and the superintendent of the
3 employing school district or the chief school
4 administrator of the employing nonpublic school, if any,
5 upon the conviction of any individual known to possess a
6 certificate or license issued pursuant to Article 21 or
7 21B, respectively, of the School Code of any offense set
8 forth in Section 21B-80 of the School Code or any other
9 felony conviction, providing the name of the certificate
10 holder, the fact of the conviction, and the name and
11 location of the court where the conviction occurred. The
12 certificate holder must also be contemporaneously sent a
13 copy of the notice.

14 (b) The State's Attorney of each county shall have
15 authority to appoint one or more special investigators to serve
16 subpoenas and summonses, make return of process, and conduct
17 investigations which assist the State's Attorney in the
18 performance of his duties. In counties of the first and second
19 class, the fees for service of subpoenas and summonses are
20 allowed by this Section and shall be consistent with those set
21 forth in Section 4-5001 of this Act, except when increased by
22 county ordinance as provided for in Section 4-5001. In counties
23 of the third class, the fees for service of subpoenas and
24 summonses are allowed by this Section and shall be consistent
25 with those set forth in Section 4-12001 of this Act. A special
26 investigator shall not carry firearms except with permission of

1 the State's Attorney and only while carrying appropriate
2 identification indicating his employment and in the
3 performance of his assigned duties.

4 Subject to the qualifications set forth in this subsection,
5 special investigators shall be peace officers and shall have
6 all the powers possessed by investigators under the State's
7 Attorneys Appellate Prosecutor's Act.

8 No special investigator employed by the State's Attorney
9 shall have peace officer status or exercise police powers
10 unless he or she successfully completes the basic police
11 training course mandated and approved by the Illinois Law
12 Enforcement Training Standards Board or such board waives the
13 training requirement by reason of the special investigator's
14 prior law enforcement experience or training or both. Any
15 State's Attorney appointing a special investigator shall
16 consult with all affected local police agencies, to the extent
17 consistent with the public interest, if the special
18 investigator is assigned to areas within that agency's
19 jurisdiction.

20 Before a person is appointed as a special investigator, his
21 fingerprints shall be taken and transmitted to the Department
22 of State Police. The Department shall examine its records and
23 submit to the State's Attorney of the county in which the
24 investigator seeks appointment any conviction information
25 concerning the person on file with the Department. No person
26 shall be appointed as a special investigator if he has been

1 convicted of a felony or other offense involving moral
2 turpitude. A special investigator shall be paid a salary and be
3 reimbursed for actual expenses incurred in performing his
4 assigned duties. The county board shall approve the salary and
5 actual expenses and appropriate the salary and expenses in the
6 manner prescribed by law or ordinance.

7 (c) The State's Attorney may request and receive from
8 employers, labor unions, telephone companies, and utility
9 companies location information concerning putative fathers and
10 noncustodial parents for the purpose of establishing a child's
11 paternity or establishing, enforcing, or modifying a child
12 support obligation. In this subsection, "location information"
13 means information about (i) the physical whereabouts of a
14 putative father or noncustodial parent, (ii) the putative
15 father or noncustodial parent's employer, or (iii) the salary,
16 wages, and other compensation paid and the health insurance
17 coverage provided to the putative father or noncustodial parent
18 by the employer of the putative father or noncustodial parent
19 or by a labor union of which the putative father or
20 noncustodial parent is a member.

21 (d) (Blank). ~~For each State fiscal year, the State's~~
22 ~~Attorney of Cook County shall appear before the General~~
23 ~~Assembly and request appropriations to be made from the Capital~~
24 ~~Litigation Trust Fund to the State Treasurer for the purpose of~~
25 ~~providing assistance in the prosecution of capital cases in~~
26 ~~Cook County and for the purpose of providing assistance to the~~

~~State in post-conviction proceedings in capital cases under Article 122 of the Code of Criminal Procedure of 1963 and in relation to petitions filed under Section 2-1401 of the Code of Civil Procedure in relation to capital cases. The State's Attorney may appear before the General Assembly at other times during the State's fiscal year to request supplemental appropriations from the Trust Fund to the State Treasurer.~~

(e) The State's Attorney shall have the authority to enter into a written agreement with the Department of Revenue for pursuit of civil liability under subsection (E) of Section 17-1 of the Criminal Code of 2012 against persons who have issued to the Department checks or other orders in violation of the provisions of paragraph (1) of subsection (B) of Section 17-1 of the Criminal Code of 2012, with the Department to retain the amount owing upon the dishonored check or order along with the dishonored check fee imposed under the Uniform Penalty and Interest Act, with the balance of damages, fees, and costs collected under subsection (E) of Section 17-1 of the Criminal Code of 2012 or under Section 17-1a of that Code to be retained by the State's Attorney. The agreement shall not affect the allocation of fines and costs imposed in any criminal prosecution.

(Source: P.A. 99-169, eff. 7-28-15; 99-642, eff. 7-28-16.)

(55 ILCS 5/5-1006.5)

Sec. 5-1006.5. Special County Retailers' Occupation Tax

1 For Public Safety, Public Facilities, Mental Health, Substance
2 Abuse, or Transportation.

3 (a) The county board of any county may impose a tax upon
4 all persons engaged in the business of selling tangible
5 personal property, other than personal property titled or
6 registered with an agency of this State's government, at retail
7 in the county on the gross receipts from the sales made in the
8 course of business to provide revenue to be used exclusively
9 for public safety, public facility, mental health, substance
10 abuse, or transportation purposes in that county, if a
11 proposition for the tax has been submitted to the electors of
12 that county and approved by a majority of those voting on the
13 question. If imposed, this tax shall be imposed only in
14 one-quarter percent increments. By resolution, the county
15 board may order the proposition to be submitted at any
16 election. If the tax is imposed for transportation purposes for
17 expenditures for public highways or as authorized under the
18 Illinois Highway Code, the county board must publish notice of
19 the existence of its long-range highway transportation plan as
20 required or described in Section 5-301 of the Illinois Highway
21 Code and must make the plan publicly available prior to
22 approval of the ordinance or resolution imposing the tax. If
23 the tax is imposed for transportation purposes for expenditures
24 for passenger rail transportation, the county board must
25 publish notice of the existence of its long-range passenger
26 rail transportation plan and must make the plan publicly

1 available prior to approval of the ordinance or resolution
2 imposing the tax.

3 If a tax is imposed for public facilities purposes, then
4 the name of the project may be included in the proposition at
5 the discretion of the county board as determined in the
6 enabling resolution. For example, the "XXX Nursing Home" or the
7 "YYY Museum".

8 The county clerk shall certify the question to the proper
9 election authority, who shall submit the proposition at an
10 election in accordance with the general election law.

11 (1) The proposition for public safety purposes shall be
12 in substantially the following form:

13 "To pay for public safety purposes, shall (name of
14 county) be authorized to impose an increase on its share of
15 local sales taxes by (insert rate)?"

16 As additional information on the ballot below the
17 question shall appear the following:

18 "This would mean that a consumer would pay an
19 additional (insert amount) in sales tax for every \$100 of
20 tangible personal property bought at retail."

21 The county board may also opt to establish a sunset
22 provision at which time the additional sales tax would
23 cease being collected, if not terminated earlier by a vote
24 of the county board. If the county board votes to include a
25 sunset provision, the proposition for public safety
26 purposes shall be in substantially the following form:

1 "To pay for public safety purposes, shall (name of
2 county) be authorized to impose an increase on its share of
3 local sales taxes by (insert rate) for a period not to
4 exceed (insert number of years)?"

5 As additional information on the ballot below the
6 question shall appear the following:

7 "This would mean that a consumer would pay an
8 additional (insert amount) in sales tax for every \$100 of
9 tangible personal property bought at retail. If imposed,
10 the additional tax would cease being collected at the end
11 of (insert number of years), if not terminated earlier by a
12 vote of the county board."

13 For the purposes of the paragraph, "public safety
14 purposes" means crime prevention, detention, fire
15 fighting, police, medical, ambulance, or other emergency
16 services.

17 Votes shall be recorded as "Yes" or "No".

18 Beginning on the January 1 or July 1, whichever is
19 first, that occurs not less than 30 days after May 31, 2015
20 (the effective date of Public Act 99-4), Adams County may
21 impose a public safety retailers' occupation tax and
22 service occupation tax at the rate of 0.25%, as provided in
23 the referendum approved by the voters on April 7, 2015,
24 notwithstanding the omission of the additional information
25 that is otherwise required to be printed on the ballot
26 below the question pursuant to this item (1).

1 (2) The proposition for transportation purposes shall
2 be in substantially the following form:

3 "To pay for improvements to roads and other
4 transportation purposes, shall (name of county) be
5 authorized to impose an increase on its share of local
6 sales taxes by (insert rate)?"

7 As additional information on the ballot below the
8 question shall appear the following:

9 "This would mean that a consumer would pay an
10 additional (insert amount) in sales tax for every \$100 of
11 tangible personal property bought at retail."

12 The county board may also opt to establish a sunset
13 provision at which time the additional sales tax would
14 cease being collected, if not terminated earlier by a vote
15 of the county board. If the county board votes to include a
16 sunset provision, the proposition for transportation
17 purposes shall be in substantially the following form:

18 "To pay for road improvements and other transportation
19 purposes, shall (name of county) be authorized to impose an
20 increase on its share of local sales taxes by (insert rate)
21 for a period not to exceed (insert number of years)?"

22 As additional information on the ballot below the
23 question shall appear the following:

24 "This would mean that a consumer would pay an
25 additional (insert amount) in sales tax for every \$100 of
26 tangible personal property bought at retail. If imposed,

1 the additional tax would cease being collected at the end
2 of (insert number of years), if not terminated earlier by a
3 vote of the county board."

4 For the purposes of this paragraph, transportation
5 purposes means construction, maintenance, operation, and
6 improvement of public highways, any other purpose for which
7 a county may expend funds under the Illinois Highway Code,
8 and passenger rail transportation.

9 The votes shall be recorded as "Yes" or "No".

10 (3) The proposition for public facilities purposes
11 shall be in substantially the following form:

12 "To pay for public facilities purposes, shall (name of
13 county) be authorized to impose an increase on its share of
14 local sales taxes by (insert rate)?"

15 As additional information on the ballot below the
16 question shall appear the following:

17 "This would mean that a consumer would pay an
18 additional (insert amount) in sales tax for every \$100 of
19 tangible personal property bought at retail."

20 The county board may also opt to establish a sunset
21 provision at which time the additional sales tax would
22 cease being collected, if not terminated earlier by a vote
23 of the county board. If the county board votes to include a
24 sunset provision, the proposition for public facilities
25 purposes shall be in substantially the following form:

26 "To pay for public facilities purposes, shall (name of

1 county) be authorized to impose an increase on its share of
2 local sales taxes by (insert rate) for a period not to
3 exceed (insert number of years)?"

4 As additional information on the ballot below the
5 question shall appear the following:

6 "This would mean that a consumer would pay an
7 additional (insert amount) in sales tax for every \$100 of
8 tangible personal property bought at retail. If imposed,
9 the additional tax would cease being collected at the end
10 of (insert number of years), if not terminated earlier by a
11 vote of the county board."

12 For purposes of this Section, "public facilities
13 purposes" means the acquisition, development,
14 construction, reconstruction, rehabilitation, improvement,
15 financing, architectural planning, and installation of
16 capital facilities consisting of buildings, structures,
17 and durable equipment and for the acquisition and
18 improvement of real property and interest in real property
19 required, or expected to be required, in connection with
20 the public facilities, for use by the county for the
21 furnishing of governmental services to its citizens,
22 including but not limited to museums and nursing homes.

23 The votes shall be recorded as "Yes" or "No".

24 (4) The proposition for mental health purposes shall be
25 in substantially the following form:

26 "To pay for mental health purposes, shall (name of

1 county) be authorized to impose an increase on its share of
2 local sales taxes by (insert rate)?"

3 As additional information on the ballot below the
4 question shall appear the following:

5 "This would mean that a consumer would pay an
6 additional (insert amount) in sales tax for every \$100 of
7 tangible personal property bought at retail."

8 The county board may also opt to establish a sunset
9 provision at which time the additional sales tax would
10 cease being collected, if not terminated earlier by a vote
11 of the county board. If the county board votes to include a
12 sunset provision, the proposition for public facilities
13 purposes shall be in substantially the following form:

14 "To pay for mental health purposes, shall (name of
15 county) be authorized to impose an increase on its share of
16 local sales taxes by (insert rate) for a period not to
17 exceed (insert number of years)?"

18 As additional information on the ballot below the
19 question shall appear the following:

20 "This would mean that a consumer would pay an
21 additional (insert amount) in sales tax for every \$100 of
22 tangible personal property bought at retail. If imposed,
23 the additional tax would cease being collected at the end
24 of (insert number of years), if not terminated earlier by a
25 vote of the county board."

26 The votes shall be recorded as "Yes" or "No".

1 (5) The proposition for substance abuse purposes shall
2 be in substantially the following form:

3 "To pay for substance abuse purposes, shall (name of
4 county) be authorized to impose an increase on its share of
5 local sales taxes by (insert rate)?"

6 As additional information on the ballot below the
7 question shall appear the following:

8 "This would mean that a consumer would pay an
9 additional (insert amount) in sales tax for every \$100 of
10 tangible personal property bought at retail."

11 The county board may also opt to establish a sunset
12 provision at which time the additional sales tax would
13 cease being collected, if not terminated earlier by a vote
14 of the county board. If the county board votes to include a
15 sunset provision, the proposition for public facilities
16 purposes shall be in substantially the following form:

17 "To pay for substance abuse purposes, shall (name of
18 county) be authorized to impose an increase on its share of
19 local sales taxes by (insert rate) for a period not to
20 exceed (insert number of years)?"

21 As additional information on the ballot below the
22 question shall appear the following:

23 "This would mean that a consumer would pay an
24 additional (insert amount) in sales tax for every \$100 of
25 tangible personal property bought at retail. If imposed,
26 the additional tax would cease being collected at the end

1 of (insert number of years), if not terminated earlier by a
2 vote of the county board."

3 The votes shall be recorded as "Yes" or "No".

4 If a majority of the electors voting on the proposition
5 vote in favor of it, the county may impose the tax. A county
6 may not submit more than one proposition authorized by this
7 Section to the electors at any one time.

8 This additional tax may not be imposed on tangible personal
9 property taxed at the 1% rate under the Retailers' Occupation
10 Tax Act. The tax imposed by a county under this Section and all
11 civil penalties that may be assessed as an incident of the tax
12 shall be collected and enforced by the Illinois Department of
13 Revenue and deposited into a special fund created for that
14 purpose. The certificate of registration that is issued by the
15 Department to a retailer under the Retailers' Occupation Tax
16 Act shall permit the retailer to engage in a business that is
17 taxable without registering separately with the Department
18 under an ordinance or resolution under this Section. The
19 Department has full power to administer and enforce this
20 Section, to collect all taxes and penalties due under this
21 Section, to dispose of taxes and penalties so collected in the
22 manner provided in this Section, and to determine all rights to
23 credit memoranda arising on account of the erroneous payment of
24 a tax or penalty under this Section. In the administration of
25 and compliance with this Section, the Department and persons
26 who are subject to this Section shall (i) have the same rights,

1 remedies, privileges, immunities, powers, and duties, (ii) be
2 subject to the same conditions, restrictions, limitations,
3 penalties, and definitions of terms, and (iii) employ the same
4 modes of procedure as are prescribed in Sections 1, 1a, 1a-1,
5 1d, 1e, 1f, 1i, 1j, 1k, 1m, 1n, 2 through 2-70 (in respect to
6 all provisions contained in those Sections other than the State
7 rate of tax), 2a, 2b, 2c, 3 (except provisions relating to
8 transaction returns and quarter monthly payments), 4, 5, 5a,
9 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 5k, 5l, 6, 6a, 6b, 6c, 6d,
10 7, 8, 9, 10, 11, 11a, 12, and 13 of the Retailers' Occupation
11 Tax Act and Section 3-7 of the Uniform Penalty and Interest Act
12 as if those provisions were set forth in this Section.

13 Persons subject to any tax imposed under the authority
14 granted in this Section may reimburse themselves for their
15 sellers' tax liability by separately stating the tax as an
16 additional charge, which charge may be stated in combination,
17 in a single amount, with State tax which sellers are required
18 to collect under the Use Tax Act, pursuant to such bracketed
19 schedules as the Department may prescribe.

20 Whenever the Department determines that a refund should be
21 made under this Section to a claimant instead of issuing a
22 credit memorandum, the Department shall notify the State
23 Comptroller, who shall cause the order to be drawn for the
24 amount specified and to the person named in the notification
25 from the Department. The refund shall be paid by the State
26 Treasurer out of the County Public Safety, Public Facilities,

1 Mental Health, Substance Abuse, or Transportation Retailers'
2 Occupation Tax Fund.

3 (b) If a tax has been imposed under subsection (a), a
4 service occupation tax shall also be imposed at the same rate
5 upon all persons engaged, in the county, in the business of
6 making sales of service, who, as an incident to making those
7 sales of service, transfer tangible personal property within
8 the county as an incident to a sale of service. This tax may
9 not be imposed on tangible personal property taxed at the 1%
10 rate under the Service Occupation Tax Act. The tax imposed
11 under this subsection and all civil penalties that may be
12 assessed as an incident thereof shall be collected and enforced
13 by the Department of Revenue. The Department has full power to
14 administer and enforce this subsection; to collect all taxes
15 and penalties due hereunder; to dispose of taxes and penalties
16 so collected in the manner hereinafter provided; and to
17 determine all rights to credit memoranda arising on account of
18 the erroneous payment of tax or penalty hereunder. In the
19 administration of, and compliance with this subsection, the
20 Department and persons who are subject to this paragraph shall
21 (i) have the same rights, remedies, privileges, immunities,
22 powers, and duties, (ii) be subject to the same conditions,
23 restrictions, limitations, penalties, exclusions, exemptions,
24 and definitions of terms, and (iii) employ the same modes of
25 procedure as are prescribed in Sections 2 (except that the
26 reference to State in the definition of supplier maintaining a

1 place of business in this State shall mean the county), 2a, 2b,
2 2c, 3 through 3-50 (in respect to all provisions therein other
3 than the State rate of tax), 4 (except that the reference to
4 the State shall be to the county), 5, 7, 8 (except that the
5 jurisdiction to which the tax shall be a debt to the extent
6 indicated in that Section 8 shall be the county), 9 (except as
7 to the disposition of taxes and penalties collected), 10, 11,
8 12 (except the reference therein to Section 2b of the
9 Retailers' Occupation Tax Act), 13 (except that any reference
10 to the State shall mean the county), Section 15, 16, 17, 18, 19
11 and 20 of the Service Occupation Tax Act and Section 3-7 of the
12 Uniform Penalty and Interest Act, as fully as if those
13 provisions were set forth herein.

14 Persons subject to any tax imposed under the authority
15 granted in this subsection may reimburse themselves for their
16 serviceman's tax liability by separately stating the tax as an
17 additional charge, which charge may be stated in combination,
18 in a single amount, with State tax that servicemen are
19 authorized to collect under the Service Use Tax Act, in
20 accordance with such bracket schedules as the Department may
21 prescribe.

22 Whenever the Department determines that a refund should be
23 made under this subsection to a claimant instead of issuing a
24 credit memorandum, the Department shall notify the State
25 Comptroller, who shall cause the warrant to be drawn for the
26 amount specified, and to the person named, in the notification

1 from the Department. The refund shall be paid by the State
2 Treasurer out of the County Public Safety, Public Facilities,
3 Mental Health, Substance Abuse, or Transportation Retailers'
4 Occupation Fund.

5 Nothing in this subsection shall be construed to authorize
6 the county to impose a tax upon the privilege of engaging in
7 any business which under the Constitution of the United States
8 may not be made the subject of taxation by the State.

9 (c) The Department shall immediately pay over to the State
10 Treasurer, ex officio, as trustee, all taxes and penalties
11 collected under this Section to be deposited into the County
12 Public Safety, Public Facilities, Mental Health, Substance
13 Abuse, or Transportation Retailers' Occupation Tax Fund, which
14 shall be an unappropriated trust fund held outside of the State
15 treasury.

16 As soon as possible after the first day of each month,
17 beginning January 1, 2011, upon certification of the Department
18 of Revenue, the Comptroller shall order transferred, and the
19 Treasurer shall transfer, to the STAR Bonds Revenue Fund the
20 local sales tax increment, as defined in the Innovation
21 Development and Economy Act, collected under this Section
22 during the second preceding calendar month for sales within a
23 STAR bond district.

24 After the monthly transfer to the STAR Bonds Revenue Fund,
25 on or before the 25th day of each calendar month, the
26 Department shall prepare and certify to the Comptroller the

1 disbursement of stated sums of money to the counties from which
2 retailers have paid taxes or penalties to the Department during
3 the second preceding calendar month. The amount to be paid to
4 each county, and deposited by the county into its special fund
5 created for the purposes of this Section, shall be the amount
6 (not including credit memoranda) collected under this Section
7 during the second preceding calendar month by the Department
8 plus an amount the Department determines is necessary to offset
9 any amounts that were erroneously paid to a different taxing
10 body, and not including (i) an amount equal to the amount of
11 refunds made during the second preceding calendar month by the
12 Department on behalf of the county, (ii) any amount that the
13 Department determines is necessary to offset any amounts that
14 were payable to a different taxing body but were erroneously
15 paid to the county, (iii) any amounts that are transferred to
16 the STAR Bonds Revenue Fund, and (iv) 1.5% of the remainder,
17 which shall be transferred into the Tax Compliance and
18 Administration Fund. The Department, at the time of each
19 monthly disbursement to the counties, shall prepare and certify
20 to the State Comptroller the amount to be transferred into the
21 Tax Compliance and Administration Fund under this subsection.
22 Within 10 days after receipt by the Comptroller of the
23 disbursement certification to the counties and the Tax
24 Compliance and Administration Fund provided for in this Section
25 to be given to the Comptroller by the Department, the
26 Comptroller shall cause the orders to be drawn for the

1 respective amounts in accordance with directions contained in
2 the certification.

3 In addition to the disbursement required by the preceding
4 paragraph, an allocation shall be made in March of each year to
5 each county that received more than \$500,000 in disbursements
6 under the preceding paragraph in the preceding calendar year.
7 The allocation shall be in an amount equal to the average
8 monthly distribution made to each such county under the
9 preceding paragraph during the preceding calendar year
10 (excluding the 2 months of highest receipts). The distribution
11 made in March of each year subsequent to the year in which an
12 allocation was made pursuant to this paragraph and the
13 preceding paragraph shall be reduced by the amount allocated
14 and disbursed under this paragraph in the preceding calendar
15 year. The Department shall prepare and certify to the
16 Comptroller for disbursement the allocations made in
17 accordance with this paragraph.

18 ~~A county may direct, by ordinance, that all or a portion of~~
19 ~~the taxes and penalties collected under the Special County~~
20 ~~Retailers' Occupation Tax For Public Safety, Public~~
21 ~~Facilities, Mental Health, Substance Abuse, or Transportation~~
22 ~~be deposited into the Transportation Development Partnership~~
23 ~~Trust Fund.~~

24 (d) For the purpose of determining the local governmental
25 unit whose tax is applicable, a retail sale by a producer of
26 coal or another mineral mined in Illinois is a sale at retail

1 at the place where the coal or other mineral mined in Illinois
2 is extracted from the earth. This paragraph does not apply to
3 coal or another mineral when it is delivered or shipped by the
4 seller to the purchaser at a point outside Illinois so that the
5 sale is exempt under the United States Constitution as a sale
6 in interstate or foreign commerce.

7 (e) Nothing in this Section shall be construed to authorize
8 a county to impose a tax upon the privilege of engaging in any
9 business that under the Constitution of the United States may
10 not be made the subject of taxation by this State.

11 (e-5) If a county imposes a tax under this Section, the
12 county board may, by ordinance, discontinue or lower the rate
13 of the tax. If the county board lowers the tax rate or
14 discontinues the tax, a referendum must be held in accordance
15 with subsection (a) of this Section in order to increase the
16 rate of the tax or to reimpose the discontinued tax.

17 (f) Beginning April 1, 1998 and through December 31, 2013,
18 the results of any election authorizing a proposition to impose
19 a tax under this Section or effecting a change in the rate of
20 tax, or any ordinance lowering the rate or discontinuing the
21 tax, shall be certified by the county clerk and filed with the
22 Illinois Department of Revenue either (i) on or before the
23 first day of April, whereupon the Department shall proceed to
24 administer and enforce the tax as of the first day of July next
25 following the filing; or (ii) on or before the first day of
26 October, whereupon the Department shall proceed to administer

1 and enforce the tax as of the first day of January next
2 following the filing.

3 Beginning January 1, 2014, the results of any election
4 authorizing a proposition to impose a tax under this Section or
5 effecting an increase in the rate of tax, along with the
6 ordinance adopted to impose the tax or increase the rate of the
7 tax, or any ordinance adopted to lower the rate or discontinue
8 the tax, shall be certified by the county clerk and filed with
9 the Illinois Department of Revenue either (i) on or before the
10 first day of May, whereupon the Department shall proceed to
11 administer and enforce the tax as of the first day of July next
12 following the adoption and filing; or (ii) on or before the
13 first day of October, whereupon the Department shall proceed to
14 administer and enforce the tax as of the first day of January
15 next following the adoption and filing.

16 (g) When certifying the amount of a monthly disbursement to
17 a county under this Section, the Department shall increase or
18 decrease the amounts by an amount necessary to offset any
19 miscalculation of previous disbursements. The offset amount
20 shall be the amount erroneously disbursed within the previous 6
21 months from the time a miscalculation is discovered.

22 (h) This Section may be cited as the "Special County
23 Occupation Tax For Public Safety, Public Facilities, Mental
24 Health, Substance Abuse, or Transportation Law".

25 (i) For purposes of this Section, "public safety" includes,
26 but is not limited to, crime prevention, detention, fire

1 fighting, police, medical, ambulance, or other emergency
2 services. The county may share tax proceeds received under this
3 Section for public safety purposes, including proceeds
4 received before August 4, 2009 (the effective date of Public
5 Act 96-124), with any fire protection district located in the
6 county. For the purposes of this Section, "transportation"
7 includes, but is not limited to, the construction, maintenance,
8 operation, and improvement of public highways, any other
9 purpose for which a county may expend funds under the Illinois
10 Highway Code, and passenger rail transportation. For the
11 purposes of this Section, "public facilities purposes"
12 includes, but is not limited to, the acquisition, development,
13 construction, reconstruction, rehabilitation, improvement,
14 financing, architectural planning, and installation of capital
15 facilities consisting of buildings, structures, and durable
16 equipment and for the acquisition and improvement of real
17 property and interest in real property required, or expected to
18 be required, in connection with the public facilities, for use
19 by the county for the furnishing of governmental services to
20 its citizens, including but not limited to museums and nursing
21 homes.

22 (j) The Department may promulgate rules to implement Public
23 Act 95-1002 only to the extent necessary to apply the existing
24 rules for the Special County Retailers' Occupation Tax for
25 Public Safety to this new purpose for public facilities.

26 (Source: P.A. 99-4, eff. 5-31-15; 99-217, eff. 7-31-15; 99-642,

1 eff. 7-28-16; 100-23, eff. 7-6-17; 100-587, eff. 6-4-18;
2 100-1167, eff. 1-4-19; 100-1171, eff. 1-4-19; revised 1-9-19.)

3 (55 ILCS 5/5-1035.1) (from Ch. 34, par. 5-1035.1)

4 Sec. 5-1035.1. County Motor Fuel Tax Law. The county board
5 of the counties of DuPage, Kane and McHenry may, by an
6 ordinance or resolution adopted by an affirmative vote of a
7 majority of the members elected or appointed to the county
8 board, impose a tax upon all persons engaged in the county in
9 the business of selling motor fuel, as now or hereafter defined
10 in the Motor Fuel Tax Law, at retail for the operation of motor
11 vehicles upon public highways or for the operation of
12 recreational watercraft upon waterways. Kane County may exempt
13 diesel fuel from the tax imposed pursuant to this Section. The
14 tax may be imposed, in half-cent increments, at a rate not
15 exceeding 4 cents per gallon of motor fuel sold at retail
16 within the county for the purpose of use or consumption and not
17 for the purpose of resale. The proceeds from the tax shall be
18 used by the county solely for the purpose of operating,
19 constructing and improving public highways and waterways, and
20 acquiring real property and right-of-ways for public highways
21 and waterways within the county imposing the tax.

22 A tax imposed pursuant to this Section, and all civil
23 penalties that may be assessed as an incident thereof, shall be
24 administered, collected and enforced by the Illinois
25 Department of Revenue in the same manner as the tax imposed

1 under the Retailers' Occupation Tax Act, as now or hereafter
2 amended, insofar as may be practicable; except that in the
3 event of a conflict with the provisions of this Section, this
4 Section shall control. The Department of Revenue shall have
5 full power: to administer and enforce this Section; to collect
6 all taxes and penalties due hereunder; to dispose of taxes and
7 penalties so collected in the manner hereinafter provided; and
8 to determine all rights to credit memoranda arising on account
9 of the erroneous payment of tax or penalty hereunder.

10 Whenever the Department determines that a refund shall be
11 made under this Section to a claimant instead of issuing a
12 credit memorandum, the Department shall notify the State
13 Comptroller, who shall cause the order to be drawn for the
14 amount specified, and to the person named, in the notification
15 from the Department. The refund shall be paid by the State
16 Treasurer out of the County Option Motor Fuel Tax Fund.

17 The Department shall forthwith pay over to the State
18 Treasurer, ex-officio, as trustee, all taxes and penalties
19 collected hereunder, which shall be deposited into the County
20 Option Motor Fuel Tax Fund, a special fund in the State
21 Treasury which is hereby created. On or before the 25th day of
22 each calendar month, the Department shall prepare and certify
23 to the State Comptroller the disbursement of stated sums of
24 money to named counties for which taxpayers have paid taxes or
25 penalties hereunder to the Department during the second
26 preceding calendar month. The amount to be paid to each county

1 shall be the amount (not including credit memoranda) collected
2 hereunder from retailers within the county during the second
3 preceding calendar month by the Department, but not including
4 an amount equal to the amount of refunds made during the second
5 preceding calendar month by the Department on behalf of the
6 county; less 2% of the balance, which sum shall be retained by
7 the State Treasurer to cover the costs incurred by the
8 Department in administering and enforcing the provisions of
9 this Section. The Department, at the time of each monthly
10 disbursement to the counties, shall prepare and certify to the
11 Comptroller the amount so retained by the State Treasurer,
12 which shall be transferred into the Tax Compliance and
13 Administration Fund.

14 ~~A county may direct, by ordinance, that all or a portion of~~
15 ~~the taxes and penalties collected under the County Option Motor~~
16 ~~Fuel Tax shall be deposited into the Transportation Development~~
17 ~~Partnership Trust Fund.~~

18 Nothing in this Section shall be construed to authorize a
19 county to impose a tax upon the privilege of engaging in any
20 business which under the Constitution of the United States may
21 not be made the subject of taxation by this State.

22 An ordinance or resolution imposing a tax hereunder or
23 effecting a change in the rate thereof shall be effective on
24 the first day of the second calendar month next following the
25 month in which the ordinance or resolution is adopted and a
26 certified copy thereof is filed with the Department of Revenue,

1 whereupon the Department of Revenue shall proceed to administer
2 and enforce this Section on behalf of the county as of the
3 effective date of the ordinance or resolution. Upon a change in
4 rate of a tax levied hereunder, or upon the discontinuance of
5 the tax, the county board of the county shall, on or not later
6 than 5 days after the effective date of the ordinance or
7 resolution discontinuing the tax or effecting a change in rate,
8 transmit to the Department of Revenue a certified copy of the
9 ordinance or resolution effecting the change or
10 discontinuance.

11 This Section shall be known and may be cited as the County
12 Motor Fuel Tax Law.

13 (Source: P.A. 98-1049, eff. 8-25-14.)

14 (55 ILCS 5/3-4006.1 rep.)

15 Section 75. The Counties Code is amended by repealing
16 Section 3-4006.1.

17 Section 80. The Illinois Banking Act is amended by changing
18 Section 48 as follows:

19 (205 ILCS 5/48)

20 Sec. 48. Secretary's powers; duties. The Secretary shall
21 have the powers and authority, and is charged with the duties
22 and responsibilities designated in this Act, and a State bank
23 shall not be subject to any other visitorial power other than

1 as authorized by this Act, except those vested in the courts,
2 or upon prior consultation with the Secretary, a foreign bank
3 regulator with an appropriate supervisory interest in the
4 parent or affiliate of a state bank. In the performance of the
5 Secretary's duties:

6 (1) The Commissioner shall call for statements from all
7 State banks as provided in Section 47 at least one time
8 during each calendar quarter.

9 (2) (a) The Commissioner, as often as the Commissioner
10 shall deem necessary or proper, and no less frequently than
11 18 months following the preceding examination, shall
12 appoint a suitable person or persons to make an examination
13 of the affairs of every State bank, except that for every
14 eligible State bank, as defined by regulation, the
15 Commissioner in lieu of the examination may accept on an
16 alternating basis the examination made by the eligible
17 State bank's appropriate federal banking agency pursuant
18 to Section 111 of the Federal Deposit Insurance Corporation
19 Improvement Act of 1991, provided the appropriate federal
20 banking agency has made such an examination. A person so
21 appointed shall not be a stockholder or officer or employee
22 of any bank which that person may be directed to examine,
23 and shall have powers to make a thorough examination into
24 all the affairs of the bank and in so doing to examine any
25 of the officers or agents or employees thereof on oath and
26 shall make a full and detailed report of the condition of

1 the bank to the Commissioner. In making the examination the
2 examiners shall include an examination of the affairs of
3 all the affiliates of the bank, as defined in subsection
4 (b) of Section 35.2 of this Act, or subsidiaries of the
5 bank as shall be necessary to disclose fully the conditions
6 of the subsidiaries or affiliates, the relations between
7 the bank and the subsidiaries or affiliates and the effect
8 of those relations upon the affairs of the bank, and in
9 connection therewith shall have power to examine any of the
10 officers, directors, agents, or employees of the
11 subsidiaries or affiliates on oath. After May 31, 1997, the
12 Commissioner may enter into cooperative agreements with
13 state regulatory authorities of other states to provide for
14 examination of State bank branches in those states, and the
15 Commissioner may accept reports of examinations of State
16 bank branches from those state regulatory authorities.
17 These cooperative agreements may set forth the manner in
18 which the other state regulatory authorities may be
19 compensated for examinations prepared for and submitted to
20 the Commissioner.

21 (b) After May 31, 1997, the Commissioner is authorized
22 to examine, as often as the Commissioner shall deem
23 necessary or proper, branches of out-of-state banks. The
24 Commissioner may establish and may assess fees to be paid
25 to the Commissioner for examinations under this subsection
26 (b). The fees shall be borne by the out-of-state bank,

1 unless the fees are borne by the state regulatory authority
2 that chartered the out-of-state bank, as determined by a
3 cooperative agreement between the Commissioner and the
4 state regulatory authority that chartered the out-of-state
5 bank.

6 (2.1) Pursuant to paragraph (a) of subsection (6) of
7 this Section, the Secretary shall adopt rules that ensure
8 consistency and due process in the examination process. The
9 Secretary may also establish guidelines that (i) define the
10 scope of the examination process and (ii) clarify
11 examination items to be resolved. The rules, formal
12 guidance, interpretive letters, or opinions furnished to
13 State banks by the Secretary may be relied upon by the
14 State banks.

15 (2.5) Whenever any State bank, any subsidiary or
16 affiliate of a State bank, or after May 31, 1997, any
17 branch of an out-of-state bank causes to be performed, by
18 contract or otherwise, any bank services for itself,
19 whether on or off its premises:

20 (a) that performance shall be subject to
21 examination by the Commissioner to the same extent as
22 if services were being performed by the bank or, after
23 May 31, 1997, branch of the out-of-state bank itself on
24 its own premises; and

25 (b) the bank or, after May 31, 1997, branch of the
26 out-of-state bank shall notify the Commissioner of the

1 existence of a service relationship. The notification
2 shall be submitted with the first statement of
3 condition (as required by Section 47 of this Act) due
4 after the making of the service contract or the
5 performance of the service, whichever occurs first.
6 The Commissioner shall be notified of each subsequent
7 contract in the same manner.

8 For purposes of this subsection (2.5), the term "bank
9 services" means services such as sorting and posting of
10 checks and deposits, computation and posting of interest
11 and other credits and charges, preparation and mailing of
12 checks, statements, notices, and similar items, or any
13 other clerical, bookkeeping, accounting, statistical, or
14 similar functions performed for a State bank, including but
15 not limited to electronic data processing related to those
16 bank services.

17 (3) The expense of administering this Act, including
18 the expense of the examinations of State banks as provided
19 in this Act, shall to the extent of the amounts resulting
20 from the fees provided for in paragraphs (a), (a-2), and
21 (b) of this subsection (3) be assessed against and borne by
22 the State banks:

23 (a) Each bank shall pay to the Secretary a Call
24 Report Fee which shall be paid in quarterly
25 installments equal to one-fourth of the sum of the
26 annual fixed fee of \$800, plus a variable fee based on

1 the assets shown on the quarterly statement of
2 condition delivered to the Secretary in accordance
3 with Section 47 for the preceding quarter according to
4 the following schedule: 16¢ per \$1,000 of the first
5 \$5,000,000 of total assets, 15¢ per \$1,000 of the next
6 \$20,000,000 of total assets, 13¢ per \$1,000 of the next
7 \$75,000,000 of total assets, 9¢ per \$1,000 of the next
8 \$400,000,000 of total assets, 7¢ per \$1,000 of the next
9 \$500,000,000 of total assets, and 5¢ per \$1,000 of all
10 assets in excess of \$1,000,000,000, of the State bank.
11 The Call Report Fee shall be calculated by the
12 Secretary and billed to the banks for remittance at the
13 time of the quarterly statements of condition provided
14 for in Section 47. The Secretary may require payment of
15 the fees provided in this Section by an electronic
16 transfer of funds or an automatic debit of an account
17 of each of the State banks. In case more than one
18 examination of any bank is deemed by the Secretary to
19 be necessary in any examination frequency cycle
20 specified in subsection 2(a) of this Section, and is
21 performed at his direction, the Secretary may assess a
22 reasonable additional fee to recover the cost of the
23 additional examination. In lieu of the method and
24 amounts set forth in this paragraph (a) for the
25 calculation of the Call Report Fee, the Secretary may
26 specify by rule that the Call Report Fees provided by

1 this Section may be assessed semiannually or some other
2 period and may provide in the rule the formula to be
3 used for calculating and assessing the periodic Call
4 Report Fees to be paid by State banks.

5 (a-1) If in the opinion of the Commissioner an
6 emergency exists or appears likely, the Commissioner
7 may assign an examiner or examiners to monitor the
8 affairs of a State bank with whatever frequency he
9 deems appropriate, including but not limited to a daily
10 basis. The reasonable and necessary expenses of the
11 Commissioner during the period of the monitoring shall
12 be borne by the subject bank. The Commissioner shall
13 furnish the State bank a statement of time and expenses
14 if requested to do so within 30 days of the conclusion
15 of the monitoring period.

16 (a-2) On and after January 1, 1990, the reasonable
17 and necessary expenses of the Commissioner during
18 examination of the performance of electronic data
19 processing services under subsection (2.5) shall be
20 borne by the banks for which the services are provided.
21 An amount, based upon a fee structure prescribed by the
22 Commissioner, shall be paid by the banks or, after May
23 31, 1997, branches of out-of-state banks receiving the
24 electronic data processing services along with the
25 Call Report Fee assessed under paragraph (a) of this
26 subsection (3).

1 (a-3) After May 31, 1997, the reasonable and
2 necessary expenses of the Commissioner during
3 examination of the performance of electronic data
4 processing services under subsection (2.5) at or on
5 behalf of branches of out-of-state banks shall be borne
6 by the out-of-state banks, unless those expenses are
7 borne by the state regulatory authorities that
8 chartered the out-of-state banks, as determined by
9 cooperative agreements between the Commissioner and
10 the state regulatory authorities that chartered the
11 out-of-state banks.

12 (b) "Fiscal year" for purposes of this Section 48
13 is defined as a period beginning July 1 of any year and
14 ending June 30 of the next year. The Commissioner shall
15 receive for each fiscal year, commencing with the
16 fiscal year ending June 30, 1987, a contingent fee
17 equal to the lesser of the aggregate of the fees paid
18 by all State banks under paragraph (a) of subsection
19 (3) for that year, or the amount, if any, whereby the
20 aggregate of the administration expenses, as defined
21 in paragraph (c), for that fiscal year exceeds the sum
22 of the aggregate of the fees payable by all State banks
23 for that year under paragraph (a) of subsection (3),
24 plus any amounts transferred into the Bank and Trust
25 Company Fund from the State Pensions Fund for that
26 year, plus all other amounts collected by the

1 Commissioner for that year under any other provision of
2 this Act, plus the aggregate of all fees collected for
3 that year by the Commissioner under the Corporate
4 Fiduciary Act, excluding the receivership fees
5 provided for in Section 5-10 of the Corporate Fiduciary
6 Act, and the Foreign Banking Office Act. The aggregate
7 amount of the contingent fee thus arrived at for any
8 fiscal year shall be apportioned amongst, assessed
9 upon, and paid by the State banks and foreign banking
10 corporations, respectively, in the same proportion
11 that the fee of each under paragraph (a) of subsection
12 (3), respectively, for that year bears to the aggregate
13 for that year of the fees collected under paragraph (a)
14 of subsection (3). The aggregate amount of the
15 contingent fee, and the portion thereof to be assessed
16 upon each State bank and foreign banking corporation,
17 respectively, shall be determined by the Commissioner
18 and shall be paid by each, respectively, within 120
19 days of the close of the period for which the
20 contingent fee is computed and is payable, and the
21 Commissioner shall give 20 days' advance notice of the
22 amount of the contingent fee payable by the State bank
23 and of the date fixed by the Commissioner for payment
24 of the fee.

25 (c) The "administration expenses" for any fiscal
26 year shall mean the ordinary and contingent expenses

1 for that year incident to making the examinations
2 provided for by, and for otherwise administering, this
3 Act, the Corporate Fiduciary Act, excluding the
4 expenses paid from the Corporate Fiduciary
5 Receivership account in the Bank and Trust Company
6 Fund, the Foreign Banking Office Act, the Electronic
7 Fund Transfer Act, and the Illinois Bank Examiners'
8 Education Foundation Act, including all salaries and
9 other compensation paid for personal services rendered
10 for the State by officers or employees of the State,
11 including the Commissioner and the Deputy
12 Commissioners, communication equipment and services,
13 office furnishings, surety bond premiums, and travel
14 expenses of those officers and employees, employees,
15 expenditures or charges for the acquisition,
16 enlargement or improvement of, or for the use of, any
17 office space, building, or structure, or expenditures
18 for the maintenance thereof or for furnishing heat,
19 light, or power with respect thereto, all to the extent
20 that those expenditures are directly incidental to
21 such examinations or administration. The Commissioner
22 shall not be required by paragraphs (c) or (d-1) of
23 this subsection (3) to maintain in any fiscal year's
24 budget appropriated reserves for accrued vacation and
25 accrued sick leave that is required to be paid to
26 employees of the Commissioner upon termination of

1 their service with the Commissioner in an amount that
2 is more than is reasonably anticipated to be necessary
3 for any anticipated turnover in employees, whether due
4 to normal attrition or due to layoffs, terminations, or
5 resignations.

6 (d) The aggregate of all fees collected by the
7 Secretary under this Act, the Corporate Fiduciary Act,
8 or the Foreign Banking Office Act on and after July 1,
9 1979, shall be paid promptly after receipt of the same,
10 accompanied by a detailed statement thereof, into the
11 State treasury and shall be set apart in a special fund
12 to be known as the "Bank and Trust Company Fund",
13 except as provided in paragraph (c) of subsection (11)
14 of this Section. All earnings received from
15 investments of funds in the Bank and Trust Company Fund
16 shall be deposited in the Bank and Trust Company Fund
17 and may be used for the same purposes as fees deposited
18 in that Fund. The amount from time to time deposited
19 into the Bank and Trust Company Fund shall be used: (i)
20 to offset the ordinary administrative expenses of the
21 Secretary as defined in this Section or (ii) as a
22 credit against fees under paragraph (d-1) of this
23 subsection (3). Nothing in Public Act 81-131 ~~this~~
24 ~~amendatory Act of 1979~~ shall prevent continuing the
25 practice of paying expenses involving salaries,
26 retirement, social security, and State-paid insurance

1 premiums of State officers by appropriations from the
2 General Revenue Fund. However, the General Revenue
3 Fund shall be reimbursed for those payments made on and
4 after July 1, 1979, by an annual transfer of funds from
5 the Bank and Trust Company Fund. Moneys in the Bank and
6 Trust Company Fund may be transferred to the
7 Professions Indirect Cost Fund, as authorized under
8 Section 2105-300 of the Department of Professional
9 Regulation Law of the Civil Administrative Code of
10 Illinois.

11 ~~Notwithstanding provisions in the State Finance~~
12 ~~Act, as now or hereafter amended, or any other law to~~
13 ~~the contrary, the sum of \$18,788,847 shall be~~
14 ~~transferred from the Bank and Trust Company Fund to the~~
15 ~~Financial Institutions Settlement of 2008 Fund on the~~
16 ~~effective date of this amendatory Act of the 95th~~
17 ~~General Assembly, or as soon thereafter as practical.~~

18 Notwithstanding provisions in the State Finance
19 Act, as now or hereafter amended, or any other law to
20 the contrary, the Governor may, during any fiscal year
21 through January 10, 2011, from time to time direct the
22 State Treasurer and Comptroller to transfer a
23 specified sum not exceeding 10% of the revenues to be
24 deposited into the Bank and Trust Company Fund during
25 that fiscal year from that Fund to the General Revenue
26 Fund in order to help defray the State's operating

1 costs for the fiscal year. Notwithstanding provisions
2 in the State Finance Act, as now or hereafter amended,
3 or any other law to the contrary, the total sum
4 transferred during any fiscal year through January 10,
5 2011, from the Bank and Trust Company Fund to the
6 General Revenue Fund pursuant to this provision shall
7 not exceed during any fiscal year 10% of the revenues
8 to be deposited into the Bank and Trust Company Fund
9 during that fiscal year. The State Treasurer and
10 Comptroller shall transfer the amounts designated
11 under this Section as soon as may be practicable after
12 receiving the direction to transfer from the Governor.

13 (d-1) Adequate funds shall be available in the Bank
14 and Trust Company Fund to permit the timely payment of
15 administration expenses. In each fiscal year the total
16 administration expenses shall be deducted from the
17 total fees collected by the Commissioner and the
18 remainder transferred into the Cash Flow Reserve
19 Account, unless the balance of the Cash Flow Reserve
20 Account prior to the transfer equals or exceeds
21 one-fourth of the total initial appropriations from
22 the Bank and Trust Company Fund for the subsequent
23 year, in which case the remainder shall be credited to
24 State banks and foreign banking corporations and
25 applied against their fees for the subsequent year. The
26 amount credited to each State bank and foreign banking

1 corporation shall be in the same proportion as the Call
2 Report Fees paid by each for the year bear to the total
3 Call Report Fees collected for the year. If, after a
4 transfer to the Cash Flow Reserve Account is made or if
5 no remainder is available for transfer, the balance of
6 the Cash Flow Reserve Account is less than one-fourth
7 of the total initial appropriations for the subsequent
8 year and the amount transferred is less than 5% of the
9 total Call Report Fees for the year, additional amounts
10 needed to make the transfer equal to 5% of the total
11 Call Report Fees for the year shall be apportioned
12 amongst, assessed upon, and paid by the State banks and
13 foreign banking corporations in the same proportion
14 that the Call Report Fees of each, respectively, for
15 the year bear to the total Call Report Fees collected
16 for the year. The additional amounts assessed shall be
17 transferred into the Cash Flow Reserve Account. For
18 purposes of this paragraph (d-1), the calculation of
19 the fees collected by the Commissioner shall exclude
20 the receivership fees provided for in Section 5-10 of
21 the Corporate Fiduciary Act.

22 (e) The Commissioner may upon request certify to
23 any public record in his keeping and shall have
24 authority to levy a reasonable charge for issuing
25 certifications of any public record in his keeping.

26 (f) In addition to fees authorized elsewhere in

1 this Act, the Commissioner may, in connection with a
2 review, approval, or provision of a service, levy a
3 reasonable charge to recover the cost of the review,
4 approval, or service.

5 (4) Nothing contained in this Act shall be construed to
6 limit the obligation relative to examinations and reports
7 of any State bank, deposits in which are to any extent
8 insured by the United States or any agency thereof, nor to
9 limit in any way the powers of the Commissioner with
10 reference to examinations and reports of that bank.

11 (5) The nature and condition of the assets in or
12 investment of any bonus, pension, or profit sharing plan
13 for officers or employees of every State bank or, after May
14 31, 1997, branch of an out-of-state bank shall be deemed to
15 be included in the affairs of that State bank or branch of
16 an out-of-state bank subject to examination by the
17 Commissioner under the provisions of subsection (2) of this
18 Section, and if the Commissioner shall find from an
19 examination that the condition of or operation of the
20 investments or assets of the plan is unlawful, fraudulent,
21 or unsafe, or that any trustee has abused his trust, the
22 Commissioner shall, if the situation so found by the
23 Commissioner shall not be corrected to his satisfaction
24 within 60 days after the Commissioner has given notice to
25 the board of directors of the State bank or out-of-state
26 bank of his findings, report the facts to the Attorney

1 General who shall thereupon institute proceedings against
2 the State bank or out-of-state bank, the board of directors
3 thereof, or the trustees under such plan as the nature of
4 the case may require.

5 (6) The Commissioner shall have the power:

6 (a) To promulgate reasonable rules for the purpose
7 of administering the provisions of this Act.

8 (a-5) To impose conditions on any approval issued
9 by the Commissioner if he determines that the
10 conditions are necessary or appropriate. These
11 conditions shall be imposed in writing and shall
12 continue in effect for the period prescribed by the
13 Commissioner.

14 (b) To issue orders against any person, if the
15 Commissioner has reasonable cause to believe that an
16 unsafe or unsound banking practice has occurred, is
17 occurring, or is about to occur, if any person has
18 violated, is violating, or is about to violate any law,
19 rule, or written agreement with the Commissioner, or
20 for the purpose of administering the provisions of this
21 Act and any rule promulgated in accordance with this
22 Act.

23 (b-1) To enter into agreements with a bank
24 establishing a program to correct the condition of the
25 bank or its practices.

26 (c) To appoint hearing officers to execute any of

1 the powers granted to the Commissioner under this
2 Section for the purpose of administering this Act and
3 any rule promulgated in accordance with this Act and
4 otherwise to authorize, in writing, an officer or
5 employee of the Office of Banks and Real Estate to
6 exercise his powers under this Act.

7 (d) To subpoena witnesses, to compel their
8 attendance, to administer an oath, to examine any
9 person under oath, and to require the production of any
10 relevant books, papers, accounts, and documents in the
11 course of and pursuant to any investigation being
12 conducted, or any action being taken, by the
13 Commissioner in respect of any matter relating to the
14 duties imposed upon, or the powers vested in, the
15 Commissioner under the provisions of this Act or any
16 rule promulgated in accordance with this Act.

17 (e) To conduct hearings.

18 (7) Whenever, in the opinion of the Secretary, any
19 director, officer, employee, or agent of a State bank or
20 any subsidiary or bank holding company of the bank or,
21 after May 31, 1997, of any branch of an out-of-state bank
22 or any subsidiary or bank holding company of the bank shall
23 have violated any law, rule, or order relating to that bank
24 or any subsidiary or bank holding company of the bank,
25 shall have obstructed or impeded any examination or
26 investigation by the Secretary, shall have engaged in an

1 unsafe or unsound practice in conducting the business of
2 that bank or any subsidiary or bank holding company of the
3 bank, or shall have violated any law or engaged or
4 participated in any unsafe or unsound practice in
5 connection with any financial institution or other
6 business entity such that the character and fitness of the
7 director, officer, employee, or agent does not assure
8 reasonable promise of safe and sound operation of the State
9 bank, the Secretary may issue an order of removal. If, in
10 the opinion of the Secretary, any former director, officer,
11 employee, or agent of a State bank or any subsidiary or
12 bank holding company of the bank, prior to the termination
13 of his or her service with that bank or any subsidiary or
14 bank holding company of the bank, violated any law, rule,
15 or order relating to that State bank or any subsidiary or
16 bank holding company of the bank, obstructed or impeded any
17 examination or investigation by the Secretary, engaged in
18 an unsafe or unsound practice in conducting the business of
19 that bank or any subsidiary or bank holding company of the
20 bank, or violated any law or engaged or participated in any
21 unsafe or unsound practice in connection with any financial
22 institution or other business entity such that the
23 character and fitness of the director, officer, employee,
24 or agent would not have assured reasonable promise of safe
25 and sound operation of the State bank, the Secretary may
26 issue an order prohibiting that person from further service

1 with a bank or any subsidiary or bank holding company of
2 the bank as a director, officer, employee, or agent. An
3 order issued pursuant to this subsection shall be served
4 upon the director, officer, employee, or agent. A copy of
5 the order shall be sent to each director of the bank
6 affected by registered mail. A copy of the order shall also
7 be served upon the bank of which he is a director, officer,
8 employee, or agent, whereupon he shall cease to be a
9 director, officer, employee, or agent of that bank. The
10 Secretary may institute a civil action against the
11 director, officer, or agent of the State bank or, after May
12 31, 1997, of the branch of the out-of-state bank against
13 whom any order provided for by this subsection (7) of this
14 Section 48 has been issued, and against the State bank or,
15 after May 31, 1997, out-of-state bank, to enforce
16 compliance with or to enjoin any violation of the terms of
17 the order. Any person who has been the subject of an order
18 of removal or an order of prohibition issued by the
19 Secretary under this subsection or Section 5-6 of the
20 Corporate Fiduciary Act may not thereafter serve as
21 director, officer, employee, or agent of any State bank or
22 of any branch of any out-of-state bank, or of any corporate
23 fiduciary, as defined in Section 1-5.05 of the Corporate
24 Fiduciary Act, or of any other entity that is subject to
25 licensure or regulation by the Division of Banking unless
26 the Secretary has granted prior approval in writing.

1 For purposes of this paragraph (7), "bank holding
2 company" has the meaning prescribed in Section 2 of the
3 Illinois Bank Holding Company Act of 1957.

4 (8) The Commissioner may impose civil penalties of up
5 to \$100,000 against any person for each violation of any
6 provision of this Act, any rule promulgated in accordance
7 with this Act, any order of the Commissioner, or any other
8 action which in the Commissioner's discretion is an unsafe
9 or unsound banking practice.

10 (9) The Commissioner may impose civil penalties of up
11 to \$100 against any person for the first failure to comply
12 with reporting requirements set forth in the report of
13 examination of the bank and up to \$200 for the second and
14 subsequent failures to comply with those reporting
15 requirements.

16 (10) All final administrative decisions of the
17 Commissioner hereunder shall be subject to judicial review
18 pursuant to the provisions of the Administrative Review
19 Law. For matters involving administrative review, venue
20 shall be in either Sangamon County or Cook County.

21 (11) The endowment fund for the Illinois Bank
22 Examiners' Education Foundation shall be administered as
23 follows:

24 (a) (Blank).

25 (b) The Foundation is empowered to receive
26 voluntary contributions, gifts, grants, bequests, and

1 donations on behalf of the Illinois Bank Examiners'
2 Education Foundation from national banks and other
3 persons for the purpose of funding the endowment of the
4 Illinois Bank Examiners' Education Foundation.

5 (c) The aggregate of all special educational fees
6 collected by the Secretary and property received by the
7 Secretary on behalf of the Illinois Bank Examiners'
8 Education Foundation under this subsection (11) on or
9 after June 30, 1986, shall be either (i) promptly paid
10 after receipt of the same, accompanied by a detailed
11 statement thereof, into the State Treasury and shall be
12 set apart in a special fund to be known as "The
13 Illinois Bank Examiners' Education Fund" to be
14 invested by either the Treasurer of the State of
15 Illinois in the Public Treasurers' Investment Pool or
16 in any other investment he is authorized to make or by
17 the Illinois State Board of Investment as the State
18 Banking Board of Illinois may direct or (ii) deposited
19 into an account maintained in a commercial bank or
20 corporate fiduciary in the name of the Illinois Bank
21 Examiners' Education Foundation pursuant to the order
22 and direction of the Board of Trustees of the Illinois
23 Bank Examiners' Education Foundation.

24 (12) (Blank).

25 (13) The Secretary may borrow funds from the General
26 Revenue Fund on behalf of the Bank and Trust Company Fund

1 if the Director of Banking certifies to the Governor that
2 there is an economic emergency affecting banking that
3 requires a borrowing to provide additional funds to the
4 Bank and Trust Company Fund. The borrowed funds shall be
5 paid back within 3 years and shall not exceed the total
6 funding appropriated to the Agency in the previous year.

7 (14) In addition to the fees authorized in this Act,
8 the Secretary may assess reasonable receivership fees
9 against any State bank that does not maintain insurance
10 with the Federal Deposit Insurance Corporation. All fees
11 collected under this subsection (14) shall be paid into the
12 Non-insured Institutions Receivership account in the Bank
13 and Trust Company Fund, as established by the Secretary.
14 The fees assessed under this subsection (14) shall provide
15 for the expenses that arise from the administration of the
16 receivership of any such institution required to pay into
17 the Non-insured Institutions Receivership account, whether
18 pursuant to this Act, the Corporate Fiduciary Act, the
19 Foreign Banking Office Act, or any other Act that requires
20 payments into the Non-insured Institutions Receivership
21 account. The Secretary may establish by rule a reasonable
22 manner of assessing fees under this subsection (14).

23 (Source: P.A. 99-39, eff. 1-1-16; 100-22, eff. 1-1-18.)

24 Section 85. The Illinois Public Aid Code is amended by
25 changing Sections 12-5 and 12-10.10 as follows:

1 (305 ILCS 5/12-5) (from Ch. 23, par. 12-5)

2 Sec. 12-5. Appropriations; uses; federal grants; report to
3 General Assembly. From the sums appropriated by the General
4 Assembly, the Illinois Department shall order for payment by
5 warrant from the State Treasury grants for public aid under
6 Articles III, IV, and V, including grants for funeral and
7 burial expenses, and all costs of administration of the
8 Illinois Department and the County Departments relating
9 thereto. Moneys appropriated to the Illinois Department for
10 public aid under Article VI may be used, with the consent of
11 the Governor, to co-operate with federal, State, and local
12 agencies in the development of work projects designed to
13 provide suitable employment for persons receiving public aid
14 under Article VI. The Illinois Department, with the consent of
15 the Governor, may be the agent of the State for the receipt and
16 disbursement of federal funds or commodities for public aid
17 purposes under Article VI and for related purposes in which the
18 co-operation of the Illinois Department is sought by the
19 federal government, and, in connection therewith, may make
20 necessary expenditures from moneys appropriated for public aid
21 under any Article of this Code and for administration. The
22 Illinois Department, ~~with the consent of the Governor, may be~~
23 ~~the agent of the State for the receipt and disbursement of~~
24 ~~federal funds pursuant to the Immigration Reform and Control~~
25 ~~Act of 1986 and~~ may make necessary expenditures from monies

1 appropriated to it for operations, administration, and grants,
2 including payment to the Health Insurance Reserve Fund for
3 group insurance costs at the rate certified by the Department
4 of Central Management Services. ~~All amounts received by the
5 Illinois Department pursuant to the Immigration Reform and
6 Control Act of 1986 shall be deposited in the Immigration
7 Reform and Control Fund. All amounts received into the
8 Immigration Reform and Control Fund as reimbursement for
9 expenditures from the General Revenue Fund shall be transferred
10 to the General Revenue Fund.~~

11 All grants received by the Illinois Department for programs
12 funded by the Federal Social Services Block Grant shall be
13 deposited in the Social Services Block Grant Fund. All funds
14 received into the Social Services Block Grant Fund as
15 reimbursement for expenditures from the General Revenue Fund
16 shall be transferred to the General Revenue Fund. All funds
17 received into the Social Services Block Grant fund for
18 reimbursement for expenditure out of the Local Initiative Fund
19 shall be transferred into the Local Initiative Fund. Any other
20 federal funds received into the Social Services Block Grant
21 Fund shall be transferred to the DHS Special Purposes Trust
22 Fund. All federal funds received by the Illinois Department as
23 reimbursement for Employment and Training Programs for
24 expenditures made by the Illinois Department from grants,
25 gifts, or legacies as provided in Section 12-4.18 or made by an
26 entity other than the Illinois Department and all federal funds

1 received from the Emergency Contingency Fund for State
2 Temporary Assistance for Needy Families Programs established
3 by the American Recovery and Reinvestment Act of 2009 shall be
4 deposited into the Employment and Training Fund.

5 During each State fiscal year, an amount not exceeding a
6 total of \$68,800,000 of the federal funds received by the
7 Illinois Department under the provisions of Title IV-A of the
8 federal Social Security Act shall be deposited into the DCFS
9 Children's Services Fund.

10 All federal funds, except those covered by the foregoing 3
11 paragraphs, received as reimbursement for expenditures from
12 the General Revenue Fund shall be deposited in the General
13 Revenue Fund for administrative and distributive expenditures
14 properly chargeable by federal law or regulation to aid
15 programs established under Articles III through XII and Titles
16 IV, XVI, XIX and XX of the Federal Social Security Act. Any
17 other federal funds received by the Illinois Department under
18 Sections 12-4.6, 12-4.18 and 12-4.19 that are required by
19 Section 12-10 of this Code to be paid into the DHS Special
20 Purposes Trust Fund shall be deposited into the DHS Special
21 Purposes Trust Fund. Any other federal funds received by the
22 Illinois Department pursuant to the Child Support Enforcement
23 Program established by Title IV-D of the Social Security Act
24 shall be deposited in the Child Support Enforcement Trust Fund
25 as required under Section 12-10.2 or in the Child Support
26 Administrative Fund as required under Section 12-10.2a of this

1 Code. Any other federal funds received by the Illinois
2 Department for expenditures made under Title XIX of the Social
3 Security Act and Articles V and VI of this Code that are
4 required by Section 15-2 of this Code to be paid into the
5 County Provider Trust Fund shall be deposited into the County
6 Provider Trust Fund. Any other federal funds received by the
7 Illinois Department for hospital inpatient, hospital
8 ambulatory care, and disproportionate share hospital
9 expenditures made under Title XIX of the Social Security Act
10 and Article V of this Code that are required by Section 5A-8 of
11 this Code to be paid into the Hospital Provider Fund shall be
12 deposited into the Hospital Provider Fund. Any other federal
13 funds received by the Illinois Department for medical
14 assistance program expenditures made under Title XIX of the
15 Social Security Act and Article V of this Code that are
16 required by Section 5B-8 of this Code to be paid into the
17 Long-Term Care Provider Fund shall be deposited into the
18 Long-Term Care Provider Fund. Any other federal funds received
19 by the Illinois Department for medical assistance program
20 expenditures made under Title XIX of the Social Security Act
21 and Article V of this Code that are required by Section 5C-7 of
22 this Code to be paid into the Care Provider Fund for Persons
23 with a Developmental Disability shall be deposited into the
24 Care Provider Fund for Persons with a Developmental Disability.
25 Any other federal funds received by the Illinois Department for
26 trauma center adjustment payments that are required by Section

1 5-5.03 of this Code and made under Title XIX of the Social
2 Security Act and Article V of this Code shall be deposited into
3 the Trauma Center Fund. Any other federal funds received by the
4 Illinois Department as reimbursement for expenses for early
5 intervention services paid from the Early Intervention
6 Services Revolving Fund shall be deposited into that Fund.

7 The Illinois Department shall report to the General
8 Assembly at the end of each fiscal quarter the amount of all
9 funds received and paid into the Social Services Block Grant
10 Fund and the Local Initiative Fund and the expenditures and
11 transfers of such funds for services, programs and other
12 purposes authorized by law. Such report shall be filed with the
13 Speaker, Minority Leader and Clerk of the House, with the
14 President, Minority Leader and Secretary of the Senate, with
15 the Chairmen of the House and Senate Appropriations Committees,
16 the House Human Resources Committee and the Senate Public
17 Health, Welfare and Corrections Committee, or the successor
18 standing Committees of each as provided by the rules of the
19 House and Senate, respectively, with the Commission on
20 Government Forecasting and Accountability and with the State
21 Government Report Distribution Center for the General Assembly
22 as is required under paragraph (t) of Section 7 of the State
23 Library Act shall be deemed sufficient to comply with this
24 Section.

25 (Source: P.A. 99-143, eff. 7-27-15; 99-933, Article 5, Section
26 5-130, eff. 1-27-17; 99-933, Article 15, Section 15-50, eff.

1 1-27-17; 100-587, eff. 6-4-18; 100-863, eff. 8-14-18;
2 100-1148, eff. 12-10-18.)

3 (305 ILCS 5/12-10.10)

4 Sec. 12-10.10. DHS Technology Initiative Fund.

5 (a) The DHS Technology Initiative Fund is hereby created as
6 a trust fund within the State treasury with the State Treasurer
7 as the ex-officio custodian of the Fund.

8 (b) The Department of Human Services may accept and receive
9 grants, awards, gifts, and bequests from any source, public or
10 private, in support of information technology initiatives.
11 Moneys received in support of information technology
12 initiatives, and any interest earned thereon, shall be
13 deposited into the DHS Technology Initiative Fund.

14 (c) Moneys in the Fund may be used by the Department of
15 Human Services for the purpose of making grants associated with
16 the development and implementation of information technology
17 projects or paying for operational expenses of the Department
18 of Human Services related to such projects.

19 (d) The Department of Human Services, in consultation with
20 the Department of Innovation and Technology, shall use the
21 funds deposited in the DHS Technology Initiative Fund to pay
22 for information technology solutions either provided by
23 Department of Innovation and Technology or arranged or
24 coordinated by the Department of Innovation and Technology.

25 (Source: P.A. 100-611, eff. 7-20-18.)

1 (305 ILCS 10/Act rep.)

2 Section 90. The Food and Housing Assistance Act is
3 repealed.

4 (505 ILCS 35/Art. IV rep.)

5 Section 95. The Illinois Conservation Enhancement Act is
6 amended by repealing Article IV.

7 Section 100. The Clerks of Courts Act is amended by
8 changing Section 27.3a as follows:

9 (705 ILCS 105/27.3a)

10 (Section scheduled to be repealed on July 1, 2019)

11 Sec. 27.3a. Fees for automated record keeping, probation
12 and court services operations, State and Conservation Police
13 operations, and e-business programs.

14 1. The expense of establishing and maintaining automated
15 record keeping systems in the offices of the clerks of the
16 circuit court shall be borne by the county. To defray such
17 expense in any county having established such an automated
18 system or which elects to establish such a system, the county
19 board may require the clerk of the circuit court in their
20 county to charge and collect a court automation fee of not less
21 than \$1 nor more than \$25 to be charged and collected by the
22 clerk of the court. Such fee shall be paid at the time of

1 filing the first pleading, paper or other appearance filed by
2 each party in all civil cases or by the defendant in any
3 felony, traffic, misdemeanor, municipal ordinance, or
4 conservation case upon a judgment of guilty or grant of
5 supervision, provided that the record keeping system which
6 processes the case category for which the fee is charged is
7 automated or has been approved for automation by the county
8 board, and provided further that no additional fee shall be
9 required if more than one party is presented in a single
10 pleading, paper or other appearance. Such fee shall be
11 collected in the manner in which all other fees or costs are
12 collected.

13 1.1. Starting on July 6, 2012 (the effective date of Public
14 Act 97-761) and pursuant to an administrative order from the
15 chief judge of the circuit or the presiding judge of the county
16 authorizing such collection, a clerk of the circuit court in
17 any county that imposes a fee pursuant to subsection 1 of this
18 Section shall also charge and collect an additional \$10
19 operations fee for probation and court services department
20 operations.

21 This additional fee shall be paid by the defendant in any
22 felony, traffic, misdemeanor, local ordinance, or conservation
23 case upon a judgment of guilty or grant of supervision, except
24 such \$10 operations fee shall not be charged and collected in
25 cases governed by Supreme Court Rule 529 in which the bail
26 amount is \$120 or less.

1 1.2. With respect to the fee imposed and collected under
2 subsection 1.1 of this Section, each clerk shall transfer all
3 fees monthly to the county treasurer for deposit into the
4 probation and court services fund created under Section 15.1 of
5 the Probation and Probation Officers Act, and such monies shall
6 be disbursed from the fund only at the direction of the chief
7 judge of the circuit or another judge designated by the Chief
8 Circuit Judge in accordance with the policies and guidelines
9 approved by the Supreme Court.

10 1.5. Starting on June 1, 2014, a clerk of the circuit court
11 in any county that imposes a fee pursuant to subsection 1 of
12 this Section, shall charge and collect an additional fee in an
13 amount equal to the amount of the fee imposed pursuant to
14 subsection 1 of this Section, except the fee imposed under this
15 subsection may not be more than \$15. This additional fee shall
16 be paid by the defendant in any felony, traffic, misdemeanor,
17 or local ordinance case upon a judgment of guilty or grant of
18 supervision. This fee shall not be paid by the defendant for
19 any violation listed in subsection 1.6 of this Section.

20 1.6. Starting on June 1, 2014, a clerk of the circuit court
21 in any county that imposes a fee pursuant to subsection 1 of
22 this Section shall charge and collect an additional fee in an
23 amount equal to the amount of the fee imposed pursuant to
24 subsection 1 of this Section, except the fee imposed under this
25 subsection may not be more than \$15. This additional fee shall
26 be paid by the defendant upon a judgment of guilty or grant of

1 supervision for a violation under the State Parks Act, the
2 Recreational Trails of Illinois Act, the Illinois Explosives
3 Act, the Timber Buyers Licensing Act, the Forest Products
4 Transportation Act, the Firearm Owners Identification Card
5 Act, the Environmental Protection Act, the Fish and Aquatic
6 Life Code, the Wildlife Code, the Cave Protection Act, the
7 Illinois Exotic Weed Act, the Illinois Forestry Development
8 Act, the Ginseng Harvesting Act, the Illinois Lake Management
9 Program Act, the Illinois Natural Areas Preservation Act, the
10 Illinois Open Land Trust Act, the Open Space Lands Acquisition
11 and Development Act, the Illinois Prescribed Burning Act, the
12 State Forest Act, the Water Use Act of 1983, the Illinois
13 Veteran, Youth, and Young Adult Conservation Jobs Act, the
14 Snowmobile Registration and Safety Act, the Boat Registration
15 and Safety Act, the Illinois Dangerous Animals Act, the Hunter
16 and Fishermen Interference Prohibition Act, the Wrongful Tree
17 Cutting Act, or Section 11-1426.1, 11-1426.2, 11-1427,
18 11-1427.1, 11-1427.2, 11-1427.3, 11-1427.4, or 11-1427.5 of
19 the Illinois Vehicle Code, or Section 48-3 or 48-10 of the
20 Criminal Code of 2012.

21 1.7. Starting on September 18, 2016 (the 30th day after the
22 effective date of Public Act 99-859) ~~this amendatory Act of the~~
23 ~~99th General Assembly~~, a clerk of the circuit court in any
24 county that imposes a fee pursuant to subsection 1 of this
25 Section shall also charge and collect an additional \$9
26 e-business fee. The fee shall be paid at the time of filing the

1 first pleading, paper, or other appearance filed by each party
2 in all civil cases, except no additional fee shall be required
3 if more than one party is presented in a single pleading,
4 paper, or other appearance. The fee shall be collected in the
5 manner in which all other fees or costs are collected. The fee
6 shall be in addition to all other fees and charges of the
7 clerk, and assessable as costs, and may be waived only if the
8 judge specifically provides for the waiver of the e-business
9 fee. The fee shall not be charged in any matter coming to the
10 clerk on a change of venue, nor in any proceeding to review the
11 decision of any administrative officer, agency, or body.

12 2. With respect to the fee imposed under subsection 1 of
13 this Section, each clerk shall commence such charges and
14 collections upon receipt of written notice from the chairman of
15 the county board together with a certified copy of the board's
16 resolution, which the clerk shall file of record in his office.

17 3. With respect to the fee imposed under subsection 1 of
18 this Section, such fees shall be in addition to all other fees
19 and charges of such clerks, and assessable as costs, and may be
20 waived only if the judge specifically provides for the waiver
21 of the court automation fee. The fees shall be remitted monthly
22 by such clerk to the county treasurer, to be retained by him in
23 a special fund designated as the court automation fund. The
24 fund shall be audited by the county auditor, and the board
25 shall make expenditure from the fund in payment of any cost
26 related to the automation of court records, including hardware,

1 software, research and development costs and personnel related
2 thereto, provided that the expenditure is approved by the clerk
3 of the court and by the chief judge of the circuit court or his
4 designate.

5 4. With respect to the fee imposed under subsection 1 of
6 this Section, such fees shall not be charged in any matter
7 coming to any such clerk on change of venue, nor in any
8 proceeding to review the decision of any administrative
9 officer, agency or body.

10 5. With respect to the additional fee imposed under
11 subsection 1.5 of this Section, the fee shall be remitted by
12 the circuit clerk to the State Treasurer within one month after
13 receipt for deposit into the State Police Operations Assistance
14 Fund.

15 6. (Blank). ~~With respect to the additional fees imposed~~
16 ~~under subsection 1.5 of this Section, the Director of State~~
17 ~~Police may direct the use of these fees for homeland security~~
18 ~~purposes by transferring these fees on a quarterly basis from~~
19 ~~the State Police Operations Assistance Fund into the Illinois~~
20 ~~Law Enforcement Alarm Systems (ILEAS) Fund for homeland~~
21 ~~security initiatives programs. The transferred fees shall be~~
22 ~~allocated, subject to the approval of the ILEAS Executive~~
23 ~~Board, as follows: (i) 66.6% shall be used for homeland~~
24 ~~security initiatives and (ii) 33.3% shall be used for airborne~~
25 ~~operations. The ILEAS Executive Board shall annually supply the~~
26 ~~Director of State Police with a report of the use of these~~

1 ~~fees.~~

2 7. With respect to the additional fee imposed under
3 subsection 1.6 of this Section, the fee shall be remitted by
4 the circuit clerk to the State Treasurer within one month after
5 receipt for deposit into the Conservation Police Operations
6 Assistance Fund.

7 8. With respect to the fee imposed under subsection 1.7 of
8 this Section, the clerk shall remit the fee to the State
9 Treasurer within one month after receipt for deposit into the
10 Supreme Court Special Purposes Fund. Unless otherwise
11 authorized by this Act, the moneys deposited into the Supreme
12 Court Special Purposes Fund under this subsection are not
13 subject to administrative charges or chargebacks under Section
14 20 of the State Treasurer Act.

15 (Source: P.A. 98-375, eff. 8-16-13; 98-606, eff. 6-1-14;
16 98-1016, eff. 8-22-14; 99-859, eff. 8-19-16. Repealed by P.A.
17 100-987, eff. 7-1-19.)

18 (730 ILCS 5/3-2-2.2 rep.)

19 Section 105. The Unified Code of Corrections is amended by
20 repealing Section 3-2-2.2.

21 Section 990. The State Mandates Act is amended by adding
22 Section 8.43 as follows:

23 (30 ILCS 805/8.43 new)

1 Sec. 8.43. Exempt mandate. Notwithstanding Sections 6 and 8
2 of this Act, no reimbursement by the State is required for the
3 implementation of any mandate created by this amendatory Act of
4 the 101st General Assembly.

5 Section 996. No revival or extension. This Act does not
6 revive or extend any Section or Act otherwise repealed.

7 Section 997. Severability. The provisions of this Act are
8 severable under Section 1.31 of the Statute on Statutes.

9 Section 999. Effective date. This Act takes effect upon
10 becoming law.

1 INDEX

2 Statutes amended in order of appearance

- 3 20 ILCS 405/405-292
- 4 20 ILCS 605/605-416 rep.
- 5 20 ILCS 607/3-15
- 6 20 ILCS 607/3-20
- 7 20 ILCS 720/35 rep.
- 8 20 ILCS 2310/2310-352 rep.
- 9 20 ILCS 2310/2310-357 rep.
- 10 20 ILCS 2310/2310-359 rep.
- 11 20 ILCS 2310/2310-361 rep.
- 12 20 ILCS 2310/2310-399 rep.
- 13 20 ILCS 2310/2310-403 rep.
- 14 20 ILCS 2310/2310-612 rep.
- 15 20 ILCS 3958/Act rep.
- 16 25 ILCS 130/4-9 rep.
- 17 30 ILCS 105/13.2 from Ch. 127, par. 149.2
- 18 30 ILCS 105/25 from Ch. 127, par. 161
- 19 30 ILCS 105/5.95 rep.
- 20 30 ILCS 105/5.231 rep.
- 21 30 ILCS 105/5.290 rep.
- 22 30 ILCS 105/5.298 rep.
- 23 30 ILCS 105/5.460 rep.
- 24 30 ILCS 105/5.518 rep.
- 25 30 ILCS 105/5.606 rep.

- 1 30 ILCS 105/5.614 rep.
- 2 30 ILCS 105/5.615 rep.
- 3 30 ILCS 105/5.622 rep.
- 4 30 ILCS 105/5.633 rep.
- 5 30 ILCS 105/5.639 rep.
- 6 30 ILCS 105/5.641 rep.
- 7 30 ILCS 105/5.647 rep.
- 8 30 ILCS 105/5.649 rep.
- 9 30 ILCS 105/5.658 rep.
- 10 30 ILCS 105/5.660 rep.
- 11 30 ILCS 105/5.687 rep.
- 12 30 ILCS 105/5.701 rep.
- 13 30 ILCS 105/5.722 rep.
- 14 30 ILCS 105/5.738 rep.
- 15 30 ILCS 105/5.794 rep.
- 16 30 ILCS 105/5.803 rep.
- 17 30 ILCS 105/5.807 rep.
- 18 30 ILCS 105/6p-5 rep.
- 19 30 ILCS 105/6u rep.
- 20 30 ILCS 105/6z rep.
- 21 30 ILCS 105/6z-1 rep.
- 22 30 ILCS 105/6z-8a rep.
- 23 30 ILCS 105/6z-27.1 rep.
- 24 30 ILCS 105/6z-33 rep.
- 25 30 ILCS 105/6z-46 rep.
- 26 30 ILCS 105/6z-69 rep.

1 30 ILCS 105/6z-73 rep.
2 30 ILCS 105/6z-91 rep.
3 30 ILCS 105/8.16c rep.
4 30 ILCS 105/8.32 rep.
5 30 ILCS 177/Act rep.
6 30 ILCS 340/3 from Ch. 120, par. 408
7 30 ILCS 780/5-55 rep.
8 35 ILCS 5/507CC rep.
9 35 ILCS 5/507HH rep.
10 35 ILCS 5/507II rep.
11 35 ILCS 5/507KK rep.
12 35 ILCS 5/507LL rep.
13 35 ILCS 5/507PP rep.
14 55 ILCS 5/3-9005 from Ch. 34, par. 3-9005
15 55 ILCS 5/5-1006.5
16 55 ILCS 5/5-1035.1 from Ch. 34, par. 5-1035.1
17 55 ILCS 5/3-4006.1 rep.
18 205 ILCS 5/48
19 305 ILCS 5/12-5 from Ch. 23, par. 12-5
20 305 ILCS 5/12-10.10
21 305 ILCS 10/Act rep.
22 505 ILCS 35/Art. IV rep.
23 705 ILCS 105/27.3a
24 730 ILCS 5/3-2-2.2 rep.
25 30 ILCS 805/8.43 new