



Rep. Elizabeth Hernandez

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10200HB1591ham002

LRB102 03634 AMQ 38543 a

1 AMENDMENT TO HOUSE BILL 1591

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1591 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Lottery Law is amended by  
5 changing Sections 2, 9.1, and 20 and by adding Sections 21.15  
6 and 21.16 as follows:

7 (20 ILCS 1605/2) (from Ch. 120, par. 1152)

8 Sec. 2. This Act is enacted to implement and establish  
9 within the State a lottery to be conducted by the State through  
10 the Department. The entire net proceeds of the Lottery are to  
11 be used for the support of the State's Common School Fund,  
12 except as provided in subsection (o) of Section 9.1 and  
13 Sections 21.5, 21.6, 21.7, 21.8, 21.9, 21.10, 21.11, 21.12,  
14 ~~and~~ 21.13, 21.15, and 21.16. The General Assembly finds that  
15 it is in the public interest for the Department to conduct the  
16 functions of the Lottery with the assistance of a private

1 manager under a management agreement overseen by the  
2 Department. The Department shall be accountable to the General  
3 Assembly and the people of the State through a comprehensive  
4 system of regulation, audits, reports, and enduring  
5 operational oversight. The Department's ongoing conduct of the  
6 Lottery through a management agreement with a private manager  
7 shall act to promote and ensure the integrity, security,  
8 honesty, and fairness of the Lottery's operation and  
9 administration. It is the intent of the General Assembly that  
10 the Department shall conduct the Lottery with the assistance  
11 of a private manager under a management agreement at all times  
12 in a manner consistent with 18 U.S.C. 1307(a)(1), 1307(b)(1),  
13 1953(b)(4).

14 Beginning with Fiscal Year 2018 and every year thereafter,  
15 any moneys transferred from the State Lottery Fund to the  
16 Common School Fund shall be supplemental to, and not in lieu  
17 of, any other money due to be transferred to the Common School  
18 Fund by law or appropriation.

19 (Source: P.A. 101-81, eff. 7-12-19; 101-561, eff. 8-23-19;  
20 102-558, eff. 8-20-21.)

21 (20 ILCS 1605/9.1)

22 Sec. 9.1. Private manager and management agreement.

23 (a) As used in this Section:

24 "Offeror" means a person or group of persons that responds  
25 to a request for qualifications under this Section.

1 "Request for qualifications" means all materials and  
2 documents prepared by the Department to solicit the following  
3 from offerors:

4 (1) Statements of qualifications.

5 (2) Proposals to enter into a management agreement,  
6 including the identity of any prospective vendor or  
7 vendors that the offeror intends to initially engage to  
8 assist the offeror in performing its obligations under the  
9 management agreement.

10 "Final offer" means the last proposal submitted by an  
11 offeror in response to the request for qualifications,  
12 including the identity of any prospective vendor or vendors  
13 that the offeror intends to initially engage to assist the  
14 offeror in performing its obligations under the management  
15 agreement.

16 "Final offeror" means the offeror ultimately selected by  
17 the Governor to be the private manager for the Lottery under  
18 subsection (h) of this Section.

19 (b) By September 15, 2010, the Governor shall select a  
20 private manager for the total management of the Lottery with  
21 integrated functions, such as lottery game design, supply of  
22 goods and services, and advertising and as specified in this  
23 Section.

24 (c) Pursuant to the terms of this subsection, the  
25 Department shall endeavor to expeditiously terminate the  
26 existing contracts in support of the Lottery in effect on July

1 13, 2009 (the effective date of Public Act 96-37) in  
2 connection with the selection of the private manager. As part  
3 of its obligation to terminate these contracts and select the  
4 private manager, the Department shall establish a mutually  
5 agreeable timetable to transfer the functions of existing  
6 contractors to the private manager so that existing Lottery  
7 operations are not materially diminished or impaired during  
8 the transition. To that end, the Department shall do the  
9 following:

10 (1) where such contracts contain a provision  
11 authorizing termination upon notice, the Department shall  
12 provide notice of termination to occur upon the mutually  
13 agreed timetable for transfer of functions;

14 (2) upon the expiration of any initial term or renewal  
15 term of the current Lottery contracts, the Department  
16 shall not renew such contract for a term extending beyond  
17 the mutually agreed timetable for transfer of functions;  
18 or

19 (3) in the event any current contract provides for  
20 termination of that contract upon the implementation of a  
21 contract with the private manager, the Department shall  
22 perform all necessary actions to terminate the contract on  
23 the date that coincides with the mutually agreed timetable  
24 for transfer of functions.

25 If the contracts to support the current operation of the  
26 Lottery in effect on July 13, 2009 (the effective date of

1 Public Act 96-34) are not subject to termination as provided  
2 for in this subsection (c), then the Department may include a  
3 provision in the contract with the private manager specifying  
4 a mutually agreeable methodology for incorporation.

5 (c-5) The Department shall include provisions in the  
6 management agreement whereby the private manager shall, for a  
7 fee, and pursuant to a contract negotiated with the Department  
8 (the "Employee Use Contract"), utilize the services of current  
9 Department employees to assist in the administration and  
10 operation of the Lottery. The Department shall be the employer  
11 of all such bargaining unit employees assigned to perform such  
12 work for the private manager, and such employees shall be  
13 State employees, as defined by the Personnel Code. Department  
14 employees shall operate under the same employment policies,  
15 rules, regulations, and procedures, as other employees of the  
16 Department. In addition, neither historical representation  
17 rights under the Illinois Public Labor Relations Act, nor  
18 existing collective bargaining agreements, shall be disturbed  
19 by the management agreement with the private manager for the  
20 management of the Lottery.

21 (d) The management agreement with the private manager  
22 shall include all of the following:

23 (1) A term not to exceed 10 years, including any  
24 renewals.

25 (2) A provision specifying that the Department:

26 (A) shall exercise actual control over all

1 significant business decisions;

2 (A-5) has the authority to direct or countermand  
3 operating decisions by the private manager at any  
4 time;

5 (B) has ready access at any time to information  
6 regarding Lottery operations;

7 (C) has the right to demand and receive  
8 information from the private manager concerning any  
9 aspect of the Lottery operations at any time; and

10 (D) retains ownership of all trade names,  
11 trademarks, and intellectual property associated with  
12 the Lottery.

13 (3) A provision imposing an affirmative duty on the  
14 private manager to provide the Department with material  
15 information and with any information the private manager  
16 reasonably believes the Department would want to know to  
17 enable the Department to conduct the Lottery.

18 (4) A provision requiring the private manager to  
19 provide the Department with advance notice of any  
20 operating decision that bears significantly on the public  
21 interest, including, but not limited to, decisions on the  
22 kinds of games to be offered to the public and decisions  
23 affecting the relative risk and reward of the games being  
24 offered, so the Department has a reasonable opportunity to  
25 evaluate and countermand that decision.

26 (5) A provision providing for compensation of the

1 private manager that may consist of, among other things, a  
2 fee for services and a performance based bonus as  
3 consideration for managing the Lottery, including terms  
4 that may provide the private manager with an increase in  
5 compensation if Lottery revenues grow by a specified  
6 percentage in a given year.

7 (6) (Blank).

8 (7) A provision requiring the deposit of all Lottery  
9 proceeds to be deposited into the State Lottery Fund  
10 except as otherwise provided in Section 20 of this Act.

11 (8) A provision requiring the private manager to  
12 locate its principal office within the State.

13 (8-5) A provision encouraging that at least 20% of the  
14 cost of contracts entered into for goods and services by  
15 the private manager in connection with its management of  
16 the Lottery, other than contracts with sales agents or  
17 technical advisors, be awarded to businesses that are a  
18 minority-owned business, a women-owned business, or a  
19 business owned by a person with disability, as those terms  
20 are defined in the Business Enterprise for Minorities,  
21 Women, and Persons with Disabilities Act.

22 (9) A requirement that so long as the private manager  
23 complies with all the conditions of the agreement under  
24 the oversight of the Department, the private manager shall  
25 have the following duties and obligations with respect to  
26 the management of the Lottery:

1           (A) The right to use equipment and other assets  
2 used in the operation of the Lottery.

3           (B) The rights and obligations under contracts  
4 with retailers and vendors.

5           (C) The implementation of a comprehensive security  
6 program by the private manager.

7           (D) The implementation of a comprehensive system  
8 of internal audits.

9           (E) The implementation of a program by the private  
10 manager to curb compulsive gambling by persons playing  
11 the Lottery.

12           (F) A system for determining (i) the type of  
13 Lottery games, (ii) the method of selecting winning  
14 tickets, (iii) the manner of payment of prizes to  
15 holders of winning tickets, (iv) the frequency of  
16 drawings of winning tickets, (v) the method to be used  
17 in selling tickets, (vi) a system for verifying the  
18 validity of tickets claimed to be winning tickets,  
19 (vii) the basis upon which retailer commissions are  
20 established by the manager, and (viii) minimum  
21 payouts.

22           (10) A requirement that advertising and promotion must  
23 be consistent with Section 7.8a of this Act.

24           (11) A requirement that the private manager market the  
25 Lottery to those residents who are new, infrequent, or  
26 lapsed players of the Lottery, especially those who are



1 most likely to make regular purchases on the Internet as  
2 permitted by law.

3 (12) A code of ethics for the private manager's  
4 officers and employees.

5 (13) A requirement that the Department monitor and  
6 oversee the private manager's practices and take action  
7 that the Department considers appropriate to ensure that  
8 the private manager is in compliance with the terms of the  
9 management agreement, while allowing the manager, unless  
10 specifically prohibited by law or the management  
11 agreement, to negotiate and sign its own contracts with  
12 vendors.

13 (14) A provision requiring the private manager to  
14 periodically file, at least on an annual basis,  
15 appropriate financial statements in a form and manner  
16 acceptable to the Department.

17 (15) Cash reserves requirements.

18 (16) Procedural requirements for obtaining the prior  
19 approval of the Department when a management agreement or  
20 an interest in a management agreement is sold, assigned,  
21 transferred, or pledged as collateral to secure financing.

22 (17) Grounds for the termination of the management  
23 agreement by the Department or the private manager.

24 (18) Procedures for amendment of the agreement.

25 (19) A provision requiring the private manager to  
26 engage in an open and competitive bidding process for any

1 procurement having a cost in excess of \$50,000 that is not  
2 a part of the private manager's final offer. The process  
3 shall favor the selection of a vendor deemed to have  
4 submitted a proposal that provides the Lottery with the  
5 best overall value. The process shall not be subject to  
6 the provisions of the Illinois Procurement Code, unless  
7 specifically required by the management agreement.

8 (20) The transition of rights and obligations,  
9 including any associated equipment or other assets used in  
10 the operation of the Lottery, from the manager to any  
11 successor manager of the lottery, including the  
12 Department, following the termination of or foreclosure  
13 upon the management agreement.

14 (21) Right of use of copyrights, trademarks, and  
15 service marks held by the Department in the name of the  
16 State. The agreement must provide that any use of them by  
17 the manager shall only be for the purpose of fulfilling  
18 its obligations under the management agreement during the  
19 term of the agreement.

20 (22) The disclosure of any information requested by  
21 the Department to enable it to comply with the reporting  
22 requirements and information requests provided for under  
23 subsection (p) of this Section.

24 (e) Notwithstanding any other law to the contrary, the  
25 Department shall select a private manager through a  
26 competitive request for qualifications process consistent with

1 Section 20-35 of the Illinois Procurement Code, which shall  
2 take into account:

3 (1) the offeror's ability to market the Lottery to  
4 those residents who are new, infrequent, or lapsed players  
5 of the Lottery, especially those who are most likely to  
6 make regular purchases on the Internet;

7 (2) the offeror's ability to address the State's  
8 concern with the social effects of gambling on those who  
9 can least afford to do so;

10 (3) the offeror's ability to provide the most  
11 successful management of the Lottery for the benefit of  
12 the people of the State based on current and past business  
13 practices or plans of the offeror; and

14 (4) the offeror's poor or inadequate past performance  
15 in servicing, equipping, operating or managing a lottery  
16 on behalf of Illinois, another state ~~State~~ or foreign  
17 government and attracting persons who are not currently  
18 regular players of a lottery.

19 (f) The Department may retain the services of an advisor  
20 or advisors with significant experience in financial services  
21 or the management, operation, and procurement of goods,  
22 services, and equipment for a government-run lottery to assist  
23 in the preparation of the terms of the request for  
24 qualifications and selection of the private manager. Any  
25 prospective advisor seeking to provide services under this  
26 subsection (f) shall disclose any material business or

1 financial relationship during the past 3 years with any  
2 potential offeror, or with a contractor or subcontractor  
3 presently providing goods, services, or equipment to the  
4 Department to support the Lottery. The Department shall  
5 evaluate the material business or financial relationship of  
6 each prospective advisor. The Department shall not select any  
7 prospective advisor with a substantial business or financial  
8 relationship that the Department deems to impair the  
9 objectivity of the services to be provided by the prospective  
10 advisor. During the course of the advisor's engagement by the  
11 Department, and for a period of one year thereafter, the  
12 advisor shall not enter into any business or financial  
13 relationship with any offeror or any vendor identified to  
14 assist an offeror in performing its obligations under the  
15 management agreement. Any advisor retained by the Department  
16 shall be disqualified from being an offeror. The Department  
17 shall not include terms in the request for qualifications that  
18 provide a material advantage whether directly or indirectly to  
19 any potential offeror, or any contractor or subcontractor  
20 presently providing goods, services, or equipment to the  
21 Department to support the Lottery, including terms contained  
22 in previous responses to requests for proposals or  
23 qualifications submitted to Illinois, another state ~~State~~ or  
24 foreign government when those terms are uniquely associated  
25 with a particular potential offeror, contractor, or  
26 subcontractor. The request for proposals offered by the

1 Department on December 22, 2008 as "LOT08GAMESYS" and  
2 reference number "22016176" is declared void.

3 (g) The Department shall select at least 2 offerors as  
4 finalists to potentially serve as the private manager no later  
5 than August 9, 2010. Upon making preliminary selections, the  
6 Department shall schedule a public hearing on the finalists'  
7 proposals and provide public notice of the hearing at least 7  
8 calendar days before the hearing. The notice must include all  
9 of the following:

10 (1) The date, time, and place of the hearing.

11 (2) The subject matter of the hearing.

12 (3) A brief description of the management agreement to  
13 be awarded.

14 (4) The identity of the offerors that have been  
15 selected as finalists to serve as the private manager.

16 (5) The address and telephone number of the  
17 Department.

18 (h) At the public hearing, the Department shall (i)  
19 provide sufficient time for each finalist to present and  
20 explain its proposal to the Department and the Governor or the  
21 Governor's designee, including an opportunity to respond to  
22 questions posed by the Department, Governor, or designee and  
23 (ii) allow the public and non-selected offerors to comment on  
24 the presentations. The Governor or a designee shall attend the  
25 public hearing. After the public hearing, the Department shall  
26 have 14 calendar days to recommend to the Governor whether a

1 management agreement should be entered into with a particular  
2 finalist. After reviewing the Department's recommendation, the  
3 Governor may accept or reject the Department's recommendation,  
4 and shall select a final offeror as the private manager by  
5 publication of a notice in the Illinois Procurement Bulletin  
6 on or before September 15, 2010. The Governor shall include in  
7 the notice a detailed explanation and the reasons why the  
8 final offeror is superior to other offerors and will provide  
9 management services in a manner that best achieves the  
10 objectives of this Section. The Governor shall also sign the  
11 management agreement with the private manager.

12 (i) Any action to contest the private manager selected by  
13 the Governor under this Section must be brought within 7  
14 calendar days after the publication of the notice of the  
15 designation of the private manager as provided in subsection  
16 (h) of this Section.

17 (j) The Lottery shall remain, for so long as a private  
18 manager manages the Lottery in accordance with provisions of  
19 this Act, a Lottery conducted by the State, and the State shall  
20 not be authorized to sell or transfer the Lottery to a third  
21 party.

22 (k) Any tangible personal property used exclusively in  
23 connection with the lottery that is owned by the Department  
24 and leased to the private manager shall be owned by the  
25 Department in the name of the State and shall be considered to  
26 be public property devoted to an essential public and

1 governmental function.

2 (l) The Department may exercise any of its powers under  
3 this Section or any other law as necessary or desirable for the  
4 execution of the Department's powers under this Section.

5 (m) Neither this Section nor any management agreement  
6 entered into under this Section prohibits the General Assembly  
7 from authorizing forms of gambling that are not in direct  
8 competition with the Lottery. The forms of gambling authorized  
9 by Public Act 101-31 constitute authorized forms of gambling  
10 that are not in direct competition with the Lottery.

11 (n) The private manager shall be subject to a complete  
12 investigation in the third, seventh, and tenth years of the  
13 agreement (if the agreement is for a 10-year term) by the  
14 Department in cooperation with the Auditor General to  
15 determine whether the private manager has complied with this  
16 Section and the management agreement. The private manager  
17 shall bear the cost of an investigation or reinvestigation of  
18 the private manager under this subsection.

19 (o) The powers conferred by this Section are in addition  
20 and supplemental to the powers conferred by any other law. If  
21 any other law or rule is inconsistent with this Section,  
22 including, but not limited to, provisions of the Illinois  
23 Procurement Code, then this Section controls as to any  
24 management agreement entered into under this Section. This  
25 Section and any rules adopted under this Section contain full  
26 and complete authority for a management agreement between the

1 Department and a private manager. No law, procedure,  
2 proceeding, publication, notice, consent, approval, order, or  
3 act by the Department or any other officer, Department,  
4 agency, or instrumentality of the State or any political  
5 subdivision is required for the Department to enter into a  
6 management agreement under this Section. This Section contains  
7 full and complete authority for the Department to approve any  
8 contracts entered into by a private manager with a vendor  
9 providing goods, services, or both goods and services to the  
10 private manager under the terms of the management agreement,  
11 including subcontractors of such vendors.

12 Upon receipt of a written request from the Chief  
13 Procurement Officer, the Department shall provide to the Chief  
14 Procurement Officer a complete and unredacted ~~un-redacted~~ copy  
15 of the management agreement or any contract that is subject to  
16 the Department's approval authority under this subsection (o).  
17 The Department shall provide a copy of the agreement or  
18 contract to the Chief Procurement Officer in the time  
19 specified by the Chief Procurement Officer in his or her  
20 written request, but no later than 5 business days after the  
21 request is received by the Department. The Chief Procurement  
22 Officer must retain any portions of the management agreement  
23 or of any contract designated by the Department as  
24 confidential, proprietary, or trade secret information in  
25 complete confidence pursuant to subsection (g) of Section 7 of  
26 the Freedom of Information Act. The Department shall also



1 provide the Chief Procurement Officer with reasonable advance  
2 written notice of any contract that is pending Department  
3 approval.

4 Notwithstanding any other provision of this Section to the  
5 contrary, the Chief Procurement Officer shall adopt  
6 administrative rules, including emergency rules, to establish  
7 a procurement process to select a successor private manager if  
8 a private management agreement has been terminated. The  
9 selection process shall at a minimum take into account the  
10 criteria set forth in items (1) through (4) of subsection (e)  
11 of this Section and may include provisions consistent with  
12 subsections (f), (g), (h), and (i) of this Section. The Chief  
13 Procurement Officer shall also implement and administer the  
14 adopted selection process upon the termination of a private  
15 management agreement. The Department, after the Chief  
16 Procurement Officer certifies that the procurement process has  
17 been followed in accordance with the rules adopted under this  
18 subsection (o), shall select a final offeror as the private  
19 manager and sign the management agreement with the private  
20 manager.

21 Except as provided in Sections 21.5, 21.6, 21.7, 21.8,  
22 21.9, 21.10, 21.11, 21.12, ~~and~~ 21.13, 21.15, and 21.16, the  
23 Department shall distribute all proceeds of lottery tickets  
24 and shares sold in the following priority and manner:

- 25 (1) The payment of prizes and retailer bonuses.
- 26 (2) The payment of costs incurred in the operation and

1 administration of the Lottery, including the payment of  
2 sums due to the private manager under the management  
3 agreement with the Department.

4 (3) On the last day of each month or as soon thereafter  
5 as possible, the State Comptroller shall direct and the  
6 State Treasurer shall transfer from the State Lottery Fund  
7 to the Common School Fund an amount that is equal to the  
8 proceeds transferred in the corresponding month of fiscal  
9 year 2009, as adjusted for inflation, to the Common School  
10 Fund.

11 (4) On or before September 30 of each fiscal year,  
12 deposit any estimated remaining proceeds from the prior  
13 fiscal year, subject to payments under items (1), (2), and  
14 (3), into the Capital Projects Fund. Beginning in fiscal  
15 year 2019, the amount deposited shall be increased or  
16 decreased each year by the amount the estimated payment  
17 differs from the amount determined from each year-end  
18 financial audit. Only remaining net deficits from prior  
19 fiscal years may reduce the requirement to deposit these  
20 funds, as determined by the annual financial audit.

21 (p) The Department shall be subject to the following  
22 reporting and information request requirements:

23 (1) the Department shall submit written quarterly  
24 reports to the Governor and the General Assembly on the  
25 activities and actions of the private manager selected  
26 under this Section;

1           (2) upon request of the Chief Procurement Officer, the  
2 Department shall promptly produce information related to  
3 the procurement activities of the Department and the  
4 private manager requested by the Chief Procurement  
5 Officer; the Chief Procurement Officer must retain  
6 confidential, proprietary, or trade secret information  
7 designated by the Department in complete confidence  
8 pursuant to subsection (g) of Section 7 of the Freedom of  
9 Information Act; and

10           (3) at least 30 days prior to the beginning of the  
11 Department's fiscal year, the Department shall prepare an  
12 annual written report on the activities of the private  
13 manager selected under this Section and deliver that  
14 report to the Governor and General Assembly.

15 (Source: P.A. 101-31, eff. 6-28-19; 101-81, eff. 7-12-19;  
16 101-561, eff. 8-23-19; 102-558, eff. 8-20-21.)

17           (20 ILCS 1605/20) (from Ch. 120, par. 1170)

18           Sec. 20. State Lottery Fund.

19           (a) There is created in the State Treasury a special fund  
20 to be known as the State Lottery Fund. Such fund shall consist  
21 of all revenues received from (1) the sale of lottery tickets  
22 or shares, (net of commissions, fees representing those  
23 expenses that are directly proportionate to the sale of  
24 tickets or shares at the agent location, and prizes of less  
25 than \$600 which have been validly paid at the agent level), (2)

1 application fees, and (3) all other sources including moneys  
2 credited or transferred thereto from any other fund or source  
3 pursuant to law. Interest earnings of the State Lottery Fund  
4 shall be credited to the Common School Fund.

5 (b) The receipt and distribution of moneys under Section  
6 21.5 of this Act shall be in accordance with Section 21.5.

7 (c) The receipt and distribution of moneys under Section  
8 21.6 of this Act shall be in accordance with Section 21.6.

9 (d) The receipt and distribution of moneys under Section  
10 21.7 of this Act shall be in accordance with Section 21.7.

11 (e) The receipt and distribution of moneys under Section  
12 21.8 of this Act shall be in accordance with Section 21.8.

13 (f) The receipt and distribution of moneys under Section  
14 21.9 of this Act shall be in accordance with Section 21.9.

15 (g) The receipt and distribution of moneys under Section  
16 21.10 of this Act shall be in accordance with Section 21.10.

17 (h) The receipt and distribution of moneys under Section  
18 21.11 of this Act shall be in accordance with Section 21.11.

19 (i) The receipt and distribution of moneys under Section  
20 21.12 of this Act shall be in accordance with Section 21.12.

21 (j) The receipt and distribution of moneys under Section  
22 21.13 of this Act shall be in accordance with Section 21.13.

23 (k) The receipt and distribution of moneys under Section  
24 25-70 of the Sports Wagering Act shall be in accordance with  
25 Section 25-70 of the Sports Wagering Act.

26 (l) The receipt and distribution of moneys under Section

1 21.15 of this Act shall be in accordance with Section 21.15.

2 (m) The receipt and distribution of moneys under Section  
3 21.16 of this Act shall be in accordance with Section 21.16.

4 (Source: P.A. 101-81, eff. 7-12-19; 101-561, eff. 8-23-19;  
5 102-16, eff. 6-17-21.)

6 (20 ILCS 1605/21.15 new)

7 Sec. 21.15. Illinois DREAM scratch-off.

8 (a) The Department shall offer a special Illinois DREAM  
9 instant scratch-off game for the benefit of the Illinois DREAM  
10 Fund Commission. The net revenue from the Illinois DREAM  
11 scratch-off game shall be deposited into the Illinois DREAM  
12 Fund, a special fund that is created in the State treasury.  
13 Subject to appropriation, money in the Illinois DREAM Fund  
14 shall be used to assist in funding scholarships and other  
15 statutory responsibilities of the Illinois DREAM Fund  
16 Commission. The game shall commence on January 1, 2023 or as  
17 soon thereafter as is reasonably practical. The Department  
18 shall consult with the Illinois DREAM Fund Commission  
19 established under Section 67 of the Higher Education Student  
20 Assistance Act regarding the design and promotion of the game.

21 (b) The operation of any games under this Section shall be  
22 governed by this Act, and any rules shall be adopted by the  
23 Department. If any provision of this Section is inconsistent  
24 with any other provision of this Act, then this Section  
25 governs.

1       (c) For purposes of this Section, "net revenue" means the  
2 total amount for which tickets have been sold less the sum of  
3 the amount paid out in prizes and the actual administrative  
4 expenses of the Department solely related to the Illinois  
5 DREAM scratch-off game.

6       (d) During the time that tickets are sold for the Illinois  
7 DREAM scratch-off game, the Department shall not unreasonably  
8 diminish the efforts devoted to marketing any other instant  
9 scratch-off lottery game.

10       (e) The Department may adopt any rules necessary to  
11 implement and administer this Section in consultation with the  
12 Illinois DREAM Fund Commission.

13       (20 ILCS 1605/21.16 new)

14       Sec. 21.16. Scratch-off for United Negro College Fund.

15       (a) The Department shall offer a special instant  
16 scratch-off game for the benefit of United Negro College Fund  
17 in support of educational scholarships to university and  
18 college students. The game shall commence on August 1, 2022,  
19 or as soon thereafter, at the discretion of the Director, as is  
20 reasonably practical, and shall be discontinued on January 1,  
21 2028. The operation of the game shall be governed by this Act  
22 and any rules adopted by the Department. If any provision of  
23 this Section is inconsistent with any other provision of this  
24 Act, then this Section governs.

25       (b) The net revenue from the United Negro College Fund in

1 support of education scholarships to university and college  
2 students scratch-off game shall be deposited into the UNCF  
3 Scholarship Fund, a special fund created in the State  
4 treasury, as soon as practical but at least on a monthly basis.  
5 Moneys received for the purposes of this Section, including,  
6 without limitation, net revenue from the special instant  
7 scratch-off game and from gifts, grants, and awards from any  
8 public or private entity, must be deposited into the Fund. Any  
9 interest earned on moneys in the Fund must be deposited into  
10 the Fund. For the purposes of this subsection, "net revenue"  
11 means the total amount for which tickets have been sold less  
12 the sum of the amount paid out in the prizes and the actual  
13 administrative expenses of the Department solely related to  
14 the scratch-off game under this Section.

15 (c) During the time that tickets are sold for the United  
16 Negro College Fund in support of education scholarships to  
17 university and college students scratch-off game, the  
18 Department shall not unreasonably diminish the efforts devoted  
19 to marketing any other instant scratch-off lottery game.

20 (d) The Department may adopt any rules necessary to  
21 implement and administer this Section.

22 (e) This Section is repealed on January 1, 2028.

23 Section 10. The State Finance Act is amended by adding  
24 Sections 5.970 5.971 and as follows:

1 (30 ILCS 105/5.970 new)

2 Sec. 5.970. The Illinois DREAM Fund.

3 (30 ILCS 105/5.971 new)

4 Sec. 5.971. The UNCF Scholarship Fund. This Section is  
5 repealed on January 1, 2028.

6 Section 15. The School Code is amended by adding Section  
7 2-3.119b as follows:

8 (105 ILCS 5/2-3.119b new)

9 Sec. 2-3.119b. UNCF Scholarship Fund Advisory Board.

10 (a) The UNCF Scholarship Fund Advisory Board is created as  
11 an advisory board within the Department. The Board shall  
12 consist of 10 members as follows: 2 members appointed by the  
13 President of the Senate; 2 members appointed by the Minority  
14 Leader of the Senate; 2 members appointed by the Speaker of the  
15 House of Representatives; 2 members appointed by the Minority  
16 Leader of the House of Representatives; and 2 members  
17 appointed by the Governor with the advice and consent of the  
18 Senate, one of whom shall be designated as chair of the Board  
19 at the time of appointment. If a vacancy occurs in the Board  
20 membership, the vacancy shall be filled in the same manner as  
21 the initial appointment.

22 (b) Board members shall serve without compensation but may  
23 be reimbursed for their reasonable travel expenses from funds



1 available for that purpose. The Department shall provide staff  
2 and administrative support services to the Board.

3 (c) The Board must: (i) consult with the Department of the  
4 Lottery in designing and promoting the United Negro College  
5 Fund in support of education scholarships to university and  
6 college students instant scratch-off lottery game; and (ii)  
7 review and direct funds to the United Negro College Fund,  
8 Inc., a 501(c)(3) nonprofit, and consult with the Department  
9 of Education in accordance with Section 21.15 of the Illinois  
10 Lottery Law.

11 (d) This Section is repealed on September 1, 2027.

12 Section 20. The Higher Education Student Assistance Act is  
13 amended by changing Section 67 as follows:

14 (110 ILCS 947/67)

15 Sec. 67. Illinois DREAM Fund Commission.

16 (a) The Illinois Student Assistance Commission shall  
17 establish an Illinois DREAM Fund Commission. The Governor  
18 shall appoint, with the advice and consent of the Senate,  
19 members to the Illinois DREAM Fund Commission, which shall be  
20 comprised of 9 members representing the geographic and ethnic  
21 diversity of this State, including students, college and  
22 university administrators and faculty, and other individuals  
23 committed to advancing the educational opportunities of the  
24 children of immigrants.

1 (b) The Illinois DREAM Fund Commission is charged with all  
2 of the following responsibilities:

3 (1) Administering this Section and raising funds for  
4 the Illinois DREAM Fund.

5 (2) Establishing a not-for-profit entity charged with  
6 raising funds for the administration of this Section, any  
7 educational or training programs the Commission is tasked  
8 with administering, and funding scholarships to students  
9 who are the children of immigrants to the United States.

10 (3) Publicizing the availability of scholarships from  
11 the Illinois DREAM Fund.

12 (4) Selecting the recipients of scholarships funded  
13 through the Illinois DREAM Fund.

14 (5) Researching issues pertaining to the availability  
15 of assistance with the costs of higher education for the  
16 children of immigrants and other issues regarding access  
17 for and the performance of the children of immigrants  
18 within higher education.

19 (6) Overseeing implementation of the other provisions  
20 of this amendatory Act of the 97th General Assembly.

21 (7) Establishing and administering training programs  
22 for high school counselors and counselors, admissions  
23 officers, and financial aid officers of public  
24 institutions of higher education. The training programs  
25 shall instruct participants on the educational  
26 opportunities available to college-bound students who are

1 the children of immigrants, including, but not limited to,  
2 in-state tuition and scholarship programs. The Illinois  
3 DREAM Fund Commission may also establish a public  
4 awareness campaign regarding educational opportunities  
5 available to college bound students who are the children  
6 of immigrants.

7 The Illinois DREAM Fund Commission shall establish, by  
8 rule, procedures for accepting and evaluating applications for  
9 scholarships from the children of immigrants and issuing  
10 scholarships to selected student applicants.

11 (c) To receive a scholarship under this Section, a student  
12 must meet all of the following qualifications:

13 (1) Have resided with his or her parents or guardian  
14 while attending a public or private high school in this  
15 State.

16 (2) Have graduated from a public or private high  
17 school or received the equivalent of a high school diploma  
18 in this State.

19 (3) Have attended school in this State for at least 3  
20 years as of the date he or she graduated from high school  
21 or received the equivalent of a high school diploma.

22 (4) Have at least one parent who immigrated to the  
23 United States.

24 (d) The Illinois Student Assistance Commission shall  
25 establish an Illinois DREAM Fund to provide scholarships under  
26 this Section. The Illinois DREAM Fund shall be funded entirely

1 from private contributions and proceeds from the scratch-off  
2 created in Section 21.15 of the Illinois Lottery Law.

3 (Source: P.A. 97-233, eff. 8-1-11.)

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