

1 AN ACT concerning State government.

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

4 ARTICLE 1.

5 Section 1-1. Short Title. This Act may be cited as the  
6 FY2023 Budget Implementation Act.

7 Section 1-5. Purpose. It is the purpose of this Act to make  
8 changes in State programs that are necessary to implement the  
9 State budget for Fiscal Year 2023.

10 ARTICLE 3.

11 Section 3-1. This Article may be referred to as the  
12 Climate Jobs Institute Law. References in this Article to  
13 "this Act" mean this Article.

14 Section 3-5. Findings and intent. The General Assembly  
15 finds that:

16 (1) Public Act 102-662 places the State on a path  
17 toward 100% clean energy by 2050;

18 (2) the transition to a carbon-free energy economy  
19 will have a significant economic, ecological, and

1 sociological impact on the State's residents;

2 (3) rigorous data collection and research are needed  
3 to help minimize job loss, maximize high-quality job  
4 creation and economic development, and facilitate just  
5 transitions, workforce development programs, and  
6 activities necessary to meet the increased labor demand in  
7 the State's clean-energy sector;

8 (4) the State finds that an equitable transition to a  
9 clean-energy economy must be guided by applied research  
10 that provides detailed, nuanced information about the  
11 labor, employment, and broader social and economic impacts  
12 of decarbonizing the State's economy;

13 (5) collecting and analyzing labor and employment data  
14 in the clean-energy sector is essential for creating a  
15 clean-energy economy that prioritizes local resources,  
16 improves resiliency, and promotes energy independence; and

17 (6) the State has a strong interest in ensuring that  
18 State residents, especially those from environmental  
19 justice and historically underserved communities, have  
20 access to safe, well-paying, clean-energy jobs, supporting  
21 displaced energy workers in the transition to a  
22 clean-energy economy; and creating workforce development  
23 programs to meet the labor demand in the clean-energy  
24 industry.

25 The General Assembly intends that, in order to promote  
26 those interests in the State's growing clean-energy sector, a

1 Climate Jobs Institute should be created that will produce  
2 high-quality data, research, and educational opportunities to  
3 inform policymakers, industry partners, labor organizations,  
4 and other relevant stakeholders in the development and  
5 implementation of innovative and data-supported labor policies  
6 for the emerging clean-energy economy.

7 Section 3-10. The University of Illinois Act is amended by  
8 adding Section 165 as follows:

9 (110 ILCS 305/165 new)

10 Sec. 165. Climate Jobs Institute.

11 (a) Subject to appropriation and Section 7 of the Board of  
12 Higher Education Act, the Board of Trustees shall establish  
13 and operate a Climate Jobs Institute for the purpose of  
14 producing high-quality, reliable, and accurate research on  
15 labor, employment, and the broader social and economic impacts  
16 of decarbonizing the State's economy. The Institute shall be  
17 under the direction of the School of Labor and Employment  
18 Relations at the University of Illinois at Urbana-Champaign.  
19 The Dean of the School of Labor and Employment Relations shall  
20 select the Executive Director of the Climate Jobs Institute.  
21 The Executive Director shall submit a budget that includes a  
22 staff plan to the Board of Trustees for approval. The  
23 Executive Director shall consider suggestions from the Climate  
24 Jobs Advisory Council in preparing the budget.

1       (b) The Climate Jobs Advisory Council is created. The  
2 Climate Jobs Advisory Council shall consist of stakeholders in  
3 the clean-energy economy and be composed of the following  
4 members:

5           (1) Four members representing statewide labor  
6 organizations, appointed by the Governor.

7           (2) Three members representing environmental advocacy  
8 organizations, appointed by the Governor.

9           (3) Three members representing the renewable energy  
10 industry, appointed by the Governor.

11           (4) Two members from University of Illinois School of  
12 Labor and Employment Relations faculty, appointed by the  
13 Chancellor in consultation with the Dean of the School of  
14 Labor and Employment Relations.

15           (5) Two members appointed by the President of the  
16 Senate, who may or may not be elected officials.

17           (6) Two members appointed by the Speaker of the House  
18 of Representatives, who may or may not be elected  
19 officials.

20           (7) One member appointed by the Minority Leader of the  
21 Senate, who may or may not be an elected official.

22           (8) One member appointed by the Minority Leader of the  
23 House of Representatives, who may or may not be an elected  
24 official.

25           (9) One member of the Illinois Senate Latino Caucus,  
26 appointed by the President of the Senate.

1           (10) One member of the Illinois Senate Black Caucus,  
2           appointed by the President of the Senate.

3           (11) One member of the Illinois House Latino Caucus,  
4           appointed by the Speaker of the House of Representatives.

5           (12) One member of the Illinois House Black Caucus,  
6           appointed by the Speaker of the House of Representatives.

7           Members appointed to the Council shall serve 2-year terms  
8           and may be reappointed. If a seat becomes vacant in the middle  
9           of a term, the Governor shall appoint a replacement, who shall  
10           serve for the remainder of that term. Members of the Council  
11           shall serve without compensation.

12           (c) The Climate Jobs Institute's Executive Director, with  
13           input from the Climate Jobs Advisory Council, shall set the  
14           priorities, work processes, and timeline for implementing the  
15           Institute's work. The Climate Jobs Institute's Executive  
16           Director shall serve as Chairperson of the Council, and the  
17           Council shall meet at the call of the Executive Director.

18           (d) The Climate Jobs Institute shall provide high-quality,  
19           accurate information through research and education that  
20           addresses key issues and questions to guide the State's  
21           implementation and transition goals to a strong, equitable,  
22           decarbonized economy. The Climate Jobs Institute may respond  
23           to inquiries submitted by State lawmakers and State agencies.

24           (e) The Climate Jobs Institute shall do all of the  
25           following:

26           (1) Evaluate how workforce opportunities in the

1 clean-energy industry can provide just transitions for  
2 displaced energy workers in the State. This duty shall  
3 include, but is not limited to, identifying the industries  
4 and demographics that will be most impacted by the  
5 transition to a clean-energy economy, finding workforce  
6 transition opportunities available to workers based on  
7 level of skill and geographic location, identifying and  
8 eliminating barriers that may prevent workers from  
9 entering the clean-energy industry, and defining the  
10 nature and level of job support that is necessary for a  
11 successful employment transition to clean-energy jobs.

12 (2) Identify opportunities to maximize job creation  
13 and workforce development in the State's clean-energy  
14 industry, being particularly mindful of job creation in  
15 historically underrepresented populations and  
16 environmental justice communities. This duty shall  
17 include, but is not limited to, identifying the types of  
18 workforce development training programs and activities  
19 that are needed to meet the workforce demand in the  
20 clean-energy industry, identifying the types of  
21 clean-energy activities that provide the greatest job  
22 creation and economic benefits to various regions in the  
23 State, and classifying the quantity and category of jobs  
24 needed to meet the State's clean-energy commitment.

25 (3) Recommend policies that will create high-quality  
26 family and community-sustaining jobs in the clean-energy

1 economy. This duty shall include, but is not limited to,  
2 identifying how wages, workforce development training, and  
3 labor standards improve the quality of clean-energy jobs,  
4 evaluating the economic impact of implementing high labor  
5 standards, and identifying effective labor-standard  
6 enforcement measures.

7 (4) Develop strategies to address current and future  
8 supply chain vulnerabilities and challenges in the  
9 clean-energy manufacturing industry. This duty shall  
10 include, but is not limited to, identifying how the State  
11 can incentivize the development of a clean-energy  
12 manufacturing supply chain, including end-of-life  
13 recycling for renewable-energy-generation components,  
14 identifying the types of information and support that are  
15 needed to help businesses transition to providing products  
16 and services for the clean-energy economy, and assessing  
17 what forms of low-interest loans, grants, and technical  
18 assistance will best support business communities through  
19 this transition.

20 (5) Identify how to expand access to high-quality  
21 clean-energy jobs for environmental justice communities  
22 and other frontline communities that have faced historical  
23 inequities. This duty shall include, but is not limited  
24 to, identifying best practices for building a pipeline for  
25 workers participating in on-the-job training programs to  
26 high quality careers in the clean-energy industry and

1 identifying how the State can utilize clean-energy jobs  
2 hubs and United States Department of Labor registered  
3 apprenticeship programs to advance labor market equity.

4 (6) Assess the types of support that local governments  
5 will need to help communities develop their own community  
6 energy, climate, and jobs plans. This duty shall include,  
7 but is not limited to, identifying the sociological,  
8 ecological, and economic impact on local communities  
9 resulting from the transition to a clean-energy economy  
10 and ascertaining the type of financial and technical  
11 support that local governments may need to navigate the  
12 transition to a decarbonized economy.

13 (7) Evaluate initiatives, including the Public Schools  
14 Carbon-Free Assessment programs, to retrofit schools for  
15 energy efficiencies to create a safe, healthy,  
16 cost-effective school environment, while contributing to  
17 an environmentally sustainable State. This duty shall  
18 include, but is not limited to, identifying the type of  
19 research support that school districts may need to assess  
20 initiatives to decarbonize public schools, identifying  
21 best practices to prioritize assistance for school  
22 districts most impacted by climate change, and  
23 synthesizing the results of school energy audits to inform  
24 policy decision making.

25 (f) The Climate Jobs Institute's research shall be  
26 disseminated in ways that maximize the public dissemination of

1 the Institute's research and recommendations, including public  
2 policy reports, academic articles, highly interactive  
3 web-based platforms, and labor, community, legislative, and  
4 media outreach and education programs.

5 (g) The Climate Jobs Institute may coordinate with the  
6 Department of Labor and the Department of Commerce and  
7 Economic Opportunity to share data collected for, but not  
8 limited to, the Bureau on Apprenticeship Programs and Clean  
9 Energy Jobs and the Energy Community Reinvestment Report.

10 ARTICLE 4.

11 Section 4-1. Short title. This Article may be cited as the  
12 Broadband Infrastructure Advancement Act. References in this  
13 Article to "this Act" mean this Article.

14 Section 4-5. Findings. The General Assembly finds:

15 (1) that on November 15, 2021, the Infrastructure  
16 Investment and Jobs Act was signed into law by President  
17 Biden, which provides for historic levels of investment in  
18 the nation's infrastructure;

19 (2) that the United States government has made  
20 available \$550,000,000,000 for new infrastructure  
21 investment for state and local governments through the  
22 Infrastructure Investment and Job Act;

23 (3) that it is essential that this State not lose out

1 on funding made available through the Infrastructure  
2 Investment and Jobs Infrastructure Investment and Jobs  
3 Act;

4 (4) that investments in this State's bridges, roads,  
5 highways, rail system, high-speed internet, and  
6 electricity are essential to the public safety, economic  
7 viability, and equity of all citizens in every part of  
8 this State;

9 (5) that an important component of infrastructure in  
10 the 21st century is access to affordable, reliable,  
11 high-speed internet;

12 (6) that the persistent digital divide in this State  
13 is a barrier to the economic competitiveness in the  
14 economic distribution of essential public services,  
15 including health care and education; and

16 (7) that the digital divide disproportionately affects  
17 communities of color, lower-income areas, and rural areas,  
18 and the benefits of broadband should be broadly enjoyed by  
19 all citizens of this State.

20 Section 4-10. Intent. This Act is intended to be construed  
21 in compliance and consistent with the Infrastructure  
22 Investment and Jobs Act and all regulations, rules, guidance,  
23 forms, instructions, and publications issued thereunder. In  
24 any instance in which this Act conflicts with such  
25 regulations, rules, guidance, forms, instructions, or

1 publications, the latter shall prevail.

2 Section 4-15. Use of funds. Any plans, responses to  
3 requests, letters of intent, application materials, or other  
4 documents prepared describing the State's intended plan for  
5 distributing broadband grants that must be submitted to the  
6 federal government pursuant to Division F of the  
7 Infrastructure Investment and Jobs Act and any associated  
8 federal rule, regulation, or guidance in order to be eligible  
9 to receive broadband grants pursuant to the Infrastructure  
10 Investment and Jobs Act must be, to the extent practical,  
11 submitted to the Legislative Budget Oversight Commission for  
12 review and comment at least 30 days prior to submission to the  
13 federal government. The Governor, or designated State entity  
14 responsible for administering the grant programs pursuant to  
15 Division F of the Infrastructure Investment and Jobs Act, must  
16 consider comments and suggestions provided by the members of  
17 the Legislative Budget Oversight Commission and members of the  
18 public.

19 Section 4-20. Use of other broadband funds. The Department  
20 of Commerce and Economic Opportunity, the Office of Broadband,  
21 or any other State agency, board, office, or commission  
22 appropriated funding to provide grants for broadband  
23 deployment, broadband expansion, broadband access, broadband  
24 affordability, and broadband improvement projects must

1 establish program eligibility and selection criteria by  
2 administrative rules.

3 Section 4-25. The General Assembly Operations Act is  
4 amended by changing Section 20 as follows:

5 (25 ILCS 10/20)

6 (Section scheduled to be repealed on July 1, 2022)

7 Sec. 20. Legislative Budget Oversight Commission.

8 (a) The General Assembly hereby finds and declares that  
9 the State is confronted with an unprecedented fiscal crisis.  
10 In light of this crisis, and the challenges it presents for the  
11 budgeting process, the General Assembly hereby establishes the  
12 Legislative Budget Oversight Commission. The purpose of the  
13 Commission is: to monitor budget management actions taken by  
14 the Office of the Governor or Governor's Office of Management  
15 and Budget; ~~and~~ to oversee the distribution and expenditure of  
16 federal financial relief for State and local governments  
17 related to the COVID-19 pandemic; and to advise and review  
18 planned expenditures of State and federal grants for broadband  
19 projects.

20 (b) At the request of the Commission, units of local  
21 governments and State agency directors or their respective  
22 designees shall report to the Commission on the status and  
23 distribution of federal CARES money and any other federal  
24 financial relief related to the COVID-19 pandemic.

1 (c) In anticipation of constantly changing and  
2 unpredictable economic circumstances, the Commission will  
3 provide a means for the Governor's Office and the General  
4 Assembly to maintain open communication about necessary budget  
5 management actions during these unprecedented times. Beginning  
6 August 15, 2020, the Governor's Office of Management and  
7 Budget shall submit a monthly written report to the Commission  
8 reporting any budget management actions taken by the Office of  
9 the Governor, Governor's Office of Management and Budget, or  
10 any State agency. At the call of one of the co-chairs ~~On a~~  
11 ~~quarterly basis,~~ the Governor or his or her designee shall  
12 give a report to the Commission and each member thereof. The  
13 report shall be given either in person or by telephonic or  
14 videoconferencing means. The report shall include:

15 (1) any budget management actions taken by the Office  
16 of the Governor, Governor's Office of Management and  
17 Budget, or any agency or board under the Office of the  
18 Governor in the prior quarter;

19 (2) year-to-date general funds revenues as compared to  
20 anticipated revenues;

21 (3) year-to-date general funds expenditures as  
22 compared to the Fiscal Year 2021 budget as enacted;

23 (4) a list, by program, of the number of grants  
24 awarded, the aggregate amount of such grant awards, and  
25 the aggregate amount of awards actually paid with respect  
26 to all grants awarded from federal funds from the

1 Coronavirus Relief Fund in accordance with Section 5001 of  
2 the federal Coronavirus Aid, Relief, and Economic Security  
3 (CARES) Act or from the Coronavirus State Fiscal Recovery  
4 Fund in accordance with Section 9901 of the federal  
5 American Rescue Plan Act of 2021, which shall identify the  
6 number of grants awarded, the aggregate amount of such  
7 grant awards, and the aggregate amount of such awards  
8 actually paid to grantees located in or serving a  
9 disproportionately impacted area, as defined in the  
10 program from which the grant is awarded; and

11 (5) any additional items reasonably requested by the  
12 Commission.

13 (c-5) Any plans, responses to requests, letters of intent,  
14 application materials, or other documents prepared on behalf  
15 of the State describing the State's intended plan for  
16 distributing grants pursuant to Division F of the  
17 Infrastructure Investment and Jobs Act must be, to the extent  
18 practical, provided to the Legislative Budget Oversight  
19 Commission for review at least 30 days prior to submission to  
20 the appropriate federal entity. If plans, responses to  
21 requests, letters of intent, application materials, or other  
22 documents prepared on behalf of the State describing the  
23 State's plan or goals for distributing grants pursuant to  
24 Division F of the Infrastructure Investment and Jobs Act  
25 cannot practically be given the Legislative Budget Oversight  
26 Commission 30 days prior to submission to the appropriate

1 federal entity, the materials shall be provided to the  
2 Legislative Budget Oversight Commission with as much time for  
3 review as practical. All documents provided to the Commission  
4 shall be made available to the public on the General  
5 Assembly's website. However, the following information shall  
6 be redacted from any documents made available to the public:  
7 (i) information specifically prohibited from disclosure by  
8 federal or State law or federal or State rules and  
9 regulations; (ii) trade secrets; (iii) security sensitive  
10 information; and (iv) proprietary, privileged, or confidential  
11 commercial or financial information from a privately held  
12 person or business which, if disclosed, would cause  
13 competitive harm. Members of the public and interested parties  
14 may submit written comments to the Commission for  
15 consideration. Prior to the State's submission to the  
16 appropriate federal entity pursuant to this subsection, the  
17 Commission shall conduct at least one public hearing during  
18 which members of the public and other interested parties may  
19 file written comments with and offer testimony before the  
20 Commission. After completing its review and consideration of  
21 any such testimony offered and written public comments  
22 received, the Commission shall submit its written comments and  
23 suggestions to the Governor or designated State entity  
24 responsible for administering the grant programs under  
25 Division F of the Infrastructure Investment and Jobs Act on  
26 behalf of the State. The Governor, or designated State entity

1 responsible for administering the grant programs pursuant to  
2 Division F of the Infrastructure Investment and Jobs Act, must  
3 consider comments and suggestions provided by the members of  
4 the Legislative Budget Oversight Commission and members of the  
5 public.

6 (c-10) At the request of the Commission, the Governor or  
7 the designated State entity responsible for administering  
8 programs under Division F of the Infrastructure Investment and  
9 Jobs Act on behalf of the State must report on the grants  
10 issued by the State pursuant to the programs under Division F  
11 of the Infrastructure Investment and Jobs Act.

12 (d) The Legislative Budget Oversight Commission shall  
13 consist of the following members:

14 (1) 7 members of the House of Representatives  
15 appointed by the Speaker of the House of Representatives;

16 (2) 7 members of the Senate appointed by the Senate  
17 President;

18 (3) 4 members of the House of Representatives  
19 appointed by the Minority Leader of the House of  
20 Representatives; and

21 (4) 4 members of the Senate appointed by the Senate  
22 Minority Leader.

23 (e) The Speaker of the House of Representatives and the  
24 Senate President shall each appoint one member of the  
25 Commission to serve as a co-chair. The members of the  
26 Commission shall serve without compensation.

1 (f) As used in this Section:

2 "Budget management action" means any ~~transfer between~~  
3 ~~appropriation lines exceeding 2%,~~ fund transfer directed by  
4 the Governor or the Governor's Office of Management and  
5 Budget, designation of appropriation lines as reserve, or any  
6 other discretionary action taken with regard to the ~~Fiscal~~  
7 ~~Year 2021~~ budget as enacted;

8 "State agency" means all officers, boards, commissions,  
9 departments, and agencies created by the Constitution, by law,  
10 by Executive Order, or by order of the Governor in the  
11 Executive Branch, other than the Offices of the Attorney  
12 General, Secretary of State, Comptroller, or Treasurer.

13 (g) This Section is repealed July 1, 2023 ~~2022~~.

14 (Source: P.A. 101-636, eff. 6-10-20; 102-16, eff. 6-17-21.)

15 ARTICLE 5.

16 Section 5-3. The Illinois Constitutional Amendment Act is  
17 amended by changing Section 2 as follows:

18 (5 ILCS 20/2) (from Ch. 1, par. 103)

19 Sec. 2.

20 (a) The General Assembly in submitting an amendment to the  
21 Constitution to the electors, or the proponents of an  
22 amendment to Article IV of the Constitution submitted by  
23 petition, shall prepare a brief explanation of such amendment,

1 a brief argument in favor of the same, and the form in which  
2 such amendment will appear on the separate ballot as provided  
3 by Section 16-6 of the Election Code, as amended. The minority  
4 of the General Assembly, or if there is no minority, anyone  
5 designated by the General Assembly shall prepare a brief  
6 argument against such amendment. The explanation, the  
7 arguments for and against each constitutional amendment, and  
8 the form in which the amendment will appear on the separate  
9 ballot shall be approved by a joint resolution of the General  
10 Assembly and filed in the office of the Secretary of State with  
11 the proposed amendment.

12 (b) In the case of an amendment to Article IV of the  
13 Constitution initiated pursuant to Section 3 of Article XIV of  
14 the Constitution, the proponents shall be those persons so  
15 designated at the time of the filing of the petition as  
16 provided in Section 10-8 of the Election Code, and the  
17 opponents shall be those members of the General Assembly  
18 opposing such amendment, or if there are none, anyone  
19 designated by the General Assembly and such opponents shall  
20 prepare a brief argument against such amendment. The  
21 proponent's explanation and argument in favor of and the  
22 opponents argument against an amendment to Article IV  
23 initiated by petition must be submitted to the Attorney  
24 General, who may rewrite them for accuracy and fairness. The  
25 explanation, the arguments for and against each constitutional  
26 amendment, and the form in which the amendment will appear on

1 the separate ballot shall be filed in the office of the  
2 Secretary of State with the proposed amendment.

3 (c) At least 2 months ~~one month~~ before the next election of  
4 members of the General Assembly, following the passage of the  
5 proposed amendment, the Secretary of State shall publish the  
6 amendment, in full in 8 point type, or the equivalent thereto,  
7 in at least one secular newspaper of general circulation in  
8 every county in this State in which a newspaper is published.  
9 In counties in which 2 or more newspapers are published, the  
10 Secretary of State shall cause such amendment to be published  
11 in 2 newspapers. In counties having a population of 500,000 or  
12 more, such amendment shall be published in not less than 6  
13 newspapers of general circulation. After the first  
14 publication, the publication of such amendment shall be  
15 repeated once each week for 2 consecutive weeks. In selecting  
16 newspapers in which to publish such amendment the Secretary of  
17 State shall have regard solely to the circulation of such  
18 newspapers, selecting secular newspapers in every case having  
19 the largest circulation. The proposed amendment shall have a  
20 notice prefixed thereto in said publications, that at such  
21 election the proposed amendment will be submitted to the  
22 electors for adoption or rejection, and at the end of the  
23 official publication, he shall also publish the form in which  
24 the proposed amendment will appear on the separate ballot. The  
25 Secretary of State shall fix the publication fees to be paid  
26 newspapers for making such publication, but in no case shall

1 such publication fee exceed the amount charged by such  
2 newspapers to private individuals for a like publication.

3 (d) In addition to the notice hereby required to be  
4 published, the Secretary of State shall also cause the  
5 existing form of the constitutional provision proposed to be  
6 amended, the proposed amendment, the explanation of the same,  
7 the arguments for and against the same, and the form in which  
8 such amendment will appear on the separate ballot, to be  
9 published in pamphlet form in 8 point type or the equivalent  
10 thereto in English, in additional languages as required by  
11 Section 203 of Title III of the federal Voting Rights Act of  
12 1965, and in braille. The Secretary of State shall publish the  
13 pamphlet on the Secretary's website in a downloadable,  
14 printable format and maintain a reasonable supply of printed  
15 pamphlets to be available upon request. The Secretary of State  
16 shall publish an audio version of the pamphlet, which shall be  
17 available for playback on the Secretary's website and made  
18 available to any individual or entity upon request.  ~~and~~

19 (e) Except as provided in subsection (f), the Secretary of  
20 State shall mail such pamphlet to every mailing address in the  
21 State, addressed to the attention of the Postal Patron. He  
22 shall also maintain a reasonable supply of such pamphlets so  
23 as to make them available to any person requesting one.

24 (f) For any proposed constitutional amendment appearing on  
25 the ballot for the general election on November 8, 2022, the  
26 Secretary of State, in lieu of the requirement in subsection

1 (e) of this Act, shall mail a postcard to every mailing address  
2 in the State advising that a proposed constitutional amendment  
3 will be considered at the general election. The postcard shall  
4 include a URL to the Secretary of State's website that  
5 contains the information required in subsection (d).

6 (Source: P.A. 98-463, eff. 8-16-13.)

7 Section 5-5. The Substance Use Disorder Act is amended by  
8 changing Section 5-10 as follows:

9 (20 ILCS 301/5-10)

10 Sec. 5-10. Functions of the Department.

11 (a) In addition to the powers, duties and functions vested  
12 in the Department by this Act, or by other laws of this State,  
13 the Department shall carry out the following activities:

14 (1) Design, coordinate and fund comprehensive  
15 community-based and culturally and gender-appropriate  
16 services throughout the State. These services must include  
17 prevention, early intervention, treatment, and other  
18 recovery support services for substance use disorders that  
19 are accessible and addresses the needs of at-risk  
20 individuals and their families.

21 (2) Act as the exclusive State agency to accept,  
22 receive and expend, pursuant to appropriation, any public  
23 or private monies, grants or services, including those  
24 received from the federal government or from other State

1 agencies, for the purpose of providing prevention, early  
2 intervention, treatment, and other recovery support  
3 services for substance use disorders.

4 (2.5) In partnership with the Department of Healthcare  
5 and Family Services, act as one of the principal State  
6 agencies for the sole purpose of calculating the  
7 maintenance of effort requirement under Section 1930 of  
8 Title XIX, Part B, Subpart II of the Public Health Service  
9 Act (42 U.S.C. 300x-30) and the Interim Final Rule (45 CFR  
10 96.134).

11 (3) Coordinate a statewide strategy for the  
12 prevention, early intervention, treatment, and recovery  
13 support of substance use disorders. This strategy shall  
14 include the development of a comprehensive plan, submitted  
15 annually with the application for federal substance use  
16 disorder block grant funding, for the provision of an  
17 array of such services. The plan shall be based on local  
18 community-based needs and upon data including, but not  
19 limited to, that which defines the prevalence of and costs  
20 associated with substance use disorders. This  
21 comprehensive plan shall include identification of  
22 problems, needs, priorities, services and other pertinent  
23 information, including the needs of minorities and other  
24 specific priority populations in the State, and shall  
25 describe how the identified problems and needs will be  
26 addressed. For purposes of this paragraph, the term

1 "minorities and other specific priority populations" may  
2 include, but shall not be limited to, groups such as  
3 women, children, intravenous drug users, persons with AIDS  
4 or who are HIV infected, veterans, African-Americans,  
5 Puerto Ricans, Hispanics, Asian Americans, the elderly,  
6 persons in the criminal justice system, persons who are  
7 clients of services provided by other State agencies,  
8 persons with disabilities and such other specific  
9 populations as the Department may from time to time  
10 identify. In developing the plan, the Department shall  
11 seek input from providers, parent groups, associations and  
12 interested citizens.

13 The plan developed under this Section shall include an  
14 explanation of the rationale to be used in ensuring that  
15 funding shall be based upon local community needs,  
16 including, but not limited to, the incidence and  
17 prevalence of, and costs associated with, substance use  
18 disorders, as well as upon demonstrated program  
19 performance.

20 The plan developed under this Section shall also  
21 contain a report detailing the activities of and progress  
22 made through services for the care and treatment of  
23 substance use disorders among pregnant women and mothers  
24 and their children established under subsection (j) of  
25 Section 35-5.

26 As applicable, the plan developed under this Section

1 shall also include information about funding by other  
2 State agencies for prevention, early intervention,  
3 treatment, and other recovery support services.

4 (4) Lead, foster and develop cooperation, coordination  
5 and agreements among federal and State governmental  
6 agencies and local providers that provide assistance,  
7 services, funding or other functions, peripheral or  
8 direct, in the prevention, early intervention, treatment,  
9 and recovery support for substance use disorders. This  
10 shall include, but shall not be limited to, the following:

11 (A) Cooperate with and assist other State  
12 agencies, as applicable, in establishing and  
13 conducting substance use disorder services among the  
14 populations they respectively serve.

15 (B) Cooperate with and assist the Illinois  
16 Department of Public Health in the establishment,  
17 funding and support of programs and services for the  
18 promotion of maternal and child health and the  
19 prevention and treatment of infectious diseases,  
20 including but not limited to HIV infection, especially  
21 with respect to those persons who are high risk due to  
22 intravenous injection of illegal drugs, or who may  
23 have been sexual partners of these individuals, or who  
24 may have impaired immune systems as a result of a  
25 substance use disorder.

26 (C) Supply to the Department of Public Health and

1 prenatal care providers a list of all providers who  
2 are licensed to provide substance use disorder  
3 treatment for pregnant women in this State.

4 (D) Assist in the placement of child abuse or  
5 neglect perpetrators (identified by the Illinois  
6 Department of Children and Family Services (DCFS)) who  
7 have been determined to be in need of substance use  
8 disorder treatment pursuant to Section 8.2 of the  
9 Abused and Neglected Child Reporting Act.

10 (E) Cooperate with and assist DCFS in carrying out  
11 its mandates to:

12 (i) identify substance use disorders among its  
13 clients and their families; and

14 (ii) develop services to deal with such  
15 disorders.

16 These services may include, but shall not be limited  
17 to, programs to prevent or treat substance use  
18 disorders with DCFS clients and their families,  
19 identifying child care needs within such treatment,  
20 and assistance with other issues as required.

21 (F) Cooperate with and assist the Illinois  
22 Criminal Justice Information Authority with respect to  
23 statistical and other information concerning the  
24 incidence and prevalence of substance use disorders.

25 (G) Cooperate with and assist the State  
26 Superintendent of Education, boards of education,

1 schools, police departments, the Illinois State  
2 Police, courts and other public and private agencies  
3 and individuals in establishing prevention programs  
4 statewide and preparing curriculum materials for use  
5 at all levels of education.

6 (H) Cooperate with and assist the Illinois  
7 Department of Healthcare and Family Services in the  
8 development and provision of services offered to  
9 recipients of public assistance for the treatment and  
10 prevention of substance use disorders.

11 (I) (Blank).

12 (5) From monies appropriated to the Department from  
13 the Drunk and Drugged Driving Prevention Fund, reimburse  
14 DUI evaluation and risk education programs licensed by the  
15 Department for providing indigent persons with free or  
16 reduced-cost evaluation and risk education services  
17 relating to a charge of driving under the influence of  
18 alcohol or other drugs.

19 (6) Promulgate regulations to identify and disseminate  
20 best practice guidelines that can be utilized by publicly  
21 and privately funded programs as well as for levels of  
22 payment to government funded programs that provide  
23 prevention, early intervention, treatment, and other  
24 recovery support services for substance use disorders and  
25 those services referenced in Sections 15-10 and 40-5.

26 (7) In consultation with providers and related trade

1 associations, specify a uniform methodology for use by  
2 funded providers and the Department for billing and  
3 collection and dissemination of statistical information  
4 regarding services related to substance use disorders.

5 (8) Receive data and assistance from federal, State  
6 and local governmental agencies, and obtain copies of  
7 identification and arrest data from all federal, State and  
8 local law enforcement agencies for use in carrying out the  
9 purposes and functions of the Department.

10 (9) Designate and license providers to conduct  
11 screening, assessment, referral and tracking of clients  
12 identified by the criminal justice system as having  
13 indications of substance use disorders and being eligible  
14 to make an election for treatment under Section 40-5 of  
15 this Act, and assist in the placement of individuals who  
16 are under court order to participate in treatment.

17 (10) Identify and disseminate evidence-based best  
18 practice guidelines as maintained in administrative rule  
19 that can be utilized to determine a substance use disorder  
20 diagnosis.

21 (11) (Blank).

22 (12) Make grants with funds appropriated from the Drug  
23 Treatment Fund in accordance with Section 7 of the  
24 Controlled Substance and Cannabis Nuisance Act, or in  
25 accordance with Section 80 of the Methamphetamine Control  
26 and Community Protection Act, or in accordance with

1 subsections (h) and (i) of Section 411.2 of the Illinois  
2 Controlled Substances Act, or in accordance with Section  
3 6z-107 of the State Finance Act.

4 (13) Encourage all health and disability insurance  
5 programs to include substance use disorder treatment as a  
6 covered service and to use evidence-based best practice  
7 criteria as maintained in administrative rule and as  
8 required in Public Act 99-0480 in determining the  
9 necessity for such services and continued stay.

10 (14) Award grants and enter into fixed-rate and  
11 fee-for-service arrangements with any other department,  
12 authority or commission of this State, or any other state  
13 or the federal government or with any public or private  
14 agency, including the disbursement of funds and furnishing  
15 of staff, to effectuate the purposes of this Act.

16 (15) Conduct a public information campaign to inform  
17 the State's Hispanic residents regarding the prevention  
18 and treatment of substance use disorders.

19 (b) In addition to the powers, duties and functions vested  
20 in it by this Act, or by other laws of this State, the  
21 Department may undertake, but shall not be limited to, the  
22 following activities:

23 (1) Require all organizations licensed or funded by  
24 the Department to include an education component to inform  
25 participants regarding the causes and means of  
26 transmission and methods of reducing the risk of acquiring

1 or transmitting HIV infection and other infectious  
2 diseases, and to include funding for such education  
3 component in its support of the program.

4 (2) Review all State agency applications for federal  
5 funds that include provisions relating to the prevention,  
6 early intervention and treatment of substance use  
7 disorders in order to ensure consistency.

8 (3) Prepare, publish, evaluate, disseminate and serve  
9 as a central repository for educational materials dealing  
10 with the nature and effects of substance use disorders.  
11 Such materials may deal with the educational needs of the  
12 citizens of Illinois, and may include at least pamphlets  
13 that describe the causes and effects of fetal alcohol  
14 spectrum disorders.

15 (4) Develop and coordinate, with regional and local  
16 agencies, education and training programs for persons  
17 engaged in providing services for persons with substance  
18 use disorders, which programs may include specific HIV  
19 education and training for program personnel.

20 (5) Cooperate with and assist in the development of  
21 education, prevention, early intervention, and treatment  
22 programs for employees of State and local governments and  
23 businesses in the State.

24 (6) Utilize the support and assistance of interested  
25 persons in the community, including recovering persons, to  
26 assist individuals and communities in understanding the

1 dynamics of substance use disorders, and to encourage  
2 individuals with substance use disorders to voluntarily  
3 undergo treatment.

4 (7) Promote, conduct, assist or sponsor basic  
5 clinical, epidemiological and statistical research into  
6 substance use disorders and research into the prevention  
7 of those problems either solely or in conjunction with any  
8 public or private agency.

9 (8) Cooperate with public and private agencies,  
10 organizations and individuals in the development of  
11 programs, and to provide technical assistance and  
12 consultation services for this purpose.

13 (9) (Blank).

14 (10) (Blank).

15 (11) Fund, promote, or assist entities dealing with  
16 substance use disorders.

17 (12) With monies appropriated from the Group Home Loan  
18 Revolving Fund, make loans, directly or through  
19 subcontract, to assist in underwriting the costs of  
20 housing in which individuals recovering from substance use  
21 disorders may reside, pursuant to Section 50-40 of this  
22 Act.

23 (13) Promulgate such regulations as may be necessary  
24 to carry out the purposes and enforce the provisions of  
25 this Act.

26 (14) Provide funding to help parents be effective in

1 preventing substance use disorders by building an  
2 awareness of the family's role in preventing substance use  
3 disorders through adjusting expectations, developing new  
4 skills, and setting positive family goals. The programs  
5 shall include, but not be limited to, the following  
6 subjects: healthy family communication; establishing rules  
7 and limits; how to reduce family conflict; how to build  
8 self-esteem, competency, and responsibility in children;  
9 how to improve motivation and achievement; effective  
10 discipline; problem solving techniques; and how to talk  
11 about drugs and alcohol. The programs shall be open to all  
12 parents.

13 (c) There is created within the Department of Human  
14 Services an Office of Opioid Settlement Administration. The  
15 Office shall be responsible for implementing and administering  
16 approved abatement programs as described in Exhibit B of the  
17 Illinois Opioid Allocation Agreement, effective December 30,  
18 2021. The Office may also implement and administer other  
19 opioid-related programs, including but not limited to  
20 prevention, treatment, and recovery services from other funds  
21 made available to the Department of Human Services. The  
22 Secretary of Human Services shall appoint or assign staff as  
23 necessary to carry out the duties and functions of the Office.

24 (Source: P.A. 101-10, eff. 6-5-19; 102-538, eff. 8-20-21.)

25 Section 5-10. The Department of Central Management

1 Services Law of the Civil Administrative Code of Illinois is  
2 amended by changing Section 405-280 as follows:

3 (20 ILCS 405/405-280) (was 20 ILCS 405/67.15)

4 Sec. 405-280. State garages; charging stations; passenger  
5 cars.

6 (a) To supervise and administer all State garages used for  
7 the repair, maintenance, or servicing of State-owned motor  
8 vehicles except those operated by any State college or  
9 university or by the Illinois Mathematics and Science Academy;  
10 to supervise and administer the design, purchase,  
11 installation, operation, and maintenance of electric vehicle  
12 charging infrastructure and associated improvements on any  
13 property that is owned or controlled by the State; and to  
14 acquire, maintain, and administer the operation of the  
15 passenger cars reasonably necessary to the operations of the  
16 executive department of the State government. To this end, the  
17 Department shall adopt regulations setting forth guidelines  
18 for the acquisition, use, maintenance, and replacement of  
19 motor vehicles, including the use of ethanol blended gasoline  
20 whenever feasible, used by the executive department of State  
21 government; shall occupy the space and take possession of the  
22 personnel, facilities, equipment, tools, and vehicles that are  
23 in the possession or under the administration of the former  
24 Department of Administrative Services for these purposes on  
25 July 13, 1982 (the effective date of Public Act 82-789); and

1 shall, from time to time, acquire any further, additional, and  
2 replacement facilities, space, tools, and vehicles that are  
3 reasonably necessary for the purposes described in this  
4 Section.

5 (a-5) Notwithstanding any State policy or rule to the  
6 contrary, any State-owned motor vehicle requiring maintenance  
7 in the form of an oil change shall have such maintenance  
8 performed according to the applicable Department policy which  
9 considers the manufacturer's suggested oil change frequency  
10 for that vehicle's particular make, model, and year. The  
11 Department shall evaluate the original equipment  
12 manufacturer's oil change interval recommendations and other  
13 related impacts periodically and consider policy adjustments  
14 as is cost and operationally efficient for the State.

15 (b) The Department shall evaluate the availability and  
16 cost of GPS systems that State agencies may be able to use to  
17 track State-owned motor vehicles.

18 (c) The Department shall distribute a spreadsheet or  
19 otherwise make data entry available to each State agency to  
20 facilitate the collection of data for publishing on the  
21 Department's Internet website. Each State agency shall  
22 cooperate with the Department in furnishing the data necessary  
23 for the implementation of this subsection within the timeframe  
24 specified by the Department. Each State agency shall be  
25 responsible for the validity and accuracy of the data  
26 provided. Beginning on July 1, 2013, the Department shall make

1 available to the public on its Internet website the following  
2 information:

3 (1) vehicle cost data, organized by individual vehicle  
4 and by State agency, and including repair, maintenance,  
5 fuel, insurance, and other costs, as well as whether  
6 required vehicle inspections have been performed; and

7 (2) an annual vehicle breakeven analysis, organized by  
8 individual vehicle and by State agency, comparing the  
9 number of miles a vehicle has been driven with the total  
10 cost of maintaining the vehicle.

11 (d) Beginning on January 1, 2013 (the effective date of  
12 Public Act 97-922) ~~this amendatory Act of the 97th General~~  
13 ~~Assembly~~, and notwithstanding any provision of law to the  
14 contrary, the Department may not make any new motor vehicle  
15 purchases until the Department sets forth procedures to  
16 condition the purchase of new motor vehicles on (i) a  
17 determination of need based on a breakeven analysis, and (ii)  
18 a determination that no other available means, including car  
19 sharing or rental agreements, would be more cost-effective to  
20 the State. However, the Department may purchase motor vehicles  
21 not meeting or exceeding a breakeven analysis only if there is  
22 no alternative available to carry out agency work functions  
23 and the purchase is approved by the Manager of the Division of  
24 Vehicles upon the receipt of a written explanation from the  
25 agency head of the operational needs justifying the purchase.

26 (Source: P.A. 100-651, eff. 1-1-19.)

1 Section 5-12. The Children and Family Services Act is  
2 amended by adding Section 35.11 as follows:

3 (20 ILCS 505/35.11 new)

4 Sec. 35.11. Rate study. By November 1, 2022, the  
5 Department of Children and Family Services shall issue a  
6 request for proposal for a rate consultant to study and  
7 develop potential new rates and rate methodologies using  
8 objective, publicly available data sources, standard  
9 administrative cost reporting, and provider-reported costs in  
10 order to determine the resources necessary to create and  
11 maintain a robust continuum of care in Illinois to meet the  
12 needs of all youth in the Department's care, including, but  
13 not limited to, therapeutic residential placements,  
14 evidence-based alternatives to residential care including  
15 therapeutic foster care, specialized foster care, community  
16 supports for youth in care who are returned home to parents or  
17 guardians, and emergency foster care and emergency shelter  
18 care.

19 Section 5-15. The Department of Commerce and Economic  
20 Opportunity Law of the Civil Administrative Code of Illinois  
21 is amended by changing Sections 605-55 and 605-705 and by  
22 adding Sections 605-1095 and 605-1100 as follows:

1 (20 ILCS 605/605-55) (was 20 ILCS 605/46.21)

2 Sec. 605-55. Contracts and other acts to accomplish  
3 Department's duties. To make and enter into contracts,  
4 including but not limited to making grants and loans to units  
5 of local government, private agencies as defined in the  
6 Illinois State Auditing Act, non-profit corporations,  
7 educational institutions, and for-profit businesses as  
8 authorized pursuant to appropriations by the General Assembly  
9 from the Build Illinois Bond Fund, the Fund for Illinois'  
10 Future, the Capital Development Fund, ~~and~~ the General Revenue  
11 Fund, and, for Fiscal Year 2023 only, the Chicago Travel  
12 Industry Promotion Fund, and generally to do all things that,  
13 in its judgment, may be necessary, proper, and expedient in  
14 accomplishing its duties.

15 (Source: P.A. 94-91, eff. 7-1-05.)

16 (20 ILCS 605/605-705) (was 20 ILCS 605/46.6a)

17 Sec. 605-705. Grants to local tourism and convention  
18 bureaus.

19 (a) To establish a grant program for local tourism and  
20 convention bureaus. The Department will develop and implement  
21 a program for the use of funds, as authorized under this Act,  
22 by local tourism and convention bureaus. For the purposes of  
23 this Act, bureaus eligible to receive funds are those local  
24 tourism and convention bureaus that are (i) either units of  
25 local government or incorporated as not-for-profit

1 organizations; (ii) in legal existence for a minimum of 2  
2 years before July 1, 2001; (iii) operating with a paid,  
3 full-time staff whose sole purpose is to promote tourism in  
4 the designated service area; and (iv) affiliated with one or  
5 more municipalities or counties that support the bureau with  
6 local hotel-motel taxes. After July 1, 2001, bureaus  
7 requesting certification in order to receive funds for the  
8 first time must be local tourism and convention bureaus that  
9 are (i) either units of local government or incorporated as  
10 not-for-profit organizations; (ii) in legal existence for a  
11 minimum of 2 years before the request for certification; (iii)  
12 operating with a paid, full-time staff whose sole purpose is  
13 to promote tourism in the designated service area; and (iv)  
14 affiliated with multiple municipalities or counties that  
15 support the bureau with local hotel-motel taxes. Each bureau  
16 receiving funds under this Act will be certified by the  
17 Department as the designated recipient to serve an area of the  
18 State. Notwithstanding the criteria set forth in this  
19 subsection (a), or any rule adopted under this subsection (a),  
20 the Director of the Department may provide for the award of  
21 grant funds to one or more entities if in the Department's  
22 judgment that action is necessary in order to prevent a loss of  
23 funding critical to promoting tourism in a designated  
24 geographic area of the State.

25 (b) To distribute grants to local tourism and convention  
26 bureaus from appropriations made from the Local Tourism Fund

1 for that purpose. Of the amounts appropriated annually to the  
2 Department for expenditure under this Section prior to July 1,  
3 2011, one-third of those monies shall be used for grants to  
4 convention and tourism bureaus in cities with a population  
5 greater than 500,000. The remaining two-thirds of the annual  
6 appropriation prior to July 1, 2011 shall be used for grants to  
7 convention and tourism bureaus in the remainder of the State,  
8 in accordance with a formula based upon the population served.  
9 Of the amounts appropriated annually to the Department for  
10 expenditure under this Section beginning July 1, 2011, 18% of  
11 such moneys shall be used for grants to convention and tourism  
12 bureaus in cities with a population greater than 500,000. Of  
13 the amounts appropriated annually to the Department for  
14 expenditure under this Section beginning July 1, 2011, 82% of  
15 such moneys shall be used for grants to convention bureaus in  
16 the remainder of the State, in accordance with a formula based  
17 upon the population served. The Department may reserve up to  
18 3% of total local tourism funds available for costs of  
19 administering the program to conduct audits of grants, to  
20 provide incentive funds to those bureaus that will conduct  
21 promotional activities designed to further the Department's  
22 statewide advertising campaign, to fund special statewide  
23 promotional activities, and to fund promotional activities  
24 that support an increased use of the State's parks or historic  
25 sites. The Department shall require that any convention and  
26 tourism bureau receiving a grant under this Section that

1 requires matching funds shall provide matching funds equal to  
2 no less than 50% of the grant amount except that in Fiscal  
3 Years 2021 through 2023 ~~and 2022~~ only, the Department shall  
4 require that any convention and tourism bureau receiving a  
5 grant under this Section that requires matching funds shall  
6 provide matching funds equal to no less than 25% of the grant  
7 amount. During fiscal year 2013, the Department shall reserve  
8 \$2,000,000 of the available local tourism funds for  
9 appropriation to the Historic Preservation Agency for the  
10 operation of the Abraham Lincoln Presidential Library and  
11 Museum and State historic sites.

12 To provide for the expeditious and timely implementation  
13 of the changes made by Public Act 101-636 ~~this amendatory Act~~  
14 ~~of the 101st General Assembly~~, emergency rules to implement  
15 the changes made by Public Act 101-636 ~~this amendatory Act of~~  
16 ~~the 101st General Assembly~~ may be adopted by the Department  
17 subject to the provisions of Section 5-45 of the Illinois  
18 Administrative Procedure Act.

19 (Source: P.A. 101-636, eff. 6-10-20; 102-16, eff. 6-17-21.)

20 (20 ILCS 605/605-1095 new)

21 Sec. 605-1095. Hotel Jobs Recovery Grant Program.

22 (a) In 2019, the hotel industry in the State of Illinois  
23 directly employed more than 60,000 people and generated  
24 \$4,000,000,000 in State and local taxes. During the first year  
25 of the COVID-19 pandemic, one in three hotel workers were laid

1 off or furloughed, and hotels lost \$3,600,000,000 in economic  
2 activity. Unlike other segments of the hospitality industry,  
3 the hotel industry has not received any direct hotel-specific  
4 support from the federal government. Funds awarded under this  
5 Section will be used by hotels to support their workforce and  
6 recover from the COVID-19 pandemic.

7 (b) As used in this Section:

8 "Hotel" means any building or buildings in which the  
9 public may, for a consideration, obtain living quarters,  
10 sleeping or housekeeping accommodations. The term includes,  
11 but is not limited to, inns, motels, tourist homes or courts,  
12 lodging houses, rooming houses, retreat centers, conference  
13 centers, and hunting lodges. "Hotel" does not include a  
14 short-term rental.

15 "Short-term rental" means a single-family dwelling, or a  
16 residential dwelling unit in a multi-unit structure,  
17 condominium, cooperative, timeshare, or similar joint property  
18 ownership arrangement, that is rented for a fee for less than  
19 30 consecutive days. "Short-term rental" includes a vacation  
20 rental.

21 "Operator" and "room" have the meanings given to those  
22 terms in the Hotel Operators' Occupation Tax Act.

23 (c) The Department may receive State funds and, directly  
24 or indirectly, federal funds under the authority of  
25 legislation passed in response to the Coronavirus epidemic  
26 including, but not limited to, the American Rescue Plan Act of

1 2021, (Public Law 117-2) ("ARPA"); such funds shall be used in  
2 accordance with the ARPA legislation and other State and  
3 federal law. Upon receipt or availability of such State or  
4 federal funds, and subject to appropriations for their use,  
5 the Department shall establish the Hotel Jobs Recovery Grant  
6 Program for the purpose of providing direct relief to hotels  
7 impacted by the COVID-19 pandemic. Based on an application  
8 filed by the hotel operator, the Department shall award a  
9 one-time grant in an amount of up to \$1,500 for each room in  
10 the hotel. Every hotel in operation in the state prior to March  
11 12, 2020 that remains in operation shall be eligible to apply  
12 for the grant. Grant awards shall be scaled based on a process  
13 determined by the Department, including reducing the grant  
14 amount by previous state and local relief provided to the  
15 business during the COVID-19 pandemic.

16 (d) Any operator who receives grant funds under this  
17 Section shall use a minimum of 80% of the funds on payroll  
18 costs, to the extent permitted by Section 9901 of ARPA,  
19 including, but not limited to, wages, benefits, and employer  
20 contributions to employee healthcare costs. The remaining  
21 funds shall be used on any other costs and losses permitted by  
22 ARPA.

23 (e) Within 12 months after receiving grant funds under  
24 this Section, the operator shall submit a written attestation  
25 to the Department acknowledging compliance with subsection  
26 (d).

1       (f) The Department may establish by rule administrative  
2 procedures for the grant program, including any application  
3 procedures, grant agreements, certifications, payment  
4 methodologies, and other accountability measures that may be  
5 imposed upon participants in the program. The emergency  
6 rulemaking process may be used to promulgate the initial rules  
7 of the program following the effective date of this amendatory  
8 Act of the 102nd General Assembly.

9       (g) The Department has the power to issue grants and enter  
10 into agreements with eligible hotels to carry out the purposes  
11 of this program.

12       (h) This Section is repealed on December 31, 2024.

13       (20 ILCS 605/605-1100 new)

14       Sec. 605-1100. Restaurant Employment and Stabilization  
15 Grant Program.

16       (a) As used in this Section, "eligible entity" means a  
17 restaurant or tavern that meets all of the following criteria:

18           (1) the restaurant or tavern is located in the State  
19 of Illinois;

20           (2) the restaurant or tavern is eligible to receive  
21 federal grant funds under Section 5003 of the American  
22 Rescue Plan Act of 2021 ("ARPA");

23           (3) the restaurant or tavern employs 50 or fewer  
24 employees;

25           (4) the restaurant or tavern was in operation as of

1 March 12, 2020 and remains in operation; and

2 (5) the restaurant or tavern has not received  
3 financial assistance pursuant to the federal Restaurant  
4 Revitalization Grant Program; the State Back to Business  
5 Grant Program or the Business Interruption Grant program;  
6 or any other local or State program providing more than  
7 \$10,000 in grants or forgiven loans since April 1, 2020.

8 (b) The Department may receive State funds and, directly  
9 or indirectly, federal funds under the authority of  
10 legislation passed in response to the Coronavirus epidemic  
11 including, but not limited to, ARPA; such funds shall be used  
12 in accordance with the ARPA legislation and other State and  
13 federal law. Upon receipt or availability of such State or  
14 federal funds, and subject to appropriations for their use,  
15 the Department shall establish the Restaurant Employment and  
16 Stabilization Grant Program for the purpose of providing  
17 direct economic relief to eligible entities that continue to  
18 be impacted by COVID-19 economic pandemic conditions. The  
19 Department shall award a one-time grant in an amount of up to  
20 \$50,000 to each eligible entity. Grant award amounts will be  
21 determined, based on the eligible entity's reported losses  
22 during a timeframe determined by the Department.

23 (c) Eligible entities receiving grant funds under this  
24 Section shall use those grant funds only for the following  
25 purposes, to the extent permitted by Section 9901 of ARPA and  
26 related federal guidance, including but not limited to the

1 following: payroll costs; paid sick leave; employer  
2 contributions to employee health care costs; payments of  
3 principal or interest on any mortgage obligation; rent  
4 payments, including rent under a lease agreement; utilities;  
5 maintenance; and operational expenses.

6 (d) Within one year after receiving grant funds under this  
7 Section, the eligible entity shall submit a written  
8 attestation to the Department acknowledging compliance with  
9 subsection (c). The Department shall establish additional  
10 reporting requirements based on reporting guidelines  
11 established by the U.S. Department of Treasury for Section  
12 9901 of ARPA by administrative rule.

13 (e) If an eligible entity that receives a grant under this  
14 Section fails to use all of those grant funds within one year  
15 after receiving the grant, the eligible entity shall return to  
16 the Department any grant funds that the eligible entity  
17 received under this Section and did not use for allowable  
18 expenses under subsection (c).

19 (f) The Department may establish by rule administrative  
20 procedures for the grant program, including any application  
21 procedures, grant agreements, certifications, payment  
22 methodologies, and other accountability measures that may be  
23 imposed upon participants in the program. The emergency  
24 rulemaking process may be used to promulgate the initial rules  
25 of the program following the effective date of this amendatory  
26 Act of the 102nd General Assembly.

1           (g) The Department has the power to issue grants and enter  
2           into agreements with eligible entities to carry out the  
3           purposes of this program.

4           (h) This Section is repealed on December 31, 2024.

5           Section 5-16. The Electric Vehicle Act is amended by  
6           changing Section 15 as follows:

7           (20 ILCS 627/15)

8           Sec. 15. Electric Vehicle Coordinator. The Governor, with  
9           the advice and consent of the Senate, shall appoint a person  
10          within the Illinois Environmental Protection Agency to serve  
11          as the Electric Vehicle Coordinator for the State of Illinois.  
12          The Electric Vehicle Coordinator shall receive an annual  
13          salary as set by the Governor and beginning July 1, 2022 shall  
14          be compensated from appropriations made to the Comptroller for  
15          this purpose. This person may be an existing employee with  
16          other duties. The Coordinator shall act as a point person for  
17          electric vehicle-related and electric vehicle charging-related  
18          policies and activities in Illinois, including, but not  
19          limited to, the issuance of electric vehicle rebates for  
20          consumers and electric vehicle charging rebates for  
21          organizations and companies.

22          (Source: P.A. 102-444, eff. 8-20-21; 102-662, eff. 9-15-21.)

23          Section 5-17. The Department of Natural Resources Act is

1 amended by changing Section 1-15 as follows:

2 (20 ILCS 801/1-15)

3 Sec. 1-15. General powers and duties.

4 (a) It shall be the duty of the Department to investigate  
5 practical problems, implement studies, conduct research and  
6 provide assistance, information and data relating to the  
7 technology and administration of the natural history,  
8 entomology, zoology, and botany of this State; the geology and  
9 natural resources of this State; the water and atmospheric  
10 resources of this State; and the archeological and cultural  
11 history of this State.

12 (b) The Department (i) shall obtain, store, and process  
13 relevant data; recommend technological, administrative, and  
14 legislative changes and developments; cooperate with other  
15 federal, state, and local governmental research agencies,  
16 facilities, or institutes in the selection of projects for  
17 study; cooperate with the Board of Higher Education and with  
18 the public and private colleges and universities in this State  
19 in developing relevant interdisciplinary approaches to  
20 problems; and evaluate curricula at all levels of education  
21 and provide assistance to instructors and (ii) may sponsor an  
22 annual conference of leaders in government, industry, health,  
23 and education to evaluate the state of this State's  
24 environment and natural resources.

25 (c) The Director, in accordance with the Personnel Code,

1 shall employ such personnel, provide such facilities, and  
2 contract for such outside services as may be necessary to  
3 carry out the purposes of the Department. Maximum use shall be  
4 made of existing federal and state agencies, facilities, and  
5 personnel in conducting research under this Act.

6 (c-5) The Department may use the services of, and enter  
7 into necessary agreements with, outside entities for the  
8 purpose of evaluating grant applications and for the purpose  
9 of administering or monitoring compliance with grant  
10 agreements. Contracts under this subsection shall not exceed 2  
11 years in length.

12 (d) In addition to its other powers, the Department has  
13 the following powers:

14 (1) To obtain, store, process, and provide data and  
15 information related to the powers and duties of the  
16 Department under this Act. This subdivision (d)(1) does  
17 not give authority to the Department to require reports  
18 from nongovernmental sources or entities.

19 (2) To cooperate with and support the Illinois Science  
20 and Technology Advisory Committee and the Illinois  
21 Coalition for the purpose of facilitating the effective  
22 operations and activities of such entities. Support may  
23 include, but need not be limited to, providing space for  
24 the operations of the Committee and the Illinois  
25 Coalition.

26 (e) The Department is authorized to make grants to local

1 not-for-profit organizations for the purposes of development,  
2 maintenance and study of wetland areas.

3 (f) The Department has the authority to accept, receive  
4 and administer on behalf of the State any gifts, bequests,  
5 donations, income from property rental and endowments. Any  
6 such funds received by the Department shall be deposited into  
7 the Natural Resources Fund, a special fund which is hereby  
8 created in the State treasury, and used for the purposes of  
9 this Act or, when appropriate, for such purposes and under  
10 such restrictions, terms and conditions as are predetermined  
11 by the donor or grantor of such funds or property. Any accrued  
12 interest from money deposited into the Natural Resources Fund  
13 shall be reinvested into the Fund and used in the same manner  
14 as the principal. The Director shall maintain records which  
15 account for and assure that restricted funds or property are  
16 disbursed or used pursuant to the restrictions, terms or  
17 conditions of the donor.

18 (g) The Department shall recognize, preserve, and promote  
19 our special heritage of recreational hunting and trapping by  
20 providing opportunities to hunt and trap in accordance with  
21 the Wildlife Code.

22 (h) Within 5 years after the effective date of this  
23 amendatory Act of the 102nd General Assembly, the Department  
24 shall fly a United States Flag, an Illinois flag, and a POW/MIA  
25 flag at all State parks. Donations may be made by groups and  
26 individuals to the Department's Special Projects Fund for

1 costs related to the implementation of this subsection.

2 (Source: P.A. 102-388, eff. 1-1-22.)

3 Section 5-18. The Department of Human Services Act is  
4 amended by changing Section 1-20 as follows:

5 (20 ILCS 1305/1-20)

6 Sec. 1-20. General powers and duties.

7 (a) The Department shall exercise the rights, powers,  
8 duties, and functions provided by law, including (but not  
9 limited to) the rights, powers, duties, and functions  
10 transferred to the Department under Article 80 and Article 90  
11 of this Act.

12 (b) The Department may employ personnel (in accordance  
13 with the Personnel Code), provide facilities, contract for  
14 goods and services, and adopt rules as necessary to carry out  
15 its functions and purposes, all in accordance with applicable  
16 State and federal law.

17 (c) On and after the date 6 months after the effective date  
18 of this amendatory Act of the 98th General Assembly, as  
19 provided in the Executive Order 1 (2012) Implementation Act,  
20 all of the powers, duties, rights, and responsibilities  
21 related to State healthcare purchasing under this Act that  
22 were transferred from the Department to the Department of  
23 Healthcare and Family Services by Executive Order 3 (2005) are  
24 transferred back to the Department.

1       (d) The Department may utilize the services of, and enter  
2 into necessary agreements with, outside entities for the  
3 purpose of evaluating grant applications and administration of  
4 or monitoring compliance with grant agreements. Contracts  
5 pursuant to this subsection shall not exceed 2 years in  
6 length.

7       (Source: P.A. 98-488, eff. 8-16-13.)

8       Section 5-20. The Illinois Commission on Volunteerism and  
9 Community Service Act is amended by adding Section 4.5 as  
10 follows:

11       (20 ILCS 1345/4.5 new)

12       Sec. 4.5. Serve Illinois Commission Fund; creation. The  
13 Serve Illinois Commission Fund is created as a special fund in  
14 the State treasury. All federal grant moneys awarded in  
15 support of the activities authorized under this Act to the  
16 Department of Human Services or the Commission may be  
17 deposited into the Serve Illinois Commission Fund. In addition  
18 to federal grant moneys, the Department and the Commission may  
19 accept and deposit into the Serve Illinois Commission Fund any  
20 other funds, grants, gifts, and bequests from any source,  
21 public or private, in support of the activities authorized  
22 under this Act. Appropriations from the Serve Illinois  
23 Commission Fund shall be used for operations, grants, and  
24 other purposes as authorized by this Act. Upon written

1 notification by the Secretary of Human Services, the State  
2 Comptroller shall direct and the State Treasurer shall  
3 transfer any remaining balance in the Federal National  
4 Community Services Grant Fund to the Serve Illinois Commission  
5 Fund.

6 Section 5-25. The Illinois Lottery Law is amended by  
7 changing Sections 2, 7.12, and 9.1 and by adding Sections 9.2  
8 and 9.3 as follows:

9 (20 ILCS 1605/2) (from Ch. 120, par. 1152)

10 Sec. 2. This Act is enacted to implement and establish  
11 within the State a lottery to be conducted by the State through  
12 the Department. The entire net proceeds of the Lottery are to  
13 be used for the support of the State's Common School Fund,  
14 except as otherwise provided in this Act ~~subsection (e) of~~  
15 ~~Section 9.1 and Sections 21.5, 21.6, 21.7, 21.8, 21.9, 21.10,~~  
16 ~~21.11, 21.12, and 21.13.~~ The General Assembly finds that it is  
17 in the public interest for the Department to conduct the  
18 functions of the Lottery with the assistance of a private  
19 manager under a management agreement overseen by the  
20 Department. The Department shall be accountable to the General  
21 Assembly and the people of the State through a comprehensive  
22 system of regulation, audits, reports, and enduring  
23 operational oversight. The Department's ongoing conduct of the  
24 Lottery through a management agreement with a private manager

1 shall act to promote and ensure the integrity, security,  
2 honesty, and fairness of the Lottery's operation and  
3 administration. It is the intent of the General Assembly that  
4 the Department shall conduct the Lottery with the assistance  
5 of a private manager under a management agreement at all times  
6 in a manner consistent with 18 U.S.C. 1307(a)(1), 1307(b)(1),  
7 1953(b)(4).

8 Beginning with Fiscal Year 2018 and every year thereafter,  
9 any moneys transferred from the State Lottery Fund to the  
10 Common School Fund shall be supplemental to, and not in lieu  
11 of, any other money due to be transferred to the Common School  
12 Fund by law or appropriation.

13 (Source: P.A. 101-81, eff. 7-12-19; 101-561, eff. 8-23-19;  
14 102-558, eff. 8-20-21.)

15 (20 ILCS 1605/7.12)

16 (Section scheduled to be repealed on July 1, 2022)

17 Sec. 7.12. Internet program.

18 (a) The General Assembly finds that:

19 (1) the consumer market in Illinois has changed since  
20 the creation of the Illinois State Lottery in 1974;

21 (2) the Internet has become an integral part of  
22 everyday life for a significant number of Illinois  
23 residents not only in regards to their professional life,  
24 but also in regards to personal business and  
25 communication; and

1           (3) the current practices of selling lottery tickets  
2           does not appeal to the new form of market participants who  
3           prefer to make purchases on the Internet at their own  
4           convenience.

5           It is the intent of the General Assembly to create an  
6           Internet program for the sale of lottery tickets to capture  
7           this new form of market participant.

8           (b) The Department shall create a program that allows an  
9           individual 18 years of age or older to purchase lottery  
10          tickets or shares on the Internet without using a Lottery  
11          retailer with on-line status, as those terms are defined by  
12          rule. The Department shall restrict the sale of lottery  
13          tickets on the Internet to transactions initiated and received  
14          or otherwise made exclusively within the State of Illinois.  
15          The Department shall adopt rules necessary for the  
16          administration of this program. These rules shall include,  
17          among other things, requirements for marketing of the Lottery  
18          to infrequent players, as well as limitations on the purchases  
19          that may be made through any one individual's lottery account.  
20          The provisions of this Act and the rules adopted under this Act  
21          shall apply to the sale of lottery tickets or shares under this  
22          program.

23          The Department is obligated to implement the program set  
24          forth in this Section and Sections 7.15 and 7.16. The  
25          Department may offer Lotto, Lucky Day Lotto, Mega Millions,  
26          Powerball, Pick 3, Pick 4, and other draw games that are

1 offered at retail locations through the Internet program. The  
2 private manager shall obtain the Director's approval before  
3 providing any draw games. Any draw game tickets that are  
4 approved for sale by lottery licensees are automatically  
5 approved for sale through the Internet program. The Department  
6 shall maintain responsible gaming controls in its policies.

7 The Department shall authorize the private manager to  
8 implement and administer the program pursuant to the  
9 management agreement entered into under Section 9.1 and in a  
10 manner consistent with the provisions of this Section. If a  
11 private manager has not been selected pursuant to Section 9.1  
12 at the time the Department is obligated to implement the  
13 program, then the Department shall not proceed with the  
14 program until after the selection of the private manager, at  
15 which time the Department shall authorize the private manager  
16 to implement and administer the program pursuant to the  
17 management agreement entered into under Section 9.1 and in a  
18 manner consistent with the provisions of this Section.

19 Nothing in this Section shall be construed as prohibiting  
20 the Department from implementing and operating a website  
21 portal whereby individuals who are 18 years of age or older  
22 with an Illinois mailing address may apply to purchase lottery  
23 tickets via subscription. Nothing in this Section shall also  
24 be construed as prohibiting the Lottery draw game tickets  
25 authorized for sale through the Internet program under this  
26 Section from also continuing to be sold at retail locations by

1 a lottery licensee pursuant to the Department's rules.

2 (c) (Blank).

3 (d) This Section is repealed on July 1, 2025 ~~2022~~.

4 (Source: P.A. 100-23, eff. 7-6-17; 100-587, eff. 6-4-18;  
5 101-35, eff. 6-28-19.)

6 (20 ILCS 1605/9.1)

7 Sec. 9.1. Private manager and management agreement.

8 (a) As used in this Section:

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

11 "Request for qualifications" means all materials and  
12 documents prepared by the Department to solicit the following  
13 from offerors:

14 (1) Statements of qualifications.

15 (2) Proposals to enter into a management agreement,  
16 including the identity of any prospective vendor or  
17 vendors that the offeror intends to initially engage to  
18 assist the offeror in performing its obligations under the  
19 management agreement.

20 "Final offer" means the last proposal submitted by an  
21 offeror in response to the request for qualifications,  
22 including the identity of any prospective vendor or vendors  
23 that the offeror intends to initially engage to assist the  
24 offeror in performing its obligations under the management  
25 agreement.

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

4 (b) By September 15, 2010, the Governor shall select a  
5 private manager for the total management of the Lottery with  
6 integrated functions, such as lottery game design, supply of  
7 goods and services, and advertising and as specified in this  
8 Section.

9 (c) Pursuant to the terms of this subsection, the  
10 Department shall endeavor to expeditiously terminate the  
11 existing contracts in support of the Lottery in effect on July  
12 13, 2009 (the effective date of Public Act 96-37) in  
13 connection with the selection of the private manager. As part  
14 of its obligation to terminate these contracts and select the  
15 private manager, the Department shall establish a mutually  
16 agreeable timetable to transfer the functions of existing  
17 contractors to the private manager so that existing Lottery  
18 operations are not materially diminished or impaired during  
19 the transition. To that end, the Department shall do the  
20 following:

21 (1) where such contracts contain a provision  
22 authorizing termination upon notice, the Department shall  
23 provide notice of termination to occur upon the mutually  
24 agreed timetable for transfer of functions;

25 (2) upon the expiration of any initial term or renewal  
26 term of the current Lottery contracts, the Department

1 shall not renew such contract for a term extending beyond  
2 the mutually agreed timetable for transfer of functions;  
3 or

4 (3) in the event any current contract provides for  
5 termination of that contract upon the implementation of a  
6 contract with the private manager, the Department shall  
7 perform all necessary actions to terminate the contract on  
8 the date that coincides with the mutually agreed timetable  
9 for transfer of functions.

10 If the contracts to support the current operation of the  
11 Lottery in effect on July 13, 2009 (the effective date of  
12 Public Act 96-34) are not subject to termination as provided  
13 for in this subsection (c), then the Department may include a  
14 provision in the contract with the private manager specifying  
15 a mutually agreeable methodology for incorporation.

16 (c-5) The Department shall include provisions in the  
17 management agreement whereby the private manager shall, for a  
18 fee, and pursuant to a contract negotiated with the Department  
19 (the "Employee Use Contract"), utilize the services of current  
20 Department employees to assist in the administration and  
21 operation of the Lottery. The Department shall be the employer  
22 of all such bargaining unit employees assigned to perform such  
23 work for the private manager, and such employees shall be  
24 State employees, as defined by the Personnel Code. Department  
25 employees shall operate under the same employment policies,  
26 rules, regulations, and procedures, as other employees of the

1 Department. In addition, neither historical representation  
2 rights under the Illinois Public Labor Relations Act, nor  
3 existing collective bargaining agreements, shall be disturbed  
4 by the management agreement with the private manager for the  
5 management of the Lottery.

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

8 (1) A term not to exceed 10 years, including any  
9 renewals.

10 (2) A provision specifying that the Department:

11 (A) shall exercise actual control over all  
12 significant business decisions;

13 (A-5) has the authority to direct or countermand  
14 operating decisions by the private manager at any  
15 time;

16 (B) has ready access at any time to information  
17 regarding Lottery operations;

18 (C) has the right to demand and receive  
19 information from the private manager concerning any  
20 aspect of the Lottery operations at any time; and

21 (D) retains ownership of all trade names,  
22 trademarks, and intellectual property associated with  
23 the Lottery.

24 (3) A provision imposing an affirmative duty on the  
25 private manager to provide the Department with material  
26 information and with any information the private manager

1 reasonably believes the Department would want to know to  
2 enable the Department to conduct the Lottery.

3 (4) A provision requiring the private manager to  
4 provide the Department with advance notice of any  
5 operating decision that bears significantly on the public  
6 interest, including, but not limited to, decisions on the  
7 kinds of games to be offered to the public and decisions  
8 affecting the relative risk and reward of the games being  
9 offered, so the Department has a reasonable opportunity to  
10 evaluate and countermand that decision.

11 (5) A provision providing for compensation of the  
12 private manager that may consist of, among other things, a  
13 fee for services and a performance based bonus as  
14 consideration for managing the Lottery, including terms  
15 that may provide the private manager with an increase in  
16 compensation if Lottery revenues grow by a specified  
17 percentage in a given year.

18 (6) (Blank).

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

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

24 (8-5) A provision encouraging that at least 20% of the  
25 cost of contracts entered into for goods and services by  
26 the private manager in connection with its management of

1 the Lottery, other than contracts with sales agents or  
2 technical advisors, be awarded to businesses that are a  
3 minority-owned business, a women-owned business, or a  
4 business owned by a person with disability, as those terms  
5 are defined in the Business Enterprise for Minorities,  
6 Women, and Persons with Disabilities Act.

7 (9) A requirement that so long as the private manager  
8 complies with all the conditions of the agreement under  
9 the oversight of the Department, the private manager shall  
10 have the following duties and obligations with respect to  
11 the management of the Lottery:

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

14 (B) The rights and obligations under contracts  
15 with retailers and vendors.

16 (C) The implementation of a comprehensive security  
17 program by the private manager.

18 (D) The implementation of a comprehensive system  
19 of internal audits.

20 (E) The implementation of a program by the private  
21 manager to curb compulsive gambling by persons playing  
22 the Lottery.

23 (F) A system for determining (i) the type of  
24 Lottery games, (ii) the method of selecting winning  
25 tickets, (iii) the manner of payment of prizes to  
26 holders of winning tickets, (iv) the frequency of

1 drawings of winning tickets, (v) the method to be used  
2 in selling tickets, (vi) a system for verifying the  
3 validity of tickets claimed to be winning tickets,  
4 (vii) the basis upon which retailer commissions are  
5 established by the manager, and (viii) minimum  
6 payouts.

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

9 (11) A requirement that the private manager market the  
10 Lottery to those residents who are new, infrequent, or  
11 lapsed players of the Lottery, especially those who are  
12 most likely to make regular purchases on the Internet as  
13 permitted by law.

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

16 (13) A requirement that the Department monitor and  
17 oversee the private manager's practices and take action  
18 that the Department considers appropriate to ensure that  
19 the private manager is in compliance with the terms of the  
20 management agreement, while allowing the manager, unless  
21 specifically prohibited by law or the management  
22 agreement, to negotiate and sign its own contracts with  
23 vendors.

24 (14) A provision requiring the private manager to  
25 periodically file, at least on an annual basis,  
26 appropriate financial statements in a form and manner

1 acceptable to the Department.

2 (15) Cash reserves requirements.

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

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

9 (18) Procedures for amendment of the agreement.

10 (19) A provision requiring the private manager to  
11 engage in an open and competitive bidding process for any  
12 procurement having a cost in excess of \$50,000 that is not  
13 a part of the private manager's final offer. The process  
14 shall favor the selection of a vendor deemed to have  
15 submitted a proposal that provides the Lottery with the  
16 best overall value. The process shall not be subject to  
17 the provisions of the Illinois Procurement Code, unless  
18 specifically required by the management agreement.

19 (20) The transition of rights and obligations,  
20 including any associated equipment or other assets used in  
21 the operation of the Lottery, from the manager to any  
22 successor manager of the lottery, including the  
23 Department, following the termination of or foreclosure  
24 upon the management agreement.

25 (21) Right of use of copyrights, trademarks, and  
26 service marks held by the Department in the name of the

1 State. The agreement must provide that any use of them by  
2 the manager shall only be for the purpose of fulfilling  
3 its obligations under the management agreement during the  
4 term of the agreement.

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

9 (e) Notwithstanding any other law to the contrary, the  
10 Department shall select a private manager through a  
11 competitive request for qualifications process consistent with  
12 Section 20-35 of the Illinois Procurement Code, which shall  
13 take into account:

14 (1) the offeror's ability to market the Lottery to  
15 those residents who are new, infrequent, or lapsed players  
16 of the Lottery, especially those who are most likely to  
17 make regular purchases on the Internet;

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

21 (3) the offeror's ability to provide the most  
22 successful management of the Lottery for the benefit of  
23 the people of the State based on current and past business  
24 practices or plans of the offeror; and

25 (4) the offeror's poor or inadequate past performance  
26 in servicing, equipping, operating or managing a lottery

1 on behalf of Illinois, another State or foreign government  
2 and attracting persons who are not currently regular  
3 players of a lottery.

4 (f) The Department may retain the services of an advisor  
5 or advisors with significant experience in financial services  
6 or the management, operation, and procurement of goods,  
7 services, and equipment for a government-run lottery to assist  
8 in the preparation of the terms of the request for  
9 qualifications and selection of the private manager. Any  
10 prospective advisor seeking to provide services under this  
11 subsection (f) shall disclose any material business or  
12 financial relationship during the past 3 years with any  
13 potential offeror, or with a contractor or subcontractor  
14 presently providing goods, services, or equipment to the  
15 Department to support the Lottery. The Department shall  
16 evaluate the material business or financial relationship of  
17 each prospective advisor. The Department shall not select any  
18 prospective advisor with a substantial business or financial  
19 relationship that the Department deems to impair the  
20 objectivity of the services to be provided by the prospective  
21 advisor. During the course of the advisor's engagement by the  
22 Department, and for a period of one year thereafter, the  
23 advisor shall not enter into any business or financial  
24 relationship with any offeror or any vendor identified to  
25 assist an offeror in performing its obligations under the  
26 management agreement. Any advisor retained by the Department

1 shall be disqualified from being an offeror. The Department  
2 shall not include terms in the request for qualifications that  
3 provide a material advantage whether directly or indirectly to  
4 any potential offeror, or any contractor or subcontractor  
5 presently providing goods, services, or equipment to the  
6 Department to support the Lottery, including terms contained  
7 in previous responses to requests for proposals or  
8 qualifications submitted to Illinois, another State or foreign  
9 government when those terms are uniquely associated with a  
10 particular potential offeror, contractor, or subcontractor.  
11 The request for proposals offered by the Department on  
12 December 22, 2008 as "LOT08GAMESYS" and reference number  
13 "22016176" is declared void.

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

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

22 (2) The subject matter of the hearing.

23 (3) A brief description of the management agreement to  
24 be awarded.

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

1           (5) The address and telephone number of the  
2 Department.

3           (h) At the public hearing, the Department shall (i)  
4 provide sufficient time for each finalist to present and  
5 explain its proposal to the Department and the Governor or the  
6 Governor's designee, including an opportunity to respond to  
7 questions posed by the Department, Governor, or designee and  
8 (ii) allow the public and non-selected offerors to comment on  
9 the presentations. The Governor or a designee shall attend the  
10 public hearing. After the public hearing, the Department shall  
11 have 14 calendar days to recommend to the Governor whether a  
12 management agreement should be entered into with a particular  
13 finalist. After reviewing the Department's recommendation, the  
14 Governor may accept or reject the Department's recommendation,  
15 and shall select a final offeror as the private manager by  
16 publication of a notice in the Illinois Procurement Bulletin  
17 on or before September 15, 2010. The Governor shall include in  
18 the notice a detailed explanation and the reasons why the  
19 final offeror is superior to other offerors and will provide  
20 management services in a manner that best achieves the  
21 objectives of this Section. The Governor shall also sign the  
22 management agreement with the private manager.

23           (i) Any action to contest the private manager selected by  
24 the Governor under this Section must be brought within 7  
25 calendar days after the publication of the notice of the  
26 designation of the private manager as provided in subsection

1 (h) of this Section.

2 (j) The Lottery shall remain, for so long as a private  
3 manager manages the Lottery in accordance with provisions of  
4 this Act, a Lottery conducted by the State, and the State shall  
5 not be authorized to sell or transfer the Lottery to a third  
6 party.

7 (k) Any tangible personal property used exclusively in  
8 connection with the lottery that is owned by the Department  
9 and leased to the private manager shall be owned by the  
10 Department in the name of the State and shall be considered to  
11 be public property devoted to an essential public and  
12 governmental function.

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

16 (m) Neither this Section nor any management agreement  
17 entered into under this Section prohibits the General Assembly  
18 from authorizing forms of gambling that are not in direct  
19 competition with the Lottery. The forms of gambling authorized  
20 by Public Act 101-31 constitute authorized forms of gambling  
21 that are not in direct competition with the Lottery.

22 (n) The private manager shall be subject to a complete  
23 investigation in the third, seventh, and tenth years of the  
24 agreement (if the agreement is for a 10-year term) by the  
25 Department in cooperation with the Auditor General to  
26 determine whether the private manager has complied with this

1 Section and the management agreement. The private manager  
2 shall bear the cost of an investigation or reinvestigation of  
3 the private manager under this subsection.

4 (o) The powers conferred by this Section are in addition  
5 and supplemental to the powers conferred by any other law. If  
6 any other law or rule is inconsistent with this Section,  
7 including, but not limited to, provisions of the Illinois  
8 Procurement Code, then this Section controls as to any  
9 management agreement entered into under this Section. This  
10 Section and any rules adopted under this Section contain full  
11 and complete authority for a management agreement between the  
12 Department and a private manager. No law, procedure,  
13 proceeding, publication, notice, consent, approval, order, or  
14 act by the Department or any other officer, Department,  
15 agency, or instrumentality of the State or any political  
16 subdivision is required for the Department to enter into a  
17 management agreement under this Section. This Section contains  
18 full and complete authority for the Department to approve any  
19 contracts entered into by a private manager with a vendor  
20 providing goods, services, or both goods and services to the  
21 private manager under the terms of the management agreement,  
22 including subcontractors of such vendors.

23 Upon receipt of a written request from the Chief  
24 Procurement Officer, the Department shall provide to the Chief  
25 Procurement Officer a complete and un-redacted copy of the  
26 management agreement or any contract that is subject to the

1 Department's approval authority under this subsection (o). The  
2 Department shall provide a copy of the agreement or contract  
3 to the Chief Procurement Officer in the time specified by the  
4 Chief Procurement Officer in his or her written request, but  
5 no later than 5 business days after the request is received by  
6 the Department. The Chief Procurement Officer must retain any  
7 portions of the management agreement or of any contract  
8 designated by the Department as confidential, proprietary, or  
9 trade secret information in complete confidence pursuant to  
10 subsection (g) of Section 7 of the Freedom of Information Act.  
11 The Department shall also provide the Chief Procurement  
12 Officer with reasonable advance written notice of any contract  
13 that is pending Department approval.

14 Notwithstanding any other provision of this Section to the  
15 contrary, the Chief Procurement Officer shall adopt  
16 administrative rules, including emergency rules, to establish  
17 a procurement process to select a successor private manager if  
18 a private management agreement has been terminated. The  
19 selection process shall at a minimum take into account the  
20 criteria set forth in items (1) through (4) of subsection (e)  
21 of this Section and may include provisions consistent with  
22 subsections (f), (g), (h), and (i) of this Section. The Chief  
23 Procurement Officer shall also implement and administer the  
24 adopted selection process upon the termination of a private  
25 management agreement. The Department, after the Chief  
26 Procurement Officer certifies that the procurement process has

1 been followed in accordance with the rules adopted under this  
2 subsection (o), shall select a final offeror as the private  
3 manager and sign the management agreement with the private  
4 manager.

5 Through June 30, 2022, except ~~Except~~ as provided in  
6 Sections 21.5, 21.6, 21.7, 21.8, 21.9, 21.10, 21.11, 21.12,  
7 and 21.13 of this Act and Section 25-70 of the Sports Wagering  
8 Act, the Department shall distribute all proceeds of lottery  
9 tickets and shares sold in the following priority and manner:

10 (1) The payment of prizes and retailer bonuses.

11 (2) The payment of costs incurred in the operation and  
12 administration of the Lottery, including the payment of  
13 sums due to the private manager under the management  
14 agreement with the Department.

15 (3) On the last day of each month or as soon thereafter  
16 as possible, the State Comptroller shall direct and the  
17 State Treasurer shall transfer from the State Lottery Fund  
18 to the Common School Fund an amount that is equal to the  
19 proceeds transferred in the corresponding month of fiscal  
20 year 2009, as adjusted for inflation, to the Common School  
21 Fund.

22 (4) On or before September 30 of each fiscal year,  
23 deposit any estimated remaining proceeds from the prior  
24 fiscal year, ~~subject to payments under items (1), (2), and~~  
25 ~~(3), into the Capital Projects Fund.~~ Beginning in fiscal  
26 year 2019, the amount deposited shall be increased or

1 decreased each year by the amount the estimated payment  
2 differs from the amount determined from each year-end  
3 financial audit. Only remaining net deficits from prior  
4 fiscal years may reduce the requirement to deposit these  
5 funds, as determined by the annual financial audit.

6 Beginning July 1, 2022, the Department shall distribute  
7 all proceeds of lottery tickets and shares sold in the manner  
8 and priority described in Section 9.3 of this Act.

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

11 (1) the Department shall submit written quarterly  
12 reports to the Governor and the General Assembly on the  
13 activities and actions of the private manager selected  
14 under this Section;

15 (2) upon request of the Chief Procurement Officer, the  
16 Department shall promptly produce information related to  
17 the procurement activities of the Department and the  
18 private manager requested by the Chief Procurement  
19 Officer; the Chief Procurement Officer must retain  
20 confidential, proprietary, or trade secret information  
21 designated by the Department in complete confidence  
22 pursuant to subsection (g) of Section 7 of the Freedom of  
23 Information Act; and

24 (3) at least 30 days prior to the beginning of the  
25 Department's fiscal year, the Department shall prepare an  
26 annual written report on the activities of the private

1 manager selected under this Section and deliver that  
2 report to the Governor and General Assembly.

3 (Source: P.A. 101-31, eff. 6-28-19; 101-81, eff. 7-12-19;  
4 101-561, eff. 8-23-19; 102-558, eff. 8-20-21.)

5 (20 ILCS 1605/9.2 new)

6 Sec. 9.2. Reconciliation of Fiscal Year 2017 through  
7 Fiscal Year 2022 annual net lottery proceeds.

8 (a) The Office of the Auditor General concluded in the  
9 Department's annual fiscal year audits for Fiscal Year 2017,  
10 Fiscal Year 2018, Fiscal Year 2019, Fiscal Year 2020, and  
11 Fiscal Year 2021 that annual net lottery proceeds from the  
12 State Lottery Fund to the Common School Fund exceeded the  
13 annual net lottery proceeds available to transfer as described  
14 in subsection (o) of Section 9.1. The excess transfers to the  
15 Common School Fund during those fiscal years resulted in  
16 transfers of annual net lottery proceeds to the Capital  
17 Projects Fund as required by paragraph (4) of subsection (o)  
18 of Section 9.1 not being sent. The Department had no statutory  
19 authority to offset future transfers as described in paragraph  
20 (4) of subsection (a) of Section 9.3 during Fiscal Year 2017,  
21 Fiscal Year 2018, Fiscal Year 2019, Fiscal Year 2020, or  
22 Fiscal Year 2021 to reconcile the discrepancies.

23 (b) The Department is hereby authorized to reconcile the  
24 discrepancies occurring in Fiscal Year 2017, Fiscal Year 2018,  
25 Fiscal Year 2019, Fiscal Year 2020, and Fiscal Year 2021 as

1 reported by the Office of the Auditor General. The Department  
2 shall accomplish this reconciliation by offsetting its monthly  
3 transfers to the Common School Fund to recover the resulting  
4 cash deficit in the State Lottery Fund and separately  
5 transferring the deficient amounts owed to the Capital  
6 Projects Fund. All offsets and transfers shall be done in  
7 accordance with Generally Accepted Accounting Principles for  
8 government entities. The Department shall determine, in  
9 coordination with the Governor's Office of Management and  
10 Budget, an appropriate schedule for the offsets and transfers.  
11 All offsets and transfers shall be completed no later than  
12 June 30, 2023.

13 (c) The Department is also authorized to reconcile any  
14 discrepancies that may occur in Fiscal Year 2022, if the  
15 annual net lottery proceeds transferred from the State Lottery  
16 Fund to the Common School Fund exceed the annual net lottery  
17 proceeds available to transfer. The Department shall determine  
18 whether there were any excess transfers by June 30, 2023. The  
19 Department shall reconcile any discrepancies by offsetting its  
20 monthly transfers to the Common School Fund to recover the  
21 resulting cash deficit in the State Lottery Fund and  
22 separately transferring the deficient amounts owed to the  
23 Capital Projects Fund. All offsets and transfers shall be done  
24 in accordance with Generally Accepted Accounting principles.  
25 All offsets and transfers for Fiscal Year 2022 discrepancies  
26 shall be completed no later than June 30, 2024.

1       (d) This Section is repealed on January 1, 2025.

2       (20 ILCS 1605/9.3 new)

3       Sec. 9.3. Expenditure and distribution of lottery  
4 proceeds.

5       (a) Beginning July 1, 2022, except as provided in Sections  
6 21.5, 21.6, 21.7, 21.8, 21.9, 21.10, 21.11, 21.12, and 21.13  
7 of this Act and Section 25-70 of the Sports Wagering Act, the  
8 Department shall distribute all proceeds of lottery tickets  
9 and shares sold in the following priority and manner:

10       (1) The payment of prizes and retailer bonuses.

11       (2) The payment of costs incurred in the operation and  
12 administration of the Lottery, including the payment of  
13 sums due to the private manager under the management  
14 agreement with the Department and including costs of  
15 administering the Lottery sports wagering program pursuant  
16 to Section 25-70 of the Sports Wagering Act.

17       (3) On the last day of each month or as soon thereafter  
18 as possible, the State Comptroller shall direct and the  
19 State Treasurer shall transfer from the State Lottery Fund  
20 to the Common School Fund the Department's estimate of net  
21 lottery proceeds.

22       (4) If an amount in excess of the annual net lottery  
23 proceeds is transferred for a fiscal year, then the  
24 Department shall offset the monthly transfers of estimated  
25 net lottery proceeds during the following fiscal year by

1 that excess amount. If an amount less than the annual net  
2 lottery proceeds is transferred for a fiscal year, then  
3 after the related annual fiscal year audit is completed  
4 following such fiscal year, the Department shall direct  
5 the deposit of any remaining annual net lottery proceeds  
6 from such fiscal year, subject to payments under  
7 paragraphs (1) and (2), into the Common School Fund as  
8 soon thereafter as possible.

9 (b) The net lottery proceeds shall be determined by  
10 deducting from total annual lottery proceeds the expenditures  
11 required by paragraphs (1) and (2) of subsection (a). The  
12 total annual lottery proceeds and annual net lottery proceeds  
13 shall be determined according to generally accepted accounting  
14 principles for governmental entities and verified by an annual  
15 fiscal year audit.

16 Section 5-27. The Department of Public Health Powers and  
17 Duties Law of the Civil Administrative Code of Illinois is  
18 amended by adding Section 2310-50.10 as follows:

19 (20 ILCS 2310/2310-50.10 new)

20 Sec. 2310-50.10. Coordination with outside entities for  
21 grants management. To utilize the services of, and enter into  
22 necessary agreements with, outside entities for the purpose of  
23 evaluating grant applications and administration of or  
24 monitoring compliance with grant agreements. Contracts

1 pursuant to this subsection shall not exceed 2 years in  
2 length.

3 Section 5-30. The Illinois Council on Developmental  
4 Disabilities Law is amended by changing Section 2003 as  
5 follows:

6 (20 ILCS 4010/2003) (from Ch. 91 1/2, par. 1953)

7 Sec. 2003. Council. The Illinois Council on Developmental  
8 Disabilities is hereby created as an executive agency of State  
9 government. The Council shall be composed of 29 members,  
10 governed by a chairperson, and headed by a director. The  
11 functions of the council shall be as prescribed in Chapter 75  
12 of Title 42 of the United States Code (42 U.S.C. 6000, et  
13 seq.), as now or hereafter amended, and in Section 2006 of this  
14 Article.

15 The Council shall receive and disburse funds authorized  
16 under Chapter 75 of Title 42 of the United States Code (42  
17 U.S.C. 6000, et seq.), as now or hereafter amended. The  
18 Council may also receive funds from any source, public or  
19 private, to be used for the purposes authorized by this Act or  
20 otherwise authorized by law.

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

22 Section 5-33. The General Assembly Compensation Act is  
23 amended by changing Section 4 as follows:

1 (25 ILCS 115/4) (from Ch. 63, par. 15.1)

2 Sec. 4. Office allowance. Beginning July 1, 2001 and  
3 through July 1, 2020, each member of the House of  
4 Representatives is authorized to approve the expenditure of  
5 not more than \$61,000 per year and each member of the Senate is  
6 authorized to approve the expenditure of not more than \$73,000  
7 per year to pay for "personal services", "contractual  
8 services", "commodities", "printing", "travel", "operation of  
9 automotive equipment", "telecommunications services", as  
10 defined in the State Finance Act, and the compensation of one  
11 or more legislative assistants authorized pursuant to this  
12 Section, in connection with his or her legislative duties and  
13 not in connection with any political campaign. On July 1, 2002  
14 and on July 1 of each year thereafter, the amount authorized  
15 per year under this Section for each member of the Senate and  
16 each member of the House of Representatives shall be increased  
17 by a percentage increase equivalent to the lesser of (i) the  
18 increase in the designated cost of living index or (ii) 5%. The  
19 designated cost of living index is the index known as the  
20 "Employment Cost Index, Wages and Salaries, By Occupation and  
21 Industry Groups: State and Local Government Workers: Public  
22 Administration" as published by the Bureau of Labor Statistics  
23 of the U.S. Department of Labor for the calendar year  
24 immediately preceding the year of the respective July 1st  
25 increase date. The increase shall be added to the then current

1 amount, and the adjusted amount so determined shall be the  
2 annual amount beginning July 1 of the increase year until July  
3 1 of the next year. No increase under this provision shall be  
4 less than zero.

5 Beginning July 1, 2021, each member of the House of  
6 Representatives is authorized to approve the expenditure of  
7 not more than \$179,000 per year and each member of the Senate  
8 is authorized to approve the expenditure of not more than  
9 \$214,000 per year to pay for "personal services", "contractual  
10 services", "commodities", "printing", "travel", "operation of  
11 automotive equipment", "telecommunications services", as  
12 defined in the State Finance Act, and the compensation of one  
13 or more legislative assistants authorized pursuant to this  
14 Section, in connection with his or her legislative duties and  
15 not in connection with any political campaign. On July 1, 2022  
16 and on July 1 of each year thereafter, the amount authorized  
17 per year under this Section for each member of the Senate and  
18 each member of the House of Representatives shall be increased  
19 by a percentage increase equivalent to the lesser of (i) the  
20 increase in the designated cost of living index or (ii) 5%. The  
21 designated cost of living index is the index known as the  
22 "Employment Cost Index, Wages and Salaries, By Occupation and  
23 Industry Groups: State and Local Government Workers: Public  
24 Administration" as published by the Bureau of Labor Statistics  
25 of the U.S. Department of Labor for the calendar year  
26 immediately preceding the year of the respective July 1st

1 increase date. The increase shall be added to the then current  
2 amount, and the adjusted amount so determined shall be the  
3 annual amount beginning July 1 of the increase year until July  
4 1 of the next year. No increase under this provision shall be  
5 less than zero.

6 A member may purchase office equipment if the member  
7 certifies to the Secretary of the Senate or the Clerk of the  
8 House, as applicable, that the purchase price, whether paid in  
9 lump sum or installments, amounts to less than would be  
10 charged for renting or leasing the equipment over its  
11 anticipated useful life. All such equipment must be purchased  
12 through the Secretary of the Senate or the Clerk of the House,  
13 as applicable, for proper identification and verification of  
14 purchase.

15 Each member of the General Assembly is authorized to  
16 employ one or more legislative assistants, who shall be solely  
17 under the direction and control of that member, for the  
18 purpose of assisting the member in the performance of his or  
19 her official duties. A legislative assistant may be employed  
20 pursuant to this Section as a full-time employee, part-time  
21 employee, or contractual employee, at the discretion of the  
22 member. If employed as a State employee, a legislative  
23 assistant shall receive employment benefits on the same terms  
24 and conditions that apply to other employees of the General  
25 Assembly. Each member shall adopt and implement personnel  
26 policies for legislative assistants under his or her direction

1 and control relating to work time requirements, documentation  
2 for reimbursement for travel on official State business,  
3 compensation, and the earning and accrual of State benefits  
4 for those legislative assistants who may be eligible to  
5 receive those benefits. The policies shall also require  
6 legislative assistants to periodically submit time sheets  
7 documenting, in quarter-hour increments, the time spent each  
8 day on official State business. The policies shall require the  
9 time sheets to be submitted on paper, electronically, or both  
10 and to be maintained in either paper or electronic format by  
11 the applicable fiscal office for a period of at least 2 years.  
12 Contractual employees may satisfy the time sheets requirement  
13 by complying with the terms of their contract, which shall  
14 provide for a means of compliance with this requirement. A  
15 member may satisfy the requirements of this paragraph by  
16 adopting and implementing the personnel policies promulgated  
17 by that member's legislative leader under the State Officials  
18 and Employees Ethics Act with respect to that member's  
19 legislative assistants.

20 As used in this Section the term "personal services" shall  
21 include contributions of the State under the Federal Insurance  
22 Contribution Act and under Article 14 of the Illinois Pension  
23 Code. As used in this Section the term "contractual services"  
24 shall not include improvements to real property unless those  
25 improvements are the obligation of the lessee under the lease  
26 agreement. Beginning July 1, 1989, as used in the Section, the

1 term "travel" shall be limited to travel in connection with a  
2 member's legislative duties and not in connection with any  
3 political campaign. Beginning on the effective date of this  
4 amendatory Act of the 93rd General Assembly, as used in this  
5 Section, the term "printing" includes, but is not limited to,  
6 newsletters, brochures, certificates, congratulatory  
7 mailings, greeting or welcome messages, anniversary or  
8 birthday cards, and congratulations for prominent achievement  
9 cards. As used in this Section, the term "printing" includes  
10 fees for non-substantive resolutions charged by the Clerk of  
11 the House of Representatives under subsection (c-5) of Section  
12 1 of the Legislative Materials Act. No newsletter or brochure  
13 that is paid for, in whole or in part, with funds provided  
14 under this Section may be printed or mailed during a period  
15 beginning February 1 of the year of a general primary  
16 election, except that in 2022 the period shall begin on May 15,  
17 2022, and ending the day after the general primary election  
18 and during a period beginning September 1 of the year of a  
19 general election and ending the day after the general  
20 election, except that such a newsletter or brochure may be  
21 mailed during those times if it is mailed to a constituent in  
22 response to that constituent's inquiry concerning the needs of  
23 that constituent or questions raised by that constituent. The  
24 printing or mailing of any newsletter or brochure paid for, in  
25 whole or in part, with funds under this Section between  
26 February 1, 2022 and the effective date of this amendatory Act

1 of the 102nd General Assembly shall not be considered a  
2 violation of this Section. Nothing in this Section shall be  
3 construed to authorize expenditures for lodging and meals  
4 while a member is in attendance at sessions of the General  
5 Assembly.

6 Any utility bill for service provided to a member's  
7 district office for a period including portions of 2  
8 consecutive fiscal years may be paid from funds appropriated  
9 for such expenditure in either fiscal year.

10 If a vacancy occurs in the office of Senator or  
11 Representative in the General Assembly, any office equipment  
12 in the possession of the vacating member shall transfer to the  
13 member's successor; if the successor does not want such  
14 equipment, it shall be transferred to the Secretary of the  
15 Senate or Clerk of the House of Representatives, as the case  
16 may be, and if not wanted by other members of the General  
17 Assembly then to the Department of Central Management Services  
18 for treatment as surplus property under the State Property  
19 Control Act. Each member, on or before June 30th of each year,  
20 shall conduct an inventory of all equipment purchased pursuant  
21 to this Act. Such inventory shall be filed with the Secretary  
22 of the Senate or the Clerk of the House, as the case may be.  
23 Whenever a vacancy occurs, the Secretary of the Senate or the  
24 Clerk of the House, as the case may be, shall conduct an  
25 inventory of equipment purchased.

26 In the event that a member leaves office during his or her

1 term, any unexpended or unobligated portion of the allowance  
2 granted under this Section shall lapse. The vacating member's  
3 successor shall be granted an allowance in an amount, rounded  
4 to the nearest dollar, computed by dividing the annual  
5 allowance by 365 and multiplying the quotient by the number of  
6 days remaining in the fiscal year.

7 From any appropriation for the purposes of this Section  
8 for a fiscal year which overlaps 2 General Assemblies, no more  
9 than 1/2 of the annual allowance per member may be spent or  
10 encumbered by any member of either the outgoing or incoming  
11 General Assembly, except that any member of the incoming  
12 General Assembly who was a member of the outgoing General  
13 Assembly may encumber or spend any portion of his annual  
14 allowance within the fiscal year.

15 The appropriation for the annual allowances permitted by  
16 this Section shall be included in an appropriation to the  
17 President of the Senate and to the Speaker of the House of  
18 Representatives for their respective members. The President of  
19 the Senate and the Speaker of the House shall voucher for  
20 payment individual members' expenditures from their annual  
21 office allowances to the State Comptroller, subject to the  
22 authority of the Comptroller under Section 9 of the State  
23 Comptroller Act.

24 Nothing in this Section prohibits the expenditure of  
25 personal funds or the funds of a political committee  
26 controlled by an officeholder to defray the customary and

1 reasonable expenses of an officeholder in connection with the  
2 performance of governmental and public service functions.

3 (Source: P.A. 102-16, eff. 6-17-21.)

4 Section 5-34. The Legislative Commission Reorganization  
5 Act of 1984 is amended by changing Sections 8A-15, 8A-20, and  
6 8A-30 and by adding Section 8A-37 as follows:

7 (25 ILCS 130/8A-15)

8 Sec. 8A-15. Master plan.

9 (a) The term "legislative complex" means (i) the buildings  
10 and facilities located in Springfield, Illinois, and occupied  
11 in whole or in part by the General Assembly or any of its  
12 support service agencies, (ii) the grounds, walkways, and  
13 pedestrian or utility tunnels surrounding or connected to  
14 those buildings and facilities, and (iii) the off-street  
15 parking areas serving those buildings and facilities,  
16 including parking lots D, DD, E, F, G, H, O, M, N, R, S, and  
17 the legislative parking garage located under parking lot O.

18 (b) The Architect of the Capitol shall prepare and  
19 implement a long-range master plan of development for the  
20 State Capitol Building, the remaining portions of the  
21 legislative complex, and the land and State buildings and  
22 facilities within the area bounded by Washington, Third, Cook,  
23 and Walnut ~~Pasfield~~ Streets and the land and State buildings  
24 and facilities within the area bounded by Madison, Klein,

1 Mason, and Rutledge Streets that addresses the improvement,  
2 construction, historic preservation, restoration,  
3 maintenance, repair, and landscaping needs of these State  
4 buildings and facilities and the land. The Architect of the  
5 Capitol shall submit the master plan to the Capitol Historic  
6 Preservation Board for its review and comment. The Board must  
7 confine its review and comment to those portions of the master  
8 plan that relate to areas other than the State Capitol  
9 Building. The Architect may incorporate suggestions of the  
10 Board into the master plan. The master plan must be submitted  
11 to and approved by the Board of the Office of the Architect of  
12 the Capitol before its implementation.

13 The Architect of the Capitol may change the master plan  
14 and shall submit changes in the master plan that relate to  
15 areas other than the State Capitol Building to the Capitol  
16 Historic Preservation Board for its review and comment. All  
17 changes in the master plan must be submitted to and approved by  
18 the Board of the Office of the Architect of the Capitol before  
19 implementation.

20 (c) The Architect of the Capitol must review the master  
21 plan every 5 years or at the direction of the Board of the  
22 Office of the Architect of the Capitol. Changes in the master  
23 plan resulting from this review must be made in accordance  
24 with the procedure provided in subsection (b).

25 (d) Notwithstanding any other law to the contrary, the  
26 Architect of the Capitol has the sole authority to contract

1 for all materials and services necessary for the  
2 implementation of the master plan. The Architect (i) may  
3 comply with the procedures established by the Joint Committee  
4 on Legislative Support Services under Section 1-4 or (ii) upon  
5 approval of the Board of the Office of the Architect of the  
6 Capitol, may, but is not required to, comply with a portion or  
7 all of the Illinois Procurement Code when entering into  
8 contracts under this subsection. The Architect's compliance  
9 with the Illinois Procurement Code shall not be construed to  
10 subject the Architect or any other entity of the legislative  
11 branch to the Illinois Procurement Code with respect to any  
12 other contract.

13 The Architect may enter into agreements with other State  
14 agencies for the provision of materials or performance of  
15 services necessary for the implementation of the master plan.

16 State officers and agencies providing normal, day-to-day  
17 repair, maintenance, or landscaping or providing security,  
18 commissary, utility, parking, banking, tour guide, event  
19 scheduling, or other operational services for buildings and  
20 facilities within the legislative complex immediately prior to  
21 the effective date of this amendatory Act of the 93rd General  
22 Assembly shall continue to provide that normal, day-to-day  
23 repair, maintenance, or landscaping or those services on the  
24 same basis, whether by contract or employees, that the repair,  
25 maintenance, landscaping, or services were provided  
26 immediately prior to the effective date of this amendatory Act

1 of the 93rd General Assembly, subject to the provisions of the  
2 master plan and with the approval of or as otherwise directed  
3 by the Architect of the Capitol.

4 (e) The Architect of the Capitol shall monitor and approve  
5 all construction, preservation, restoration, maintenance,  
6 repair, and landscaping work in the legislative complex and  
7 implementation of the master plan, as well as activities that  
8 alter the historic integrity of the legislative complex and  
9 the other land and State buildings and facilities in the  
10 master plan.

11 (f) The Architect of the Capitol shall be given notice of  
12 any bid for or contract of services related to the legislative  
13 complex. Prior to final execution of any contract for  
14 services, the Architect of the Capitol shall be given an  
15 opportunity to review and approve the contract and give any  
16 necessary input. As used in this subsection, "services" means  
17 any maintenance, removal of refuse, or delivery of utilities  
18 to the legislative complex.

19 (Source: P.A. 98-692, eff. 7-1-14.)

20 (25 ILCS 130/8A-20)

21 Sec. 8A-20. Legislative complex space ~~Space~~ allocation.  
22 The Architect of the Capitol has the power and duty, subject to  
23 direction by the Board of the Office of the Architect of the  
24 Capitol, to make space allocations for the use of the General  
25 Assembly and its related agencies, except the Supreme Court

1 Building and the Fourth District Appellate Court Building.  
2 This allocation of space includes, but is not limited to,  
3 office, conference, committee, and parking space.  
4 (Source: P.A. 93-632, eff. 2-1-04.)

5 (25 ILCS 130/8A-30)

6 Sec. 8A-30. Acquisition of land; contract review. The  
7 Architect of the Capitol, upon the approval of the Board of the  
8 Office of the Architect of the Capitol, may acquire land in  
9 Springfield, Illinois, within the area bounded by Washington,  
10 Third, Cook, and Walnut Pasfield Streets and the land and  
11 State buildings and facilities within the area bounded by  
12 Madison, Klein, Mason, and Rutledge Streets for the purpose of  
13 providing space for the operation and expansion of the  
14 legislative complex or other State facilities. The Architect  
15 of the Capitol must review and either approve or disapprove  
16 all contracts for the repair, rehabilitation, construction, or  
17 alteration of all State buildings within the bounded area,  
18 except the Supreme Court Building and the Fourth District  
19 Appellate Court Building.

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

21 (25 ILCS 130/8A-37 new)

22 Sec. 8A-37. General Assembly Technology Fund;  
23 appropriations.

24 (a) The General Assembly Technology Fund is hereby

1 established as a special fund in the State treasury. The Fund  
2 may accept deposits from the General Revenue Fund and any  
3 other source, whether private or public. Moneys in the fund  
4 may be used, subject to appropriation, by the President of the  
5 Senate, the Speaker of the House of Representatives, the  
6 Minority Leader of the Senate, and the Minority Leader of the  
7 House of Representatives for the purpose of meeting the  
8 technology-related needs of their respective offices and the  
9 General Assembly.

10 (b) On July 1, 2022, the State Comptroller shall order  
11 transferred and the State Treasurer shall transfer \$3,000,000  
12 from the General Revenue Fund to the General Assembly  
13 Technology Fund.

14 Section 5-35. The State Finance Act is amended by changing  
15 Sections 5.857, 6z-21, 6z-27, 6z-30, 6z-32, 6z-51, 6z-70,  
16 6z-77, 6z-81, 6z-100, 6z-121, 8.3, 8.6, 8.12, 8g-1, 13.2,  
17 24.2, and 25 and by adding Sections 5.970, 5.971, 5.972,  
18 5.973, 5.974, 5.975, 5.976, 6z-130, 6z-131, 6z-132, and 6z-133  
19 as follows:

20 (30 ILCS 105/5.857)

21 (Section scheduled to be repealed on July 1, 2022)

22 Sec. 5.857. The Capital Development Board Revolving Fund.  
23 This Section is repealed July 1, 2023 ~~2022~~.

24 (Source: P.A. 101-10, eff. 6-5-19; 101-645, eff. 6-26-20;

1 102-16, eff. 6-17-21.)

2 (30 ILCS 105/5.970 new)

3 Sec. 5.970. The Serve Illinois Commission Fund.

4 (30 ILCS 105/5.971 new)

5 Sec. 5.971. The Statewide 9-8-8 Trust Fund.

6 (30 ILCS 105/5.972 new)

7 Sec. 5.972. The Board of Higher Education State Contracts  
8 and Grants Fund.

9 (30 ILCS 105/5.973 new)

10 Sec. 5.973. The Agriculture Federal Projects Fund.

11 (30 ILCS 105/5.974 new)

12 Sec. 5.974. The DNR Federal Projects Fund.

13 (30 ILCS 105/5.975 new)

14 Sec. 5.975. The Illinois Opioid Remediation State Trust  
15 Fund.

16 (30 ILCS 105/5.976 new)

17 Sec. 5.976. The General Assembly Technology Fund.

18 (30 ILCS 105/6z-21) (from Ch. 127, par. 142z-21)

1           Sec. 6z-21. Education Assistance Fund; transfers to and  
2 from the Education Assistance Fund. All monies deposited into  
3 the Education Assistance Fund, a special fund in the State  
4 treasury which is hereby created, shall be appropriated to  
5 provide financial assistance for elementary and secondary  
6 education programs including, among others, distributions  
7 under Sections ~~Section~~ 18-19 and 29-5 of the ~~The~~ School Code,  
8 and for higher education programs, including, among others,  
9 the Monetary Award Program under Section 35 of the Higher  
10 Education Student Assistance Act. During fiscal years 2012 and  
11 2013 only, the State Comptroller may order transferred and the  
12 State Treasurer may transfer from the General Revenue Fund to  
13 the Education Assistance Fund, or the State Comptroller may  
14 order transferred and the State Treasurer may transfer from  
15 the Education Assistance Fund to the General Revenue Fund,  
16 such amounts as may be required to honor the vouchers  
17 presented by the State Universities Retirement System, by a  
18 public institution of higher education, as defined in Section  
19 1 of the Board of Higher Education Act, or by the State Board  
20 of Education pursuant to Sections 18-3, 18-4.3, 18-5, 18-6,  
21 and 18-7 of the School Code.

22           (Source: P.A. 97-732, eff. 6-30-12.)

23           (30 ILCS 105/6z-27)

24           Sec. 6z-27. All moneys in the Audit Expense Fund shall be  
25 transferred, appropriated and used only for the purposes

1 authorized by, and subject to the limitations and conditions  
 2 prescribed by, the State Auditing Act.

3 Within 30 days after July 1, 2022, or as soon thereafter as  
 4 practical ~~the effective date of this amendatory Act of the~~  
 5 ~~102nd General Assembly,~~ the State Comptroller shall order  
 6 transferred and the State Treasurer shall transfer from the  
 7 following funds moneys in the specified amounts for deposit  
 8 into the Audit Expense Fund:

9 Attorney General Court Ordered and Voluntary Compliance

10	<u>Payment Projects Fund</u> .....	<u>\$38,974</u>
11	<u>Attorney General Sex Offender Awareness,</u>	
12	<u>Training, and Education Fund</u> .....	<u>\$539</u>
13	<u>Aggregate Operations Regulatory Fund</u> .....	<u>\$711</u>
14	<u>Agricultural Premium Fund</u> .....	<u>\$25,265</u>
15	<u>Attorney General's State Projects and Court</u>	
16	<u>Ordered Distribution Fund</u> .....	<u>\$43,667</u>
17	<u>Anna Veterans Home Fund</u> .....	<u>\$15,792</u>
18	<u>Appraisal Administration Fund</u> .....	<u>\$4,017</u>
19	<u>Attorney General Whistleblower Reward</u>	
20	<u>and Protection Fund</u> .....	<u>\$22,896</u>
21	<u>Bank and Trust Company Fund</u> .....	<u>\$78,017</u>
22	<u>Cannabis Expungement Fund</u> .....	<u>\$4,501</u>
23	<u>Capital Development Board Revolving Fund</u> .....	<u>\$2,494</u>
24	<u>Care Provider Fund for Persons with</u>	
25	<u>a Developmental Disability</u> .....	<u>\$5,707</u>
26	<u>CDLIS/AAMVAnet/NMVTIS Trust Fund</u> .....	<u>\$1,702</u>

1	<u>Cemetery Oversight Licensing and Disciplinary Fund</u>	.....	<u>\$5,002</u>
2	<u>Chicago State University Education</u>		
3	<u>Improvement Fund</u>	.....	<u>\$16,218</u>
4	<u>Child Support Administrative Fund</u>	.....	<u>\$2,657</u>
5	<u>Clean Air Act Permit Fund</u>	.....	<u>\$10,108</u>
6	<u>Coal Technology Development Assistance Fund</u>	.....	<u>\$12,943</u>
7	<u>Commitment to Human Services Fund</u>	.....	<u>\$111,465</u>
8	<u>Common School Fund</u>	.....	<u>\$445,997</u>
9	<u>Community Mental Health Medicaid Trust Fund</u>	.....	<u>\$9,599</u>
10	<u>Community Water Supply Laboratory Fund</u>	.....	<u>\$637</u>
11	<u>Credit Union Fund</u>	.....	<u>\$16,048</u>
12	<u>DCFS Children's Services Fund</u>	.....	<u>\$287,247</u>
13	<u>Department of Business Services</u>		
14	<u>Special Operations Fund</u>	.....	<u>\$4,402</u>
15	<u>Department of Corrections Reimbursement</u>		
16	<u>and Education Fund</u>	.....	<u>\$60,429</u>
17	<u>Design Professionals Administration</u>		
18	<u>and Investigation Fund</u>	.....	<u>\$3,362</u>
19	<u>Department of Human Services Community Services Fund</u>	..	<u>\$5,239</u>
20	<u>Downstate Public Transportation Fund</u>	.....	<u>\$30,625</u>
21	<u>Driver Services Administration Fund</u>	.....	<u>\$639</u>
22	<u>Drivers Education Fund</u>	.....	<u>\$1,202</u>
23	<u>Drug Rebate Fund</u>	.....	<u>\$22,702</u>
24	<u>Drug Treatment Fund</u>	.....	<u>\$571</u>
25	<u>Drycleaner Environmental Response Trust Fund</u>	.....	<u>\$846</u>
26	<u>Education Assistance Fund</u>	.....	<u>\$1,969,661</u>

1	<u>Environmental Protection Permit and</u>	
2	<u>    Inspection Fund.....</u>	<u>\$7,079</u>
3	<u>Facilities Management Revolving Fund .....</u>	<u>\$16,163</u>
4	<u>Federal High Speed Rail Trust Fund .....</u>	<u>\$1,264</u>
5	<u>Federal Workforce Training Fund.....</u>	<u>\$91,791</u>
6	<u>Feed Control Fund.....</u>	<u>\$1,701</u>
7	<u>Fertilizer Control Fund.....</u>	<u>\$1,791</u>
8	<u>Fire Prevention Fund .....</u>	<u>\$3,507</u>
9	<u>Firearm Dealer License Certification Fund.....</u>	<u>\$648</u>
10	<u>Fund for the Advancement of Education .....</u>	<u>\$44,609</u>
11	<u>General Professions Dedicated Fund .....</u>	<u>\$31,353</u>
12	<u>General Revenue Fund .....</u>	<u>\$17,663,958</u>
13	<u>Grade Crossing Protection Fund .....</u>	<u>\$1,856</u>
14	<u>Hazardous Waste Fund .....</u>	<u>\$8,446</u>
15	<u>Health and Human Services Medicaid Trust Fund .....</u>	<u>\$6,134</u>
16	<u>Healthcare Provider Relief Fund.....</u>	<u>\$185,164</u>
17	<u>Horse Racing Fund.....</u>	<u>\$169,632</u>
18	<u>Hospital Provider Fund .....</u>	<u>\$63,346</u>
19	<u>ICCB Federal Trust Fund.....</u>	<u>\$10,805</u>
20	<u>Illinois Affordable Housing Trust Fund .....</u>	<u>\$5,414</u>
21	<u>Illinois Charity Bureau Fund .....</u>	<u>\$3,298</u>
22	<u>Illinois Clean Water Fund.....</u>	<u>\$11,951</u>
23	<u>Illinois Forestry Development Fund .....</u>	<u>\$11,004</u>
24	<u>Illinois Gaming Law Enforcement Fund .....</u>	<u>\$1,869</u>
25	<u>IMSA Income Fund .....</u>	<u>\$2,188</u>
26	<u>Illinois Military Family Relief Fund .....</u>	<u>\$6,986</u>

1	<u>Illinois Power Agency Operations Fund .....</u>	<u>\$41,229</u>
2	<u>Illinois State Dental Disciplinary Fund .....</u>	<u>\$6,127</u>
3	<u>Illinois State Fair Fund .....</u>	<u>\$660</u>
4	<u>Illinois State Medical Disciplinary Fund .....</u>	<u>\$23,384</u>
5	<u>Illinois State Pharmacy Disciplinary Fund .....</u>	<u>\$10,308</u>
6	<u>Illinois Veterans Assistance Fund .....</u>	<u>\$2,016</u>
7	<u>Illinois Veterans' Rehabilitation Fund .....</u>	<u>\$862</u>
8	<u>Illinois Wildlife Preservation Fund .....</u>	<u>\$1,742</u>
9	<u>Illinois Workers' Compensation Commission</u>	
10	<u>    Operations Fund .....</u>	<u>\$4,476</u>
11	<u>Income Tax Refund Fund .....</u>	<u>\$239,691</u>
12	<u>Insurance Financial Regulation Fund .....</u>	<u>\$104,462</u>
13	<u>Insurance Premium Tax Refund Fund .....</u>	<u>\$23,121</u>
14	<u>Insurance Producer Administration Fund .....</u>	<u>\$104,566</u>
15	<u>International Tourism Fund .....</u>	<u>\$1,985</u>
16	<u>LaSalle Veterans Home Fund .....</u>	<u>\$46,145</u>
17	<u>LEADS Maintenance Fund .....</u>	<u>\$681</u>
18	<u>Live and Learn Fund .....</u>	<u>\$8,120</u>
19	<u>Local Government Distributive Fund .....</u>	<u>\$154,289</u>
20	<u>Long-Term Care Provider Fund .....</u>	<u>\$6,468</u>
21	<u>Manteno Veterans Home Fund .....</u>	<u>\$93,493</u>
22	<u>Mental Health Fund .....</u>	<u>\$12,227</u>
23	<u>Mental Health Reporting Fund .....</u>	<u>\$611</u>
24	<u>Monitoring Device Driving Permit</u>	
25	<u>    Administration Fee Fund .....</u>	<u>\$617</u>
26	<u>Motor Carrier Safety Inspection Fund .....</u>	<u>\$1,823</u>

1	<u>Motor Fuel Tax Fund</u> .....	\$103,497
2	<u>Motor Vehicle License Plate Fund</u> .....	\$5,656
3	<u>Motor Vehicle Theft Prevention and Insurance</u>	
4	<u>Verification Trust Fund</u> .....	\$2,618
5	<u>Nursing Dedicated and Professional Fund</u> .....	\$11,973
6	<u>Off-Highway Vehicle Trails Fund</u> .....	\$1,994
7	<u>Open Space Lands Acquisition and Development Fund</u> ....	\$45,493
8	<u>Optometric Licensing and Disciplinary Board Fund</u> .....	\$1,169
9	<u>Partners For Conservation Fund</u> .....	\$19,950
10	<u>Pawnbroker Regulation Fund</u> .....	\$1,053
11	<u>Personal Property Tax Replacement Fund</u> .....	\$203,036
12	<u>Pesticide Control Fund</u> .....	\$6,845
13	<u>Professional Services Fund</u> .....	\$2,778
14	<u>Professions Indirect Cost Fund</u> .....	\$172,106
15	<u>Public Pension Regulation Fund</u> .....	\$6,919
16	<u>Public Transportation Fund</u> .....	\$77,303
17	<u>Quincy Veterans Home Fund</u> .....	\$91,704
18	<u>Real Estate License Administration Fund</u> .....	\$33,329
19	<u>Registered Certified Public Accountants'</u>	
20	<u>Administration and Disciplinary Fund</u> .....	\$3,617
21	<u>Renewable Energy Resources Trust Fund</u> .....	\$1,591
22	<u>Rental Housing Support Program Fund</u> .....	\$1,539
23	<u>Residential Finance Regulatory Fund</u> .....	\$20,510
24	<u>Road Fund</u> .....	\$399,062
25	<u>Regional Transportation Authority Occupation and</u>	
26	<u>Use Tax Replacement Fund</u> .....	\$5,205

1	<u>Salmon Fund</u> .....	\$655
2	<u>School Infrastructure Fund</u> .....	\$14,015
3	<u>Secretary of State DUI Administration Fund</u> .....	\$1,025
4	<u>Secretary of State Identification Security</u>	
5	<u>and Theft Prevention Fund</u> .....	\$4,502
6	<u>Secretary of State Special License Plate Fund</u> .....	\$1,384
7	<u>Secretary of State Special Services Fund</u> .....	\$8,114
8	<u>Securities Audit and Enforcement Fund</u> .....	\$2,824
9	<u>State Small Business Credit Initiative Fund</u> .....	\$4,331
10	<u>Solid Waste Management Fund</u> .....	\$10,397
11	<u>Special Education Medicaid Matching Fund</u> .....	\$2,924
12	<u>Sports Wagering Fund</u> .....	\$8,572
13	<u>State Police Law Enforcement Administration Fund</u> .....	\$6,822
14	<u>State and Local Sales Tax Reform Fund</u> .....	\$10,355
15	<u>State Asset Forfeiture Fund</u> .....	\$1,740
16	<u>State Aviation Program Fund</u> .....	\$557
17	<u>State Construction Account Fund</u> .....	\$195,722
18	<u>State Crime Laboratory Fund</u> .....	\$7,743
19	<u>State Gaming Fund</u> .....	\$204,660
20	<u>State Garage Revolving Fund</u> .....	\$3,731
21	<u>State Lottery Fund</u> .....	\$129,814
22	<u>State Offender DNA Identification System Fund</u> .....	\$1,405
23	<u>State Pensions Fund</u> .....	\$500,000
24	<u>State Police Firearm Services Fund</u> .....	\$16,122
25	<u>State Police Services Fund</u> .....	\$21,151
26	<u>State Police Vehicle Fund</u> .....	\$3,013

1	<u>State Police Whistleblower Reward</u>	
2	<u>and Protection Fund</u> .....	\$2,452
3	<u>Subtitle D Management Fund</u> .....	\$1,431
4	<u>Supplemental Low-Income Energy Assistance Fund</u> .....	\$68,591
5	<u>Tax Compliance and Administration Fund</u> .....	\$5,259
6	<u>Technology Management Revolving Fund</u> .....	\$244,294
7	<u>Tobacco Settlement Recovery Fund</u> .....	\$4,653
8	<u>Tourism Promotion Fund</u> .....	\$35,322
9	<u>Traffic and Criminal Conviction Surcharge Fund</u> .....	\$136,332
10	<u>Underground Storage Tank Fund</u> .....	\$20,429
11	<u>University of Illinois Hospital Services Fund</u> .....	\$3,664
12	<u>Vehicle Inspection Fund</u> .....	\$11,203
13	<u>Violent Crime Victims Assistance Fund</u> .....	\$14,202
14	<u>Weights and Measures Fund</u> .....	\$6,127
15	<u>Working Capital Revolving Fund</u> .....	\$18,120
16	<del>Agricultural Premium Fund</del> .....	<del>145,477</del>
17	<del>Amusement Ride and Patron Safety Fund</del> .....	<del>10,067</del>
18	<del>Assisted Living and Shared Housing Regulatory Fund</del> .....	<del>2,696</del>
19	<del>Capital Development Board Revolving Fund</del> .....	<del>1,807</del>
20	<del>Care Provider Fund for Persons with a Developmental</del>	
21	<del>Disability</del> .....	<del>15,438</del>
22	<del>CDLIS/AAMVAnet/NMVTIS Trust Fund</del> .....	<del>5,148</del>
23	<del>Chicago State University Education Improvement Fund</del> .....	<del>4,748</del>
24	<del>Child Labor and Day and Temporary Labor Services</del>	
25	<del>Enforcement Fund</del> .....	<del>18,662</del>
26	<del>Child Support Administrative Fund</del> .....	<del>5,832</del>

1	<del>Clean Air Act Permit Fund .....</del>	<del>1,410</del>
2	<del>Common School Fund .....</del>	<del>259,307</del>
3	<del>Community Mental Health Medicaid Trust Fund .....</del>	<del>23,472</del>
4	<del>Death Certificate Surcharge Fund .....</del>	<del>4,161</del>
5	<del>Death Penalty Abolition Fund .....</del>	<del>4,095</del>
6	<del>Department of Business Services Special Operations Fund</del>	<del>12,790</del>
7	<del>Department of Human Services Community Services Fund ..</del>	<del>8,744</del>
8	<del>Downstate Public Transportation Fund .....</del>	<del>12,100</del>
9	<del>Dram Shop Fund .....</del>	<del>155,250</del>
10	<del>Driver Services Administration Fund.....</del>	<del>1,920</del>
11	<del>Drug Rebate Fund .....</del>	<del>39,351</del>
12	<del>Drug Treatment Fund.....</del>	<del>896</del>
13	<del>Education Assistance Fund.....</del>	<del>1,818,170</del>
14	<del>Emergency Public Health Fund .....</del>	<del>7,450</del>
15	<del>Employee Classification Fund .....</del>	<del>1,518</del>
16	<del>EMS Assistance Fund.....</del>	<del>1,286</del>
17	<del>Environmental Protection Permit and Inspection Fund.....</del>	<del>671</del>
18	<del>Estate Tax Refund Fund .....</del>	<del>2,150</del>
19	<del>Facilities Management Revolving Fund .....</del>	<del>33,930</del>
20	<del>Facility Licensing Fund.....</del>	<del>3,894</del>
21	<del>Fair and Exposition Fund .....</del>	<del>5,904</del>
22	<del>Federal Financing Cost Reimbursement Fund.....</del>	<del>1,579</del>
23	<del>Federal High Speed Rail Trust Fund .....</del>	<del>517</del>
24	<del>Feed Control Fund.....</del>	<del>9,601</del>
25	<del>Fertilizer Control Fund.....</del>	<del>8,941</del>
26	<del>Fire Prevention Fund .....</del>	<del>4,456</del>

1	<del>Fund for the Advancement of Education .....</del>	<del>17,988</del>
2	<del>General Revenue Fund .....</del>	<del>17,653,153</del>
3	<del>General Professions Dedicated Fund .....</del>	<del>3,567</del>
4	<del>Governor's Administrative Fund .....</del>	<del>4,052</del>
5	<del>Governor's Grant Fund .....</del>	<del>16,687</del>
6	<del>Grade Crossing Protection Fund .....</del>	<del>629</del>
7	<del>Grant Accountability and Transparency Fund .....</del>	<del>910</del>
8	<del>Hazardous Waste Fund .....</del>	<del>849</del>
9	<del>Hazardous Waste Research Fund .....</del>	<del>528</del>
10	<del>Health and Human Services Medicaid Trust Fund .....</del>	<del>10,635</del>
11	<del>Health Facility Plan Review Fund .....</del>	<del>3,190</del>
12	<del>Healthcare Provider Relief Fund .....</del>	<del>360,142</del>
13	<del>Healthy Smiles Fund .....</del>	<del>745</del>
14	<del>Home Care Services Agency Licensure Fund .....</del>	<del>2,824</del>
15	<del>Hospital Licensure Fund .....</del>	<del>1,313</del>
16	<del>Hospital Provider Fund .....</del>	<del>128,466</del>
17	<del>ICJIA Violence Prevention Fund .....</del>	<del>742</del>
18	<del>Illinois Affordable Housing Trust Fund .....</del>	<del>7,829</del>
19	<del>Illinois Clean Water Fund .....</del>	<del>1,915</del>
20	<del>IMSA Income Fund .....</del>	<del>12,557</del>
21	<del>Illinois Health Facilities Planning Fund .....</del>	<del>2,704</del>
22	<del>Illinois Power Agency Operations Fund .....</del>	<del>36,874</del>
23	<del>Illinois School Asbestos Abatement Fund .....</del>	<del>1,556</del>
24	<del>Illinois State Fair Fund .....</del>	<del>41,374</del>
25	<del>Illinois Veterans' Rehabilitation Fund .....</del>	<del>1,008</del>
26	<del>Illinois Workers' Compensation Commission Operations</del>	

1	<del>Fund .....</del>	<del>189,581</del>
2	<del>Income Tax Refund Fund .....</del>	<del>53,295</del>
3	<del>Lead Poisoning Screening, Prevention, and Abatement</del>	
4	<del>Fund .....</del>	<del>14,747</del>
5	<del>Live and Learn Fund .....</del>	<del>23,420</del>
6	<del>Lobbyist Registration Administration Fund.....</del>	<del>1,178</del>
7	<del>Local Government Distributive Fund .....</del>	<del>36,680</del>
8	<del>Long Term Care Monitor/Receiver Fund .....</del>	<del>40,812</del>
9	<del>Long Term Care Provider Fund .....</del>	<del>18,266</del>
10	<del>Mandatory Arbitration Fund .....</del>	<del>1,618</del>
11	<del>Medical Interagency Program Fund .....</del>	<del>890</del>
12	<del>Mental Health Fund .....</del>	<del>10,924</del>
13	<del>Metabolic Screening and Treatment Fund .....</del>	<del>35,159</del>
14	<del>Monitoring Device Driving Permit Administration Fee Fund</del>	<del>2,355</del>
15	<del>Motor Fuel Tax Fund .....</del>	<del>36,804</del>
16	<del>Motor Vehicle License Plate Fund .....</del>	<del>13,274</del>
17	<del>Motor Vehicle Theft Prevention and Insurance Verification</del>	
18	<del>Trust Fund .....</del>	<del>8,773</del>
19	<del>Multiple Sclerosis Research Fund .....</del>	<del>670</del>
20	<del>Nuclear Safety Emergency Preparedness Fund .....</del>	<del>17,663</del>
21	<del>Nursing Dedicated and Professional Fund .....</del>	<del>2,667</del>
22	<del>Open Space Lands Acquisition and Development Fund .....</del>	<del>1,463</del>
23	<del>Partners for Conservation Fund .....</del>	<del>75,235</del>
24	<del>Personal Property Tax Replacement Fund .....</del>	<del>85,166</del>
25	<del>Pesticide Control Fund .....</del>	<del>44,745</del>
26	<del>Plumbing Licensure and Program Fund .....</del>	<del>5,297</del>

1	<del>Professional Services Fund .....</del>	<del>6,549</del>
2	<del>Public Health Laboratory Services Revolving Fund .....</del>	<del>9,044</del>
3	<del>Public Transportation Fund .....</del>	<del>47,744</del>
4	<del>Radiation Protection Fund.....</del>	<del>6,575</del>
5	<del>Renewable Energy Resources Trust Fund .....</del>	<del>8,169</del>
6	<del>Road Fund.....</del>	<del>284,307</del>
7	<del>Regional Transportation Authority Occupation and Use Tax</del>	
8	<del>Replacement Fund .....</del>	<del>1,278</del>
9	<del>School Infrastructure Fund .....</del>	<del>8,938</del>
10	<del>Secretary of State DUI Administration Fund .....</del>	<del>2,044</del>
11	<del>Secretary of State Identification Security and Theft</del>	
12	<del>Prevention Fund.....</del>	<del>15,122</del>
13	<del>Secretary of State Police Services Fund .....</del>	<del>815</del>
14	<del>Secretary of State Special License Plate Fund .....</del>	<del>4,441</del>
15	<del>Secretary of State Special Services Fund .....</del>	<del>21,797</del>
16	<del>Securities Audit and Enforcement Fund .....</del>	<del>8,480</del>
17	<del>Solid Waste Management Fund .....</del>	<del>1,427</del>
18	<del>Special Education Medicaid Matching Fund .....</del>	<del>5,854</del>
19	<del>State and Local Sales Tax Reform Fund .....</del>	<del>2,742</del>
20	<del>State Construction Account Fund .....</del>	<del>69,387</del>
21	<del>State Gaming Fund .....</del>	<del>89,997</del>
22	<del>State Garage Revolving Fund .....</del>	<del>10,788</del>
23	<del>State Lottery Fund .....</del>	<del>343,580</del>
24	<del>State Pensions Fund.....</del>	<del>500,000</del>
25	<del>State Treasurer's Bank Services Trust Fund .....</del>	<del>913</del>
26	<del>Supreme Court Special Purposes Fund .....</del>	<del>1,704</del>

1	<del>Tattoo and Body Piercing Establishment Registration Fund</del>	<del>724</del>
2	<del>Tax Compliance and Administration Fund .....</del>	<del>1,847</del>
3	<del>Tobacco Settlement Recovery Fund .....</del>	<del>27,854</del>
4	<del>Tourism Promotion Fund .....</del>	<del>42,180</del>
5	<del>Trauma Center Fund .....</del>	<del>5,128</del>
6	<del>Underground Storage Tank Fund .....</del>	<del>3,473</del>
7	<del>University of Illinois Hospital Services Fund .....</del>	<del>7,505</del>
8	<del>Vehicle Inspection Fund .....</del>	<del>4,863</del>
9	<del>Weights and Measures Fund .....</del>	<del>25,431</del>
10	<del>Youth Alcoholism and Substance Abuse Prevention Fund .....</del>	<del>857</del>

11           Notwithstanding any provision of the law to the contrary,  
12 the General Assembly hereby authorizes the use of such funds  
13 for the purposes set forth in this Section.

14           These provisions do not apply to funds classified by the  
15 Comptroller as federal trust funds or State trust funds. The  
16 Audit Expense Fund may receive transfers from those trust  
17 funds only as directed herein, except where prohibited by the  
18 terms of the trust fund agreement. The Auditor General shall  
19 notify the trustees of those funds of the estimated cost of the  
20 audit to be incurred under the Illinois State Auditing Act for  
21 the fund. The trustees of those funds shall direct the State  
22 Comptroller and Treasurer to transfer the estimated amount to  
23 the Audit Expense Fund.

24           The Auditor General may bill entities that are not subject  
25 to the above transfer provisions, including private entities,  
26 related organizations and entities whose funds are

1 locally-held, for the cost of audits, studies, and  
2 investigations incurred on their behalf. Any revenues received  
3 under this provision shall be deposited into the Audit Expense  
4 Fund.

5 In the event that moneys on deposit in any fund are  
6 unavailable, by reason of deficiency or any other reason  
7 preventing their lawful transfer, the State Comptroller shall  
8 order transferred and the State Treasurer shall transfer the  
9 amount deficient or otherwise unavailable from the General  
10 Revenue Fund for deposit into the Audit Expense Fund.

11 On or before December 1, 1992, and each December 1  
12 thereafter, the Auditor General shall notify the Governor's  
13 Office of Management and Budget (formerly Bureau of the  
14 Budget) of the amount estimated to be necessary to pay for  
15 audits, studies, and investigations in accordance with the  
16 Illinois State Auditing Act during the next succeeding fiscal  
17 year for each State fund for which a transfer or reimbursement  
18 is anticipated.

19 Beginning with fiscal year 1994 and during each fiscal  
20 year thereafter, the Auditor General may direct the State  
21 Comptroller and Treasurer to transfer moneys from funds  
22 authorized by the General Assembly for that fund. In the event  
23 funds, including federal and State trust funds but excluding  
24 the General Revenue Fund, are transferred, during fiscal year  
25 1994 and during each fiscal year thereafter, in excess of the  
26 amount to pay actual costs attributable to audits, studies,

1 and investigations as permitted or required by the Illinois  
2 State Auditing Act or specific action of the General Assembly,  
3 the Auditor General shall, on September 30, or as soon  
4 thereafter as is practicable, direct the State Comptroller and  
5 Treasurer to transfer the excess amount back to the fund from  
6 which it was originally transferred.

7 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;  
8 102-16, eff. 6-17-21.)

9 (30 ILCS 105/6z-30)

10 Sec. 6z-30. University of Illinois Hospital Services Fund.

11 (a) The University of Illinois Hospital Services Fund is  
12 created as a special fund in the State Treasury. The following  
13 moneys shall be deposited into the Fund:

14 (1) (Blank). ~~As soon as possible after the beginning~~  
15 ~~of fiscal year 2010, and in no event later than July 30,~~  
16 ~~the State Comptroller and the State Treasurer shall~~  
17 ~~automatically transfer \$30,000,000 from the General~~  
18 ~~Revenue Fund to the University of Illinois Hospital~~  
19 ~~Services Fund.~~

20 (1.5) (Blank). ~~Starting in fiscal year 2011, and~~  
21 ~~continuing through fiscal year 2017, as soon as possible~~  
22 ~~after the beginning of each fiscal year, and in no event~~  
23 ~~later than July 30, the State Comptroller and the State~~  
24 ~~Treasurer shall automatically transfer \$45,000,000 from~~  
25 ~~the General Revenue Fund to the University of Illinois~~

~~Hospital Services Fund; except that, in fiscal year 2012 only, the State Comptroller and the State Treasurer shall transfer \$90,000,000 from the General Revenue Fund to the University of Illinois Hospital Services Fund under this paragraph, and, in fiscal year 2013 only, the State Comptroller and the State Treasurer shall transfer no amounts from the General Revenue Fund to the University of Illinois Hospital Services Fund under this paragraph.~~

~~(1.7) (Blank). Starting in fiscal year 2018, at the direction of and upon notification from the Director of Healthcare and Family Services, the State Comptroller shall direct and the State Treasurer shall transfer an amount of at least \$20,000,000 but not exceeding a total of \$45,000,000 from the General Revenue Fund to the University of Illinois Hospital Services Fund in each fiscal year.~~

~~(1.8) Starting in fiscal year 2022, at the direction of and upon notification from the Director of Healthcare and Family Services, the State Comptroller shall direct and the State Treasurer shall transfer an amount of at least \$20,000,000 but not exceeding a total of \$55,000,000 from the General Revenue Fund to the University of Illinois Hospital Services Fund in each fiscal year.~~

(2) All intergovernmental transfer payments to the Department of Healthcare and Family Services by the University of Illinois made pursuant to an

1           intergovernmental agreement under subsection (b) or (c) of  
2           Section 5A-3 of the Illinois Public Aid Code.

3           (3) All federal matching funds received by the  
4           Department of Healthcare and Family Services (formerly  
5           Illinois Department of Public Aid) as a result of  
6           expenditures made by the Department that are attributable  
7           to moneys that were deposited in the Fund.

8           (4) All other moneys received for the Fund from any  
9           other source, including interest earned thereon.

10          (b) Moneys in the fund may be used by the Department of  
11          Healthcare and Family Services, subject to appropriation and  
12          to an interagency agreement between that Department and the  
13          Board of Trustees of the University of Illinois, to reimburse  
14          the University of Illinois Hospital for hospital and pharmacy  
15          services, to reimburse practitioners who are employed by the  
16          University of Illinois, to reimburse other health care  
17          facilities and health plans operated by the University of  
18          Illinois, and to pass through to the University of Illinois  
19          federal financial participation earned by the State as a  
20          result of expenditures made by the University of Illinois.

21          (c) (Blank).

22          (Source: P.A. 100-23, eff. 7-6-17.)

23                 (30 ILCS 105/6z-32)

24                 Sec. 6z-32. Partners for Planning and Conservation.

25                 (a) The Partners for Conservation Fund (formerly known as

1 the Conservation 2000 Fund) and the Partners for Conservation  
2 Projects Fund (formerly known as the Conservation 2000  
3 Projects Fund) are created as special funds in the State  
4 Treasury. These funds shall be used to establish a  
5 comprehensive program to protect Illinois' natural resources  
6 through cooperative partnerships between State government and  
7 public and private landowners. Moneys in these Funds may be  
8 used, subject to appropriation, by the Department of Natural  
9 Resources, Environmental Protection Agency, and the Department  
10 of Agriculture for purposes relating to natural resource  
11 protection, planning, recreation, tourism, climate resilience,  
12 and compatible agricultural and economic development  
13 activities. Without limiting these general purposes, moneys in  
14 these Funds may be used, subject to appropriation, for the  
15 following specific purposes:

16 (1) To foster sustainable agriculture practices and  
17 control soil erosion, sedimentation, and nutrient loss  
18 from farmland, including grants to Soil and Water  
19 Conservation Districts for conservation practice  
20 cost-share grants and for personnel, educational, and  
21 administrative expenses.

22 (2) To establish and protect a system of ecosystems in  
23 public and private ownership through conservation  
24 easements, incentives to public and private landowners,  
25 natural resource restoration and preservation, water  
26 quality protection and improvement, land use and watershed

1 planning, technical assistance and grants, and land  
2 acquisition provided these mechanisms are all voluntary on  
3 the part of the landowner and do not involve the use of  
4 eminent domain.

5 (3) To develop a systematic and long-term program to  
6 effectively measure and monitor natural resources and  
7 ecological conditions through investments in technology  
8 and involvement of scientific experts.

9 (4) To initiate strategies to enhance, use, and  
10 maintain Illinois' inland lakes through education,  
11 technical assistance, research, and financial incentives.

12 (5) To partner with private landowners and with units  
13 of State, federal, and local government and with  
14 not-for-profit organizations in order to integrate State  
15 and federal programs with Illinois' natural resource  
16 protection and restoration efforts and to meet  
17 requirements to obtain federal and other funds for  
18 conservation or protection of natural resources.

19 (6) To implement the State's Nutrient Loss Reduction  
20 Strategy, including, but not limited to, funding the  
21 resources needed to support the Strategy's Policy Working  
22 Group, cover water quality monitoring in support of  
23 Strategy implementation, prepare a biennial report on the  
24 progress made on the Strategy every 2 years, and provide  
25 cost share funding for nutrient capture projects.

26 (7) To provide capacity grants to support soil and

1 water conservation districts, including, but not limited  
 2 to, developing soil health plans, conducting soil health  
 3 assessments, peer-to-peer training, convening  
 4 producer-led dialogues, professional development and  
 5 travel stipends for meetings and educational events.

6 (b) The State Comptroller and State Treasurer shall  
 7 automatically transfer on the last day of each month,  
 8 beginning on September 30, 1995 and ending on June 30, 2023  
 9 ~~2022~~, from the General Revenue Fund to the Partners for  
 10 Conservation Fund, an amount equal to 1/10 of the amount set  
 11 forth below in fiscal year 1996 and an amount equal to 1/12 of  
 12 the amount set forth below in each of the other specified  
 13 fiscal years:

14 Fiscal Year	Amount
15 1996	\$ 3,500,000
16 1997	\$ 9,000,000
17 1998	\$10,000,000
18 1999	\$11,000,000
19 2000	\$12,500,000
20 2001 through 2004	\$14,000,000
21 2005	\$7,000,000
22 2006	\$11,000,000
23 2007	\$0
24 2008 through 2011	\$14,000,000
25 2012	\$12,200,000
26 2013 through 2017	\$14,000,000

1	2018	\$1,500,000
2	2019	\$14,000,000
3	2020	\$7,500,000
4	2021 through <u>2023</u> <del>2022</del>	\$14,000,000

5 (c) The State Comptroller and State Treasurer shall  
6 automatically transfer on the last day of each month beginning  
7 on July 31, 2021 and ending June 30, 2022, from the  
8 Environmental Protection Permit and Inspection Fund to the  
9 Partners for Conservation Fund, an amount equal to 1/12 of  
10 \$4,135,000.

11 (c-1) The State Comptroller and State Treasurer shall  
12 automatically transfer on the last day of each month beginning  
13 on July 31, 2022 and ending June 30, 2023, from the  
14 Environmental Protection Permit and Inspection Fund to the  
15 Partners for Conservation Fund, an amount equal to 1/12 of  
16 \$5,900,000.

17 (d) There shall be deposited into the Partners for  
18 Conservation Projects Fund such bond proceeds and other moneys  
19 as may, from time to time, be provided by law.

20 (Source: P.A. 101-10, eff. 6-5-19; 102-16, eff. 6-17-21.)

21 (30 ILCS 105/6z-51)

22 Sec. 6z-51. Budget Stabilization Fund.

23 (a) The Budget Stabilization Fund, a special fund in the  
24 State Treasury, shall consist of moneys appropriated or  
25 transferred to that Fund, as provided in Section 6z-43 and as

1 otherwise provided by law. All earnings on Budget  
2 Stabilization Fund investments shall be deposited into that  
3 Fund.

4 (b) The State Comptroller may direct the State Treasurer  
5 to transfer moneys from the Budget Stabilization Fund to the  
6 General Revenue Fund in order to meet cash flow deficits  
7 resulting from timing variations between disbursements and the  
8 receipt of funds within a fiscal year. Any moneys so borrowed  
9 in any fiscal year other than Fiscal Year 2011 shall be repaid  
10 by June 30 of the fiscal year in which they were borrowed. Any  
11 moneys so borrowed in Fiscal Year 2011 shall be repaid no later  
12 than July 15, 2011.

13 (c) During Fiscal Year 2017 only, amounts may be expended  
14 from the Budget Stabilization Fund only pursuant to specific  
15 authorization by appropriation. Any moneys expended pursuant  
16 to appropriation shall not be subject to repayment.

17 (d) For Fiscal Years ~~Year~~ 2020 through 2022 ~~, and beyond,~~  
18 any transfers into the Fund pursuant to the Cannabis  
19 Regulation and Tax Act may be transferred to the General  
20 Revenue Fund in order for the Comptroller to address  
21 outstanding vouchers and shall not be subject to repayment  
22 back into the Budget Stabilization Fund.

23 (e) Beginning July 1, 2023, on the first day of each month,  
24 or as soon thereafter as practical, the State Comptroller  
25 shall direct and the State Treasurer shall transfer \$3,750,000  
26 from the General Revenue Fund to the Budget Stabilization

1 Fund.

2 (Source: P.A. 101-10, eff. 6-5-19.)

3 (30 ILCS 105/6z-70)

4 Sec. 6z-70. The Secretary of State Identification Security  
5 and Theft Prevention Fund.

6 (a) The Secretary of State Identification Security and  
7 Theft Prevention Fund is created as a special fund in the State  
8 treasury. The Fund shall consist of any fund transfers,  
9 grants, fees, or moneys from other sources received for the  
10 purpose of funding identification security and theft  
11 prevention measures.

12 (b) All moneys in the Secretary of State Identification  
13 Security and Theft Prevention Fund shall be used, subject to  
14 appropriation, for any costs related to implementing  
15 identification security and theft prevention measures.

16 (c) (Blank).

17 (d) (Blank).

18 (e) (Blank).

19 (f) (Blank).

20 (g) (Blank).

21 (h) (Blank).

22 (i) (Blank).

23 (j) (Blank).

24 (k) (Blank).

25 (l) (Blank).

1           (m) (Blank). ~~Notwithstanding any other provision of State~~  
 2 ~~law to the contrary, on or after July 1, 2020, and until June~~  
 3 ~~30, 2021, in addition to any other transfers that may be~~  
 4 ~~provided for by law, at the direction of and upon notification~~  
 5 ~~of the Secretary of State, the State Comptroller shall direct~~  
 6 ~~and the State Treasurer shall transfer amounts into the~~  
 7 ~~Secretary of State Identification Security and Theft~~  
 8 ~~Prevention Fund from the designated funds not exceeding the~~  
 9 ~~following totals:~~

10           ~~Division of Corporations Registered Limited~~

11 <del>Liability Partnership Fund .....</del>	<del>\$287,000</del>
12 <del>Securities Investors Education Fund.....</del>	<del>\$1,500,000</del>
13 <del>Department of Business Services Special</del>	
14 <del>Operations Fund.....</del>	<del>\$4,500,000</del>
15 <del>Securities Audit and Enforcement Fund .....</del>	<del>\$5,000,000</del>
16 <del>Corporate Franchise Tax Refund Fund .....</del>	<del>\$3,000,000</del>

17           (n) Notwithstanding any other provision of State law to  
 18 the contrary, on or after July 1, 2021, and until June 30,  
 19 2022, in addition to any other transfers that may be provided  
 20 for by law, at the direction of and upon notification of the  
 21 Secretary of State, the State Comptroller shall direct and the  
 22 State Treasurer shall transfer amounts into the Secretary of  
 23 State Identification Security and Theft Prevention Fund from  
 24 the designated funds not exceeding the following totals:

25           Division of Corporations Registered Limited

26           Liability Partnership Fund .....	\$287,000
---	-----------

1 Securities Investors Education Fund..... \$1,500,000  
 2 Department of Business Services Special  
 3 Operations Fund..... \$4,500,000  
 4 Securities Audit and Enforcement Fund..... \$5,000,000  
 5 Corporate Franchise Tax Refund Fund..... \$3,000,000

6 (o) Notwithstanding any other provision of State law to  
 7 the contrary, on or after July 1, 2022, and until June 30,  
 8 2023, in addition to any other transfers that may be provided  
 9 for by law, at the direction of and upon notification of the  
 10 Secretary of State, the State Comptroller shall direct and the  
 11 State Treasurer shall transfer amounts into the Secretary of  
 12 State Identification Security and Theft Prevention Fund from  
 13 the designated funds not exceeding the following totals:

14 Division of Corporations Registered Limited  
 15 Liability Partnership Fund ..... \$400,000  
 16 Department of Business Services Special  
 17 Operations Fund..... \$5,500,000  
 18 Securities Audit and Enforcement Fund..... \$4,000,000  
 19 Corporate Franchise Tax Refund Fund..... \$4,000,000

20 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;  
 21 102-16, eff. 6-17-21.)

22 (30 ILCS 105/6z-77)

23 Sec. 6z-77. The Capital Projects Fund. The Capital  
 24 Projects Fund is created as a special fund in the State  
 25 Treasury. The State Comptroller and State Treasurer shall

1 transfer from the Capital Projects Fund to the General Revenue  
2 Fund \$61,294,550 on October 1, 2009, \$122,589,100 on January  
3 1, 2010, and \$61,294,550 on April 1, 2010. Beginning on July 1,  
4 2010, and on July 1 and January 1 of each year thereafter, the  
5 State Comptroller and State Treasurer shall transfer the sum  
6 of \$122,589,100 from the Capital Projects Fund to the General  
7 Revenue Fund. In Fiscal Year 2022 only, the State Comptroller  
8 and State Treasurer shall transfer up to \$80,000,000  
9 ~~\$40,000,000~~ of sports wagering revenues from the Capital  
10 Projects Fund to the Rebuild Illinois Projects Fund in one or  
11 more transfers as directed by the Governor. Subject to  
12 appropriation, the Capital Projects Fund may be used only for  
13 capital projects and the payment of debt service on bonds  
14 issued for capital projects. All interest earned on moneys in  
15 the Fund shall be deposited into the Fund. The Fund shall not  
16 be subject to administrative charges or chargebacks, such as  
17 but not limited to those authorized under Section 8h.

18 (Source: P.A. 102-16, eff. 6-17-21.)

19 (30 ILCS 105/6z-81)

20 Sec. 6z-81. Healthcare Provider Relief Fund.

21 (a) There is created in the State treasury a special fund  
22 to be known as the Healthcare Provider Relief Fund.

23 (b) The Fund is created for the purpose of receiving and  
24 disbursing moneys in accordance with this Section.  
25 Disbursements from the Fund shall be made only as follows:

1           (1) Subject to appropriation, for payment by the  
2 Department of Healthcare and Family Services or by the  
3 Department of Human Services of medical bills and related  
4 expenses, including administrative expenses, for which the  
5 State is responsible under Titles XIX and XXI of the  
6 Social Security Act, the Illinois Public Aid Code, the  
7 Children's Health Insurance Program Act, the Covering ALL  
8 KIDS Health Insurance Act, and the Long Term Acute Care  
9 Hospital Quality Improvement Transfer Program Act.

10           (2) For repayment of funds borrowed from other State  
11 funds or from outside sources, including interest thereon.

12           (3) For making payments to the human poison control  
13 center pursuant to Section 12-4.105 of the Illinois Public  
14 Aid Code.

15           (4) For making necessary transfers to other State  
16 funds to deposit Home and Community-Based Services federal  
17 matching revenue received as a result of the enhancement  
18 to the federal medical assistance percentage authorized by  
19 Section 9817 of the federal American Rescue Plan Act of  
20 2021.

21           (c) The Fund shall consist of the following:

22           (1) Moneys received by the State from short-term  
23 borrowing pursuant to the Short Term Borrowing Act on or  
24 after the effective date of Public Act 96-820.

25           (2) All federal matching funds received by the  
26 Illinois Department of Healthcare and Family Services as a

1 result of expenditures made by the Department that are  
2 attributable to moneys deposited in the Fund.

3 (3) All federal matching funds received by the  
4 Illinois Department of Healthcare and Family Services as a  
5 result of federal approval of Title XIX State plan  
6 amendment transmittal number 07-09.

7 (3.5) Proceeds from the assessment authorized under  
8 Article V-H of the Illinois Public Aid Code.

9 (4) All other moneys received for the Fund from any  
10 other source, including interest earned thereon.

11 (5) All federal matching funds received by the  
12 Illinois Department of Healthcare and Family Services as a  
13 result of expenditures made by the Department for Medical  
14 Assistance from the General Revenue Fund, the Tobacco  
15 Settlement Recovery Fund, the Long-Term Care Provider  
16 Fund, and the Drug Rebate Fund related to individuals  
17 eligible for medical assistance pursuant to the Patient  
18 Protection and Affordable Care Act (P.L. 111-148) and  
19 Section 5-2 of the Illinois Public Aid Code.

20 (d) In addition to any other transfers that may be  
21 provided for by law, on the effective date of Public Act 97-44,  
22 or as soon thereafter as practical, the State Comptroller  
23 shall direct and the State Treasurer shall transfer the sum of  
24 \$365,000,000 from the General Revenue Fund into the Healthcare  
25 Provider Relief Fund.

26 (e) In addition to any other transfers that may be

1 provided for by law, on July 1, 2011, or as soon thereafter as  
2 practical, the State Comptroller shall direct and the State  
3 Treasurer shall transfer the sum of \$160,000,000 from the  
4 General Revenue Fund to the Healthcare Provider Relief Fund.

5 (f) Notwithstanding any other State law to the contrary,  
6 and in addition to any other transfers that may be provided for  
7 by law, the State Comptroller shall order transferred and the  
8 State Treasurer shall transfer \$500,000,000 to the Healthcare  
9 Provider Relief Fund from the General Revenue Fund in equal  
10 monthly installments of \$100,000,000, with the first transfer  
11 to be made on July 1, 2012, or as soon thereafter as practical,  
12 and with each of the remaining transfers to be made on August  
13 1, 2012, September 1, 2012, October 1, 2012, and November 1,  
14 2012, or as soon thereafter as practical. This transfer may  
15 assist the Department of Healthcare and Family Services in  
16 improving Medical Assistance bill processing timeframes or in  
17 meeting the possible requirements of Senate Bill 3397, or  
18 other similar legislation, of the 97th General Assembly should  
19 it become law.

20 (g) Notwithstanding any other State law to the contrary,  
21 and in addition to any other transfers that may be provided for  
22 by law, on July 1, 2013, or as soon thereafter as may be  
23 practical, the State Comptroller shall direct and the State  
24 Treasurer shall transfer the sum of \$601,000,000 from the  
25 General Revenue Fund to the Healthcare Provider Relief Fund.

26 (Source: P.A. 100-587, eff. 6-4-18; 101-9, eff. 6-5-19;

1 101-650, eff. 7-7-20.)

2 (30 ILCS 105/6z-100)

3 (Section scheduled to be repealed on July 1, 2022)

4 Sec. 6z-100. Capital Development Board Revolving Fund;  
5 payments into and use. All monies received by the Capital  
6 Development Board for publications or copies issued by the  
7 Board, and all monies received for contract administration  
8 fees, charges, or reimbursements owing to the Board shall be  
9 deposited into a special fund known as the Capital Development  
10 Board Revolving Fund, which is hereby created in the State  
11 treasury. The monies in this Fund shall be used by the Capital  
12 Development Board, as appropriated, for expenditures for  
13 personal services, retirement, social security, contractual  
14 services, legal services, travel, commodities, printing,  
15 equipment, electronic data processing, or telecommunications.  
16 For fiscal year 2021 and thereafter, the monies in this Fund  
17 may also be appropriated to and used by the Executive Ethics  
18 Commission for oversight and administration of the Chief  
19 Procurement Officer appointed under paragraph (1) of  
20 subsection (a) of Section 10-20 of the Illinois Procurement  
21 Code. Unexpended moneys in the Fund shall not be transferred  
22 or allocated by the Comptroller or Treasurer to any other  
23 fund, nor shall the Governor authorize the transfer or  
24 allocation of those moneys to any other fund. This Section is  
25 repealed July 1, 2023 ~~2022~~.

1 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;  
2 101-645, eff. 6-26-20; 102-16, eff. 6-17-21.)

3 (30 ILCS 105/6z-121)

4 Sec. 6z-121. State Coronavirus Urgent Remediation  
5 Emergency Fund.

6 (a) The State Coronavirus Urgent Remediation Emergency  
7 (State CURE) Fund is created as a federal trust fund within the  
8 State treasury. The State CURE Fund shall be held separate and  
9 apart from all other funds in the State treasury. The State  
10 CURE Fund is established: (1) to receive, directly or  
11 indirectly, federal funds from the Coronavirus Relief Fund in  
12 accordance with Section 5001 of the federal Coronavirus Aid,  
13 Relief, and Economic Security (CARES) Act, the Coronavirus  
14 State Fiscal Recovery Fund in accordance with Section 9901 of  
15 the American Rescue Plan Act of 2021, or from any other federal  
16 fund pursuant to any other provision of the American Rescue  
17 Plan Act of 2021 or any other federal law; and (2) to provide  
18 for the transfer, distribution and expenditure of such federal  
19 funds as permitted in the federal Coronavirus Aid, Relief, and  
20 Economic Security (CARES) Act, the American Rescue Plan Act of  
21 2021, and related federal guidance or any other federal law,  
22 and as authorized by this Section.

23 (b) Federal funds received by the State from the  
24 Coronavirus Relief Fund in accordance with Section 5001 of the  
25 federal Coronavirus Aid, Relief, and Economic Security (CARES)

1 Act, the Coronavirus State Fiscal Recovery Fund in accordance  
2 with Section 9901 of the American Rescue Plan Act of 2021, or  
3 any other federal funds received pursuant to the American  
4 Rescue Plan Act of 2021 or any other federal law, may be  
5 deposited, directly or indirectly, into the State CURE Fund.

6 (c) Funds in the State CURE Fund may be expended, subject  
7 to appropriation, directly for purposes permitted under the  
8 federal law and related federal guidance governing the use of  
9 such funds, which may include without limitation purposes  
10 permitted in Section 5001 of the CARES Act and Sections 3201,  
11 3206, and 9901 of the American Rescue Plan Act of 2021. All  
12 federal funds received into the State CURE Fund from the  
13 Coronavirus Relief Fund, the Coronavirus State Fiscal Recovery  
14 Fund, or any other source under the American Rescue Plan Act of  
15 2021, may be transferred, ~~or~~ expended, or returned by the  
16 Illinois Emergency Management Agency at the direction of the  
17 Governor for the specific purposes permitted by the federal  
18 Coronavirus Aid, Relief, and Economic Security (CARES) Act,  
19 the American Rescue Plan Act of 2021, any related regulations  
20 or federal guidance, and any terms and conditions of the  
21 federal awards received by the State thereunder. The State  
22 Comptroller shall direct and the State Treasurer shall  
23 transfer, as directed by the Governor in writing, a portion of  
24 the federal funds received from the Coronavirus Relief Fund or  
25 from any other federal fund pursuant to any other provision of  
26 federal law to the Local Coronavirus Urgent Remediation

1 Emergency (Local CURE) Fund from time to time for the  
2 provision and administration of grants to units of local  
3 government as permitted by the federal Coronavirus Aid,  
4 Relief, and Economic Security (CARES) Act, any related federal  
5 guidance, and any other additional federal law that may  
6 provide authorization. The State Comptroller shall direct and  
7 the State Treasurer shall transfer amounts, as directed by the  
8 Governor in writing, from the State CURE Fund to the Essential  
9 Government Services Support Fund to be used for the provision  
10 of government services as permitted under Section 602(c)(1)(C)  
11 of the Social Security Act as enacted by Section 9901 of the  
12 American Rescue Plan Act and related federal guidance. Funds  
13 in the State CURE Fund also may be transferred to other funds  
14 in the State treasury as reimbursement for expenditures made  
15 from such other funds if the expenditures are eligible for  
16 federal reimbursement under Section 5001 of the federal  
17 Coronavirus Aid, Relief, and Economic Security (CARES) Act,  
18 the relevant provisions of the American Rescue Plan Act of  
19 2021, or any related federal guidance.

20 (d) Once the General Assembly has enacted appropriations  
21 from the State CURE Fund, the expenditure of funds from the  
22 State CURE Fund shall be subject to appropriation by the  
23 General Assembly, and shall be administered by the Illinois  
24 Emergency Management Agency at the direction of the Governor.  
25 The Illinois Emergency Management Agency, and other agencies  
26 as named in appropriations, shall transfer, distribute or

1 expend the funds. The State Comptroller shall direct and the  
2 State Treasurer shall transfer funds in the State CURE Fund to  
3 other funds in the State treasury as reimbursement for  
4 expenditures made from such other funds if the expenditures  
5 are eligible for federal reimbursement under Section 5001 of  
6 the federal Coronavirus Aid, Relief, and Economic Security  
7 (CARES) Act, the relevant provisions of the American Rescue  
8 Plan Act of 2021, or any related federal guidance, as directed  
9 in writing by the Governor. Additional funds that may be  
10 received from the federal government from legislation enacted  
11 in response to the impact of Coronavirus Disease 2019,  
12 including fiscal stabilization payments that replace revenues  
13 lost due to Coronavirus Disease 2019, The State Comptroller  
14 may direct and the State Treasurer shall transfer in the  
15 manner authorized or required by any related federal guidance,  
16 as directed in writing by the Governor.

17 (e) The Illinois Emergency Management Agency, in  
18 coordination with the Governor's Office of Management and  
19 Budget, shall identify amounts derived from the State's  
20 Coronavirus Relief Fund allocation and transferred from the  
21 State CURE Fund as directed by the Governor under this Section  
22 that remain unobligated and unexpended for the period that  
23 ended on December 31, 2021. The Agency shall certify to the  
24 State Comptroller and the State Treasurer the amounts  
25 identified as unobligated and unexpended. The State  
26 Comptroller shall direct and the State Treasurer shall

1 transfer the unobligated and unexpended funds identified by  
2 the Agency and held in other funds of the State Treasury under  
3 this Section to the State CURE Fund. Unexpended funds in the  
4 State CURE Fund shall be paid back to the federal government at  
5 the direction of the Governor.

6 (f) In addition to any other transfers that may be  
7 provided for by law, at the direction of the Governor, the  
8 State Comptroller shall direct and the State Treasurer shall  
9 transfer the sum of \$24,523,000 from the State CURE Fund to the  
10 Chicago Travel Industry Promotion Fund.

11 (g) In addition to any other transfers that may be  
12 provided for by law, at the direction of the Governor, the  
13 State Comptroller shall direct and the State Treasurer shall  
14 transfer the sum of \$30,000,000 from the State CURE Fund to the  
15 Metropolitan Pier and Exposition Authority Incentive Fund.

16 (h) In addition to any other transfers that may be  
17 provided for by law, at the direction of the Governor, the  
18 State Comptroller shall direct and the State Treasurer shall  
19 transfer the sum of \$45,180,000 from the State CURE Fund to the  
20 Local Tourism Fund.

21 (Source: P.A. 101-636, eff. 6-10-20; 102-16, eff. 6-17-21.)

22 (30 ILCS 105/6z-130 new)

23 Sec. 6z-130. Statewide 9-8-8 Trust Fund.

24 (a) The Statewide 9-8-8 Trust Fund is created as a special  
25 fund in the State treasury. Moneys in the Fund shall be used by

1 the Department of Human Services for the purposes of  
2 establishing and maintaining a statewide 9-8-8 suicide  
3 prevention and mental health crisis system pursuant to the  
4 National Suicide Hotline Designation Act of 2020, the Federal  
5 Communication Commission's rules adopted on July 16, 2020, and  
6 national guidelines for crisis care. The Fund shall consist  
7 of:

8 (1) appropriations by the General Assembly;

9 (2) grants and gifts intended for deposit in the Fund;

10 (3) interest, premiums, gains, or other earnings on  
11 the Fund;

12 (4) moneys received from any other source that are  
13 deposited in or transferred into the Fund.

14 (b) Moneys in the Fund:

15 (1) do not revert at the end of any State fiscal year  
16 but remain available for the purposes of the Fund in  
17 subsequent State fiscal years; and

18 (2) are not subject to transfer to any other Fund or to  
19 transfer, assignment, or reassignment for any other use or  
20 purpose outside of those specified in this Section.

21 (c) An annual report of Fund deposits and expenditures  
22 shall be made to the General Assembly and the Federal  
23 Communications Commission.

24 (d) In addition to any other transfers that may be  
25 provided for by law, on July 1, 2022, or as soon thereafter as  
26 practical, the State Comptroller shall direct and the State

1 Treasurer shall transfer the sum of \$5,000,000 from the  
2 Statewide 9-1-1 Fund to the Statewide 9-8-8 Trust Fund.

3 (30 ILCS 105/6z-131 new)

4 Sec. 6z-131. Agriculture Federal Projects Fund. The  
5 Agriculture Federal Projects Fund is established as a federal  
6 trust fund in the State treasury. This Fund is established to  
7 receive funds from all federal departments and agencies,  
8 including grants and awards. In addition, the Fund may also  
9 receive interagency receipts from other State agencies and  
10 funds from other public and private sources. Moneys in the  
11 Agriculture Federal Projects Fund shall be held by the State  
12 Treasurer as ex officio custodian and shall be used for the  
13 specific purposes established by the terms and conditions of  
14 the federal grant or award and for other authorized expenses  
15 in accordance with federal requirements. Other moneys  
16 deposited into the Fund may be used for purposes associated  
17 with the federally financed projects.

18 (30 ILCS 105/6z-132 new)

19 Sec. 6z-132. DNR Federal Projects Fund. The DNR Federal  
20 Projects Fund is established as a federal trust fund in the  
21 State treasury. This Fund is established to receive funds from  
22 all federal departments and agencies, including grants and  
23 awards. In addition, the Fund may also receive interagency  
24 receipts from other State agencies and agencies from other

1 states. Moneys in the DNR Federal Projects Fund shall be held  
2 by the State Treasurer as ex officio custodian and shall be  
3 used for the specific purposes established by the terms and  
4 conditions of the federal grant or award and for other  
5 authorized expenses in accordance with federal requirements.  
6 Other moneys deposited into the Fund may be used for purposes  
7 associated with the federally financed projects.

8 (30 ILCS 105/6z-133 new)

9 Sec. 6z-133. Illinois Opioid Remediation State Trust Fund.

10 (a) As used in this Section:

11 (1) "Approved abatement programs" means the list of  
12 programs included in Exhibit B of the Illinois Opioid  
13 Allocation Agreement, effective December 30, 2021.

14 (2) "National multistate opioid settlement" has the  
15 meaning provided in Section 13-226 of the Code of Civil  
16 Procedure.

17 (3) "Opioid-related settlement" means current or  
18 future settlements reached by the Attorney General,  
19 including judgments entered that are subject to the  
20 Illinois Opioid Allocation Agreement, effective December  
21 30, 2021.

22 (b) The Illinois Opioid Remediation State Trust Fund is  
23 created as a trust fund in the State treasury to receive  
24 proceeds from opioid-related settlements and judgments that  
25 are directed by the Attorney General into the fund pursuant to

1 Section 3 of the Illinois Opioid Allocation Agreement,  
2 effective December 30, 2021. The fund shall be administered by  
3 the Department of Human Services.

4 (c) The Illinois Opioid Remediation State Trust Fund may  
5 also receive gifts, grants, bequests, donations and monies  
6 from any other source, public or private, to be used for the  
7 purposes of such gifts, grants, bequests, donations or awards.

8 (d) All funds directed into the Illinois Opioid  
9 Remediation State Trust Fund shall be used in accordance with  
10 the Illinois Opioid Allocation Agreement, effective December  
11 30, 2021, and exclusively for approved abatement programs.

12 (e) The Attorney General may use a portion of the proceeds  
13 in the Illinois Opioid Remediation State Trust Fund for  
14 administrative costs associated with opioid-related  
15 litigation, demands, or settlements.

16 (f) In addition to proceeds directed by the Attorney  
17 General into the Illinois Opioid Remediation State Trust Fund,  
18 the Attorney General may, at his or her discretion, direct  
19 additional funds received from any opioid-related settlement  
20 into the DHS State Projects Fund.

21 (30 ILCS 105/8.3) (from Ch. 127, par. 144.3)

22 Sec. 8.3. Money in the Road Fund shall, if and when the  
23 State of Illinois incurs any bonded indebtedness for the  
24 construction of permanent highways, be set aside and used for  
25 the purpose of paying and discharging annually the principal

1 and interest on that bonded indebtedness then due and payable,  
2 and for no other purpose. The surplus, if any, in the Road Fund  
3 after the payment of principal and interest on that bonded  
4 indebtedness then annually due shall be used as follows:

5 first -- to pay the cost of administration of Chapters  
6 2 through 10 of the Illinois Vehicle Code, except the cost  
7 of administration of Articles I and II of Chapter 3 of that  
8 Code, and to pay the costs of the Executive Ethics  
9 Commission for oversight and administration of the Chief  
10 Procurement Officer appointed under paragraph (2) of  
11 subsection (a) of Section 10-20 of the Illinois  
12 Procurement Code for transportation; and

13 secondly -- for expenses of the Department of  
14 Transportation for construction, reconstruction,  
15 improvement, repair, maintenance, operation, and  
16 administration of highways in accordance with the  
17 provisions of laws relating thereto, or for any purpose  
18 related or incident to and connected therewith, including  
19 the separation of grades of those highways with railroads  
20 and with highways and including the payment of awards made  
21 by the Illinois Workers' Compensation Commission under the  
22 terms of the Workers' Compensation Act or Workers'  
23 Occupational Diseases Act for injury or death of an  
24 employee of the Division of Highways in the Department of  
25 Transportation; or for the acquisition of land and the  
26 erection of buildings for highway purposes, including the

1 acquisition of highway right-of-way or for investigations  
2 to determine the reasonably anticipated future highway  
3 needs; or for making of surveys, plans, specifications and  
4 estimates for and in the construction and maintenance of  
5 flight strips and of highways necessary to provide access  
6 to military and naval reservations, to defense industries  
7 and defense-industry sites, and to the sources of raw  
8 materials and for replacing existing highways and highway  
9 connections shut off from general public use at military  
10 and naval reservations and defense-industry sites, or for  
11 the purchase of right-of-way, except that the State shall  
12 be reimbursed in full for any expense incurred in building  
13 the flight strips; or for the operating and maintaining of  
14 highway garages; or for patrolling and policing the public  
15 highways and conserving the peace; or for the operating  
16 expenses of the Department relating to the administration  
17 of public transportation programs; ~~or, during fiscal year~~  
18 ~~2021 only, for the purposes of a grant not to exceed~~  
19 ~~\$8,394,800 to the Regional Transportation Authority on~~  
20 ~~behalf of PACE for the purpose of ADA/Para-transit~~  
21 ~~expenses;~~ or, during fiscal year 2022 ~~only~~, for the  
22 purposes of a grant not to exceed \$8,394,800 to the  
23 Regional Transportation Authority on behalf of PACE for  
24 the purpose of ADA/Para-transit expenses; or, during  
25 fiscal year 2023, for the purposes of a grant not to exceed  
26 \$8,394,800 to the Regional Transportation Authority on

1 behalf of PACE for the purpose of ADA/Para-transit  
2 expenses; or for any of those purposes or any other  
3 purpose that may be provided by law.

4 Appropriations for any of those purposes are payable from  
5 the Road Fund. Appropriations may also be made from the Road  
6 Fund for the administrative expenses of any State agency that  
7 are related to motor vehicles or arise from the use of motor  
8 vehicles.

9 Beginning with fiscal year 1980 and thereafter, no Road  
10 Fund monies shall be appropriated to the following Departments  
11 or agencies of State government for administration, grants, or  
12 operations; but this limitation is not a restriction upon  
13 appropriating for those purposes any Road Fund monies that are  
14 eligible for federal reimbursement:

15 1. Department of Public Health;

16 2. Department of Transportation, only with respect to  
17 subsidies for one-half fare Student Transportation and  
18 Reduced Fare for Elderly, ~~except fiscal year 2021 only~~  
19 ~~when no more than \$17,570,000 may be expended and except~~  
20 ~~fiscal year 2022 only~~ when no more than \$17,570,000 may be  
21 expended and except fiscal year 2023 when no more than  
22 \$17,570,000 may be expended;

23 3. Department of Central Management Services, except  
24 for expenditures incurred for group insurance premiums of  
25 appropriate personnel;

26 4. Judicial Systems and Agencies.

1           Beginning with fiscal year 1981 and thereafter, no Road  
2 Fund monies shall be appropriated to the following Departments  
3 or agencies of State government for administration, grants, or  
4 operations; but this limitation is not a restriction upon  
5 appropriating for those purposes any Road Fund monies that are  
6 eligible for federal reimbursement:

7           1. Illinois State Police, except for expenditures with  
8 respect to the Division of Patrol Operations and Division  
9 of Criminal Investigation;

10           2. Department of Transportation, only with respect to  
11 Intercity Rail Subsidies, ~~except fiscal year 2021 only~~  
12 ~~when no more than \$50,000,000 may be expended and except~~  
13 ~~fiscal year 2022 only~~ when no more than \$50,000,000 may be  
14 expended and except fiscal year 2023 when no more than  
15 \$55,000,000 may be expended, and Rail Freight Services.

16           Beginning with fiscal year 1982 and thereafter, no Road  
17 Fund monies shall be appropriated to the following Departments  
18 or agencies of State government for administration, grants, or  
19 operations; but this limitation is not a restriction upon  
20 appropriating for those purposes any Road Fund monies that are  
21 eligible for federal reimbursement: Department of Central  
22 Management Services, except for awards made by the Illinois  
23 Workers' Compensation Commission under the terms of the  
24 Workers' Compensation Act or Workers' Occupational Diseases  
25 Act for injury or death of an employee of the Division of  
26 Highways in the Department of Transportation.

1           Beginning with fiscal year 1984 and thereafter, no Road  
2 Fund monies shall be appropriated to the following Departments  
3 or agencies of State government for administration, grants, or  
4 operations; but this limitation is not a restriction upon  
5 appropriating for those purposes any Road Fund monies that are  
6 eligible for federal reimbursement:

7           1. Illinois State Police, except not more than 40% of  
8 the funds appropriated for the Division of Patrol  
9 Operations and Division of Criminal Investigation;

10          2. State Officers.

11           Beginning with fiscal year 1984 and thereafter, no Road  
12 Fund monies shall be appropriated to any Department or agency  
13 of State government for administration, grants, or operations  
14 except as provided hereafter; but this limitation is not a  
15 restriction upon appropriating for those purposes any Road  
16 Fund monies that are eligible for federal reimbursement. It  
17 shall not be lawful to circumvent the above appropriation  
18 limitations by governmental reorganization or other methods.  
19 Appropriations shall be made from the Road Fund only in  
20 accordance with the provisions of this Section.

21           Money in the Road Fund shall, if and when the State of  
22 Illinois incurs any bonded indebtedness for the construction  
23 of permanent highways, be set aside and used for the purpose of  
24 paying and discharging during each fiscal year the principal  
25 and interest on that bonded indebtedness as it becomes due and  
26 payable as provided in the Transportation Bond Act, and for no

1 other purpose. The surplus, if any, in the Road Fund after the  
2 payment of principal and interest on that bonded indebtedness  
3 then annually due shall be used as follows:

4 first -- to pay the cost of administration of Chapters  
5 2 through 10 of the Illinois Vehicle Code; and

6 secondly -- no Road Fund monies derived from fees,  
7 excises, or license taxes relating to registration,  
8 operation and use of vehicles on public highways or to  
9 fuels used for the propulsion of those vehicles, shall be  
10 appropriated or expended other than for costs of  
11 administering the laws imposing those fees, excises, and  
12 license taxes, statutory refunds and adjustments allowed  
13 thereunder, administrative costs of the Department of  
14 Transportation, including, but not limited to, the  
15 operating expenses of the Department relating to the  
16 administration of public transportation programs, payment  
17 of debts and liabilities incurred in construction and  
18 reconstruction of public highways and bridges, acquisition  
19 of rights-of-way for and the cost of construction,  
20 reconstruction, maintenance, repair, and operation of  
21 public highways and bridges under the direction and  
22 supervision of the State, political subdivision, or  
23 municipality collecting those monies, ~~or during fiscal~~  
24 ~~year 2021 only for the purposes of a grant not to exceed~~  
25 ~~\$8,394,800 to the Regional Transportation Authority on~~  
26 ~~behalf of PACE for the purpose of ADA/Para transit~~

1 ~~expenses,~~ or during fiscal year 2022 ~~only~~ for the purposes  
2 of a grant not to exceed \$8,394,800 to the Regional  
3 Transportation Authority on behalf of PACE for the purpose  
4 of ADA/Para-transit expenses, or during fiscal year 2023  
5 for the purposes of a grant not to exceed \$8,394,800 to the  
6 Regional Transportation Authority on behalf of PACE for  
7 the purpose of ADA/Para-transit expenses, and the costs  
8 for patrolling and policing the public highways (by the  
9 State, political subdivision, or municipality collecting  
10 that money) for enforcement of traffic laws. The  
11 separation of grades of such highways with railroads and  
12 costs associated with protection of at-grade highway and  
13 railroad crossing shall also be permissible.

14 Appropriations for any of such purposes are payable from  
15 the Road Fund or the Grade Crossing Protection Fund as  
16 provided in Section 8 of the Motor Fuel Tax Law.

17 Except as provided in this paragraph, beginning with  
18 fiscal year 1991 and thereafter, no Road Fund monies shall be  
19 appropriated to the Illinois State Police for the purposes of  
20 this Section in excess of its total fiscal year 1990 Road Fund  
21 appropriations for those purposes unless otherwise provided in  
22 Section 5g of this Act. For fiscal years 2003, 2004, 2005,  
23 2006, and 2007 only, no Road Fund monies shall be appropriated  
24 to the Department of State Police for the purposes of this  
25 Section in excess of \$97,310,000. For fiscal year 2008 only,  
26 no Road Fund monies shall be appropriated to the Department of

1 State Police for the purposes of this Section in excess of  
2 \$106,100,000. For fiscal year 2009 only, no Road Fund monies  
3 shall be appropriated to the Department of State Police for  
4 the purposes of this Section in excess of \$114,700,000.  
5 Beginning in fiscal year 2010, no road fund moneys shall be  
6 appropriated to the Illinois State Police. It shall not be  
7 lawful to circumvent this limitation on appropriations by  
8 governmental reorganization or other methods unless otherwise  
9 provided in Section 5g of this Act.

10 In fiscal year 1994, no Road Fund monies shall be  
11 appropriated to the Secretary of State for the purposes of  
12 this Section in excess of the total fiscal year 1991 Road Fund  
13 appropriations to the Secretary of State for those purposes,  
14 plus \$9,800,000. It shall not be lawful to circumvent this  
15 limitation on appropriations by governmental reorganization or  
16 other method.

17 Beginning with fiscal year 1995 and thereafter, no Road  
18 Fund monies shall be appropriated to the Secretary of State  
19 for the purposes of this Section in excess of the total fiscal  
20 year 1994 Road Fund appropriations to the Secretary of State  
21 for those purposes. It shall not be lawful to circumvent this  
22 limitation on appropriations by governmental reorganization or  
23 other methods.

24 Beginning with fiscal year 2000, total Road Fund  
25 appropriations to the Secretary of State for the purposes of  
26 this Section shall not exceed the amounts specified for the

1 following fiscal years:

2	Fiscal Year 2000	\$80,500,000;
3	Fiscal Year 2001	\$80,500,000;
4	Fiscal Year 2002	\$80,500,000;
5	Fiscal Year 2003	\$130,500,000;
6	Fiscal Year 2004	\$130,500,000;
7	Fiscal Year 2005	\$130,500,000;
8	Fiscal Year 2006	\$130,500,000;
9	Fiscal Year 2007	\$130,500,000;
10	Fiscal Year 2008	\$130,500,000;
11	Fiscal Year 2009	\$130,500,000.

12 For fiscal year 2010, no road fund moneys shall be  
13 appropriated to the Secretary of State.

14 Beginning in fiscal year 2011, moneys in the Road Fund  
15 shall be appropriated to the Secretary of State for the  
16 exclusive purpose of paying refunds due to overpayment of fees  
17 related to Chapter 3 of the Illinois Vehicle Code unless  
18 otherwise provided for by law.

19 It shall not be lawful to circumvent this limitation on  
20 appropriations by governmental reorganization or other  
21 methods.

22 No new program may be initiated in fiscal year 1991 and  
23 thereafter that is not consistent with the limitations imposed  
24 by this Section for fiscal year 1984 and thereafter, insofar  
25 as appropriation of Road Fund monies is concerned.

26 Nothing in this Section prohibits transfers from the Road

1 Fund to the State Construction Account Fund under Section 5e  
2 of this Act; nor to the General Revenue Fund, as authorized by  
3 Public Act 93-25.

4 The additional amounts authorized for expenditure in this  
5 Section by Public Acts 92-0600, 93-0025, 93-0839, and 94-91  
6 shall be repaid to the Road Fund from the General Revenue Fund  
7 in the next succeeding fiscal year that the General Revenue  
8 Fund has a positive budgetary balance, as determined by  
9 generally accepted accounting principles applicable to  
10 government.

11 The additional amounts authorized for expenditure by the  
12 Secretary of State and the Department of State Police in this  
13 Section by Public Act 94-91 shall be repaid to the Road Fund  
14 from the General Revenue Fund in the next succeeding fiscal  
15 year that the General Revenue Fund has a positive budgetary  
16 balance, as determined by generally accepted accounting  
17 principles applicable to government.

18 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;  
19 102-16, eff. 6-17-21; 102-538, eff. 8-20-21; revised  
20 10-15-21.)

21 (30 ILCS 105/8.6) (from Ch. 127, par. 144.6)

22 Sec. 8.6. Appropriations for the operation and maintenance  
23 of State garages including the servicing and repair of all  
24 automotive equipment owned or controlled by the State of  
25 Illinois, the purchase of necessary supplies, equipment and

1 accessories for automotive use, the purchase of public  
2 liability insurance covering drivers of motor vehicles owned  
3 or controlled by the State of Illinois, the design, purchase,  
4 installation, operation, and maintenance of electric vehicle  
5 charging infrastructure and associated improvements to any  
6 property owned or controlled by the State of Illinois, and all  
7 other expenses incident to the operation and maintenance of  
8 the State garages are payable from the State Garage Revolving  
9 Fund. Any money received by a State agency from a third party  
10 as payment for damages to or destruction of a State vehicle and  
11 deposited into the State Garage Revolving Fund shall be  
12 utilized by the Department of Central Management Services for  
13 the benefit of that agency to repair or replace, in whole or in  
14 part, the damaged vehicle. All contracts let under the  
15 provisions of this Act shall be awarded in accordance with the  
16 applicable requirements of the Illinois Purchasing Act.

17 (Source: P.A. 87-817.)

18 (30 ILCS 105/8.12) (from Ch. 127, par. 144.12)

19 Sec. 8.12. State Pensions Fund.

20 (a) The moneys in the State Pensions Fund shall be used  
21 exclusively for the administration of the Revised Uniform  
22 Unclaimed Property Act and for the expenses incurred by the  
23 Auditor General for administering the provisions of Section  
24 2-8.1 of the Illinois State Auditing Act and for operational  
25 expenses of the Office of the State Treasurer and for the

1 funding of the unfunded liabilities of the designated  
2 retirement systems. For the purposes of this Section,  
3 "operational expenses of the Office of the State Treasurer"  
4 includes the acquisition of land and buildings in State fiscal  
5 years 2019 and 2020 for use by the Office of the State  
6 Treasurer, as well as construction, reconstruction,  
7 improvement, repair, and maintenance, in accordance with the  
8 provisions of laws relating thereto, of such lands and  
9 buildings beginning in State fiscal year 2019 and thereafter.  
10 Beginning in State fiscal year 2024 ~~2023~~, payments to the  
11 designated retirement systems under this Section shall be in  
12 addition to, and not in lieu of, any State contributions  
13 required under the Illinois Pension Code.

14 "Designated retirement systems" means:

15 (1) the State Employees' Retirement System of  
16 Illinois;

17 (2) the Teachers' Retirement System of the State of  
18 Illinois;

19 (3) the State Universities Retirement System;

20 (4) the Judges Retirement System of Illinois; and

21 (5) the General Assembly Retirement System.

22 (b) Each year the General Assembly may make appropriations  
23 from the State Pensions Fund for the administration of the  
24 Revised Uniform Unclaimed Property Act.

25 (c) As soon as possible after July 30, 2004 (the effective  
26 date of Public Act 93-839), the General Assembly shall

1 appropriate from the State Pensions Fund (1) to the State  
2 Universities Retirement System the amount certified under  
3 Section 15-165 during the prior year, (2) to the Judges  
4 Retirement System of Illinois the amount certified under  
5 Section 18-140 during the prior year, and (3) to the General  
6 Assembly Retirement System the amount certified under Section  
7 2-134 during the prior year as part of the required State  
8 contributions to each of those designated retirement systems.  
9 If the amount in the State Pensions Fund does not exceed the  
10 sum of the amounts certified in Sections 15-165, 18-140, and  
11 2-134 by at least \$5,000,000, the amount paid to each  
12 designated retirement system under this subsection shall be  
13 reduced in proportion to the amount certified by each of those  
14 designated retirement systems.

15 (c-5) For fiscal years 2006 through 2023 ~~2022~~, the General  
16 Assembly shall appropriate from the State Pensions Fund to the  
17 State Universities Retirement System the amount estimated to  
18 be available during the fiscal year in the State Pensions  
19 Fund; provided, however, that the amounts appropriated under  
20 this subsection (c-5) shall not reduce the amount in the State  
21 Pensions Fund below \$5,000,000.

22 (c-6) For fiscal year 2024 ~~2023~~ and each fiscal year  
23 thereafter, as soon as may be practical after any money is  
24 deposited into the State Pensions Fund from the Unclaimed  
25 Property Trust Fund, the State Treasurer shall apportion the  
26 deposited amount among the designated retirement systems as

1 defined in subsection (a) to reduce their actuarial reserve  
2 deficiencies. The State Comptroller and State Treasurer shall  
3 pay the apportioned amounts to the designated retirement  
4 systems to fund the unfunded liabilities of the designated  
5 retirement systems. The amount apportioned to each designated  
6 retirement system shall constitute a portion of the amount  
7 estimated to be available for appropriation from the State  
8 Pensions Fund that is the same as that retirement system's  
9 portion of the total actual reserve deficiency of the systems,  
10 as determined annually by the Governor's Office of Management  
11 and Budget at the request of the State Treasurer. The amounts  
12 apportioned under this subsection shall not reduce the amount  
13 in the State Pensions Fund below \$5,000,000.

14 (d) The Governor's Office of Management and Budget shall  
15 determine the individual and total reserve deficiencies of the  
16 designated retirement systems. For this purpose, the  
17 Governor's Office of Management and Budget shall utilize the  
18 latest available audit and actuarial reports of each of the  
19 retirement systems and the relevant reports and statistics of  
20 the Public Employee Pension Fund Division of the Department of  
21 Insurance.

22 (d-1) (Blank).

23 (e) The changes to this Section made by Public Act 88-593  
24 shall first apply to distributions from the Fund for State  
25 fiscal year 1996.

26 (Source: P.A. 101-10, eff. 6-5-19; 101-487, eff. 8-23-19;

1 101-636, eff. 6-10-20; 102-16, eff. 6-17-21.)

2 (30 ILCS 105/8g-1)

3 Sec. 8g-1. Fund transfers.

4 (a) (Blank).

5 (b) (Blank).

6 (c) (Blank).

7 (d) (Blank).

8 (e) (Blank).

9 (f) (Blank).

10 (g) (Blank).

11 (h) (Blank).

12 (i) (Blank).

13 (j) (Blank).

14 (k) (Blank).

15 (l) (Blank).

16 (m) (Blank).

17 (n) (Blank).

18 (o) (Blank).

19 (p) (Blank).

20 (q) (Blank).

21 (r) (Blank).

22 (s) (Blank).

23 (t) (Blank).

24 (u) In addition to any other transfers that may be  
25 provided for by law, on July 1, 2021, or as soon thereafter as

1 practical, only as directed by the Director of the Governor's  
2 Office of Management and Budget, the State Comptroller shall  
3 direct and the State Treasurer shall transfer the sum of  
4 \$5,000,000 from the General Revenue Fund to the DoIT Special  
5 Projects Fund, and on June 1, 2022, or as soon thereafter as  
6 practical, but no later than June 30, 2022, the State  
7 Comptroller shall direct and the State Treasurer shall  
8 transfer the sum so transferred from the DoIT Special Projects  
9 Fund to the General Revenue Fund.

10 (v) In addition to any other transfers that may be  
11 provided for by law, on July 1, 2021, or as soon thereafter as  
12 practical, the State Comptroller shall direct and the State  
13 Treasurer shall transfer the sum of \$500,000 from the General  
14 Revenue Fund to the Governor's Administrative Fund.

15 (w) In addition to any other transfers that may be  
16 provided for by law, on July 1, 2021, or as soon thereafter as  
17 practical, the State Comptroller shall direct and the State  
18 Treasurer shall transfer the sum of \$500,000 from the General  
19 Revenue Fund to the Grant Accountability and Transparency  
20 Fund.

21 (x) In addition to any other transfers that may be  
22 provided for by law, at a time or times during Fiscal Year 2022  
23 as directed by the Governor, the State Comptroller shall  
24 direct and the State Treasurer shall transfer up to a total of  
25 \$20,000,000 from the General Revenue Fund to the Illinois  
26 Sports Facilities Fund to be credited to the Advance Account

1 within the Fund.

2 (y) In addition to any other transfers that may be  
3 provided for by law, on June 15, 2021, or as soon thereafter as  
4 practical, but no later than June 30, 2021, the State  
5 Comptroller shall direct and the State Treasurer shall  
6 transfer the sum of \$100,000,000 from the General Revenue Fund  
7 to the Technology Management Revolving Fund.

8 (z) In addition to any other transfers that may be  
9 provided for by law, on the effective date of this amendatory  
10 Act of the 102nd General Assembly, or as soon thereafter as  
11 practical, but no later than June 30, 2022, the State  
12 Comptroller shall direct and the State Treasurer shall  
13 transfer the sum of \$148,000,000 from the General Revenue Fund  
14 to the Build Illinois Bond Fund.

15 (aa) In addition to any other transfers that may be  
16 provided for by law, on the effective date of this amendatory  
17 Act of the 102nd General Assembly, or as soon thereafter as  
18 practical, but no later than June 30, 2022, the State  
19 Comptroller shall direct and the State Treasurer shall  
20 transfer the sum of \$180,000,000 from the General Revenue Fund  
21 to the Rebuild Illinois Projects Fund.

22 (bb) In addition to any other transfers that may be  
23 provided for by law, on July 1, 2022, or as soon thereafter as  
24 practical, the State Comptroller shall direct and the State  
25 Treasurer shall transfer the sum of \$500,000 from the General  
26 Revenue Fund to the Governor's Administrative Fund.

1        (cc) In addition to any other transfers that may be  
2 provided for by law, on July 1, 2022, or as soon thereafter as  
3 practical, the State Comptroller shall direct and the State  
4 Treasurer shall transfer the sum of \$500,000 from the General  
5 Revenue Fund to the Grant Accountability and Transparency  
6 Fund.

7        (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;  
8        102-16, eff. 6-17-21.)

9        (30 ILCS 105/13.2) (from Ch. 127, par. 149.2)

10       Sec. 13.2. Transfers among line item appropriations.

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

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

21       (a-2) Except as otherwise provided in this Section,  
22 transfers may be made only among the objects of expenditure  
23 enumerated in this Section, except that no funds may be  
24 transferred from any appropriation for personal services, from  
25 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,  
3 nor from any appropriation for State contribution for employee  
4 group insurance.

5 (a-2.5) (Blank).

6 (a-3) Further, if an agency receives a separate  
7 appropriation for employee retirement contributions paid by  
8 the employer, any transfer by that agency into an  
9 appropriation for personal services must be accompanied by a  
10 corresponding transfer into the appropriation for employee  
11 retirement contributions paid by the employer, in an amount  
12 sufficient to meet the employer share of the employee  
13 contributions required to be remitted to the retirement  
14 system.

15 (a-4) Long-Term Care Rebalancing. The Governor may  
16 designate amounts set aside for institutional services  
17 appropriated from the General Revenue Fund or any other State  
18 fund that receives monies for long-term care services to be  
19 transferred to all State agencies responsible for the  
20 administration of community-based long-term care programs,  
21 including, but not limited to, community-based long-term care  
22 programs administered by the Department of Healthcare and  
23 Family Services, the Department of Human Services, and the  
24 Department on Aging, provided that the Director of Healthcare  
25 and Family Services first certifies that the amounts being  
26 transferred are necessary for the purpose of assisting persons

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

14 (b) In addition to the general transfer authority provided  
15 under subsection (c), the following agencies have the specific  
16 transfer authority granted in this subsection:

17 The Department of Healthcare and Family Services is  
18 authorized to make transfers representing savings attributable  
19 to not increasing grants due to the births of additional  
20 children from line items for payments of cash grants to line  
21 items for payments for employment and social services for the  
22 purposes outlined in subsection (f) of Section 4-2 of the  
23 Illinois Public Aid Code.

24 The Department of Children and Family Services is  
25 authorized to make transfers not exceeding 2% of the aggregate  
26 amount appropriated to it within the same treasury fund for

1 the following line items among these same line items: Foster  
2 Home and Specialized Foster Care and Prevention, Institutions  
3 and Group Homes and Prevention, and Purchase of Adoption and  
4 Guardianship Services.

5 The Department on Aging is authorized to make transfers  
6 not exceeding 10% of the aggregate amount appropriated to it  
7 within the same treasury fund for the following Community Care  
8 Program line items among these same line items: purchase of  
9 services covered by the Community Care Program and  
10 Comprehensive Case Coordination.

11 The State Board of Education is authorized to make  
12 transfers from line item appropriations within the same  
13 treasury fund for General State Aid, General State Aid - Hold  
14 Harmless, and Evidence-Based Funding, provided that no such  
15 transfer may be made unless the amount transferred is no  
16 longer required for the purpose for which that appropriation  
17 was made, to the line item appropriation for Transitional  
18 Assistance when the balance remaining in such line item  
19 appropriation is insufficient for the purpose for which the  
20 appropriation was made.

21 The State Board of Education is authorized to make  
22 transfers between the following line item appropriations  
23 within the same treasury fund: Disabled Student  
24 Services/Materials (Section 14-13.01 of the School Code),  
25 Disabled Student Transportation Reimbursement (Section  
26 14-13.01 of the School Code), Disabled Student Tuition -

1 Private Tuition (Section 14-7.02 of the School Code),  
2 Extraordinary Special Education (Section 14-7.02b of the  
3 School Code), Reimbursement for Free Lunch/Breakfast Program,  
4 Summer School Payments (Section 18-4.3 of the School Code),  
5 and Transportation - Regular/Vocational Reimbursement (Section  
6 29-5 of the School Code). Such transfers shall be made only  
7 when the balance remaining in one or more such line item  
8 appropriations is insufficient for the purpose for which the  
9 appropriation was made and provided that no such transfer may  
10 be made unless the amount transferred is no longer required  
11 for the purpose for which that appropriation was made.

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

17 The Department of Central Management Services is  
18 authorized to make transfers not exceeding 2% of the aggregate  
19 amount appropriated to it, within the same treasury fund, from  
20 the various line items appropriated to the Department, into  
21 the following line item appropriations: auto liability claims  
22 and related expenses and payment of claims under the State  
23 Employee Indemnification Act.

24 (c) The sum of such transfers for an agency in a fiscal  
25 year shall not exceed 2% of the aggregate amount appropriated  
26 to it within the same treasury fund for the following objects:

1 Personal Services; Extra Help; Student and Inmate  
2 Compensation; State Contributions to Retirement Systems; State  
3 Contributions to Social Security; State Contribution for  
4 Employee Group Insurance; Contractual Services; Travel;  
5 Commodities; Printing; Equipment; Electronic Data Processing;  
6 Operation of Automotive Equipment; Telecommunications  
7 Services; Travel and Allowance for Committed, Paroled and  
8 Discharged Prisoners; Library Books; Federal Matching Grants  
9 for Student Loans; Refunds; Workers' Compensation,  
10 Occupational Disease, and Tort Claims; Late Interest Penalties  
11 under the State Prompt Payment Act and Sections 368a and 370a  
12 of the Illinois Insurance Code; and, in appropriations to  
13 institutions of higher education, Awards and Grants.  
14 Notwithstanding the above, any amounts appropriated for  
15 payment of workers' compensation claims to an agency to which  
16 the authority to evaluate, administer and pay such claims has  
17 been delegated by the Department of Central Management  
18 Services may be transferred to any other expenditure object  
19 where such amounts exceed the amount necessary for the payment  
20 of such claims.

21 (c-1) (Blank).

22 (c-2) (Blank).

23 (c-3) (Blank).

24 (c-4) (Blank).

25 (c-5) (Blank).

26 (c-6) (Blank).

1           (c-7) (Blank). ~~Special provisions for State fiscal year~~  
2 ~~2021. Notwithstanding any other provision of this Section, for~~  
3 ~~State fiscal year 2021, transfers among line item~~  
4 ~~appropriations to a State agency from the same State treasury~~  
5 ~~fund may be made for operational or lump sum expenses only,~~  
6 ~~provided that the sum of such transfers for a State agency in~~  
7 ~~State fiscal year 2021 shall not exceed 8% of the aggregate~~  
8 ~~amount appropriated to that State agency for operational or~~  
9 ~~lump sum expenses for State fiscal year 2021. For the purpose~~  
10 ~~of this subsection, "operational or lump sum expenses"~~  
11 ~~includes the following objects: personal services; extra help;~~  
12 ~~student and inmate compensation; State contributions to~~  
13 ~~retirement systems; State contributions to social security;~~  
14 ~~State contributions for employee group insurance; contractual~~  
15 ~~services; travel; commodities; printing; equipment; electronic~~  
16 ~~data processing; operation of automotive equipment;~~  
17 ~~telecommunications services; travel and allowance for~~  
18 ~~committed, paroled, and discharged prisoners; library books;~~  
19 ~~federal matching grants for student loans; refunds; workers'~~  
20 ~~compensation, occupational disease, and tort claims; Late~~  
21 ~~Interest Penalties under the State Prompt Payment Act and~~  
22 ~~Sections 368a and 370a of the Illinois Insurance Code; lump~~  
23 ~~sum and other purposes; and lump sum operations. For the~~  
24 ~~purpose of this subsection, "State agency" does not include~~  
25 ~~the Attorney General, the Secretary of State, the Comptroller,~~  
26 ~~the Treasurer, or the judicial or legislative branches.~~

1 (c-8) Special provisions for State fiscal year 2022.  
2 Notwithstanding any other provision of this Section, for State  
3 fiscal year 2022, transfers among line item appropriations to  
4 a State agency from the same State treasury fund may be made  
5 for operational or lump sum expenses only, provided that the  
6 sum of such transfers for a State agency in State fiscal year  
7 2022 shall not exceed 4% of the aggregate amount appropriated  
8 to that State agency for operational or lump sum expenses for  
9 State fiscal year 2022. For the purpose of this subsection,  
10 "operational or lump sum expenses" includes the following  
11 objects: personal services; extra help; student and inmate  
12 compensation; State contributions to retirement systems; State  
13 contributions to social security; State contributions for  
14 employee group insurance; contractual services; travel;  
15 commodities; printing; equipment; electronic data processing;  
16 operation of automotive equipment; telecommunications  
17 services; travel and allowance for committed, paroled, and  
18 discharged prisoners; library books; federal matching grants  
19 for student loans; refunds; workers' compensation,  
20 occupational disease, and tort claims; Late Interest Penalties  
21 under the State Prompt Payment Act and Sections 368a and 370a  
22 of the Illinois Insurance Code; lump sum and other purposes;  
23 and lump sum operations. For the purpose of this subsection,  
24 "State agency" does not include the Attorney General, the  
25 Secretary of State, the Comptroller, the Treasurer, or the  
26 judicial or legislative branches.

1       (c-9) Special provisions for State fiscal year 2023.  
2       Notwithstanding any other provision of this Section, for State  
3       fiscal year 2023, transfers among line item appropriations to  
4       a State agency from the same State treasury fund may be made  
5       for operational or lump sum expenses only, provided that the  
6       sum of such transfers for a State agency in State fiscal year  
7       2023 shall not exceed 4% of the aggregate amount appropriated  
8       to that State agency for operational or lump sum expenses for  
9       State fiscal year 2023. For the purpose of this subsection,  
10       "operational or lump sum expenses" includes the following  
11       objects: personal services; extra help; student and inmate  
12       compensation; State contributions to retirement systems; State  
13       contributions to social security; State contributions for  
14       employee group insurance; contractual services; travel;  
15       commodities; printing; equipment; electronic data processing;  
16       operation of automotive equipment; telecommunications  
17       services; travel and allowance for committed, paroled, and  
18       discharged prisoners; library books; federal matching grants  
19       for student loans; refunds; workers' compensation,  
20       occupational disease, and tort claims; late interest penalties  
21       under the State Prompt Payment Act and Sections 368a and 370a  
22       of the Illinois Insurance Code; lump sum and other purposes;  
23       and lump sum operations. For the purpose of this subsection,  
24       "State agency" does not include the Attorney General, the  
25       Secretary of State, the Comptroller, the Treasurer, or the  
26       judicial or legislative 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  
5 of 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  
13 Education and the Governor. Transfers among appropriations to  
14 all other agencies require the approval of the Governor.

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

1 entered 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 among the Common  
5 School Fund and the Education Assistance Fund, and, for State  
6 fiscal year 2020 and each fiscal year thereafter, the Fund for  
7 the Advancement of Education. With the advice and consent of  
8 the Governor's Office of Management and Budget, the State  
9 Board of Education, in consultation with the State  
10 Comptroller, may transfer line item appropriations between the  
11 General Revenue Fund and the Education Assistance Fund for the  
12 following programs:

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

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

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

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

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

22 (6) Summer School Payments (Section 18-4.3 of the  
23 School Code);

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

26 (8) Regular Education Reimbursement (Section 18-3 of

1 the School Code); and

2 (9) Special Education Reimbursement (Section 14-7.03  
3 of the School Code).

4 (f) For State fiscal year 2020 and each fiscal year  
5 thereafter, the Department on Aging, in consultation with the  
6 State Comptroller, with the advice and consent of the  
7 Governor's Office of Management and Budget, may transfer line  
8 item appropriations for purchase of services covered by the  
9 Community Care Program between the General Revenue Fund and  
10 the Commitment to Human Services Fund.

11 (Source: P.A. 101-10, eff. 6-5-19; 101-81, eff. 7-12-19;  
12 101-275, eff. 8-9-19; 101-636, eff. 6-10-20; 102-16, eff.  
13 6-17-21.)

14 (30 ILCS 105/24.2) (from Ch. 127, par. 160.2)

15 Sec. 24.2. The item "operation of automotive equipment",  
16 when used in an appropriation act, means and includes all  
17 expenditures incurred in the operation, maintenance and repair  
18 of automotive equipment, including expenditures for motor  
19 fuel, tires, oil, electric vehicle batteries, electric vehicle  
20 components, electric vehicle diagnostic tools, repair parts,  
21 and other articles which, except for the operation of this  
22 Section ~~section~~, would be classified as "commodities" or  
23 "contractual services", but not including expenditures for the  
24 purchase or rental of equipment.

25 (Source: P.A. 84-428.)

1 (30 ILCS 105/25) (from Ch. 127, par. 161)

2 Sec. 25. Fiscal year limitations.

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

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

19 (b-1) However, payment of tuition reimbursement claims  
20 under Section 14-7.03 or 18-3 of the School Code may be made by  
21 the State Board of Education from its appropriations for those  
22 respective purposes for any fiscal year, even though the  
23 claims reimbursed by the payment may be claims attributable to  
24 a prior fiscal year, and payments may be made at the direction  
25 of the State Superintendent of Education from the fund from

1 which the appropriation is made without regard to any fiscal  
2 year limitations, except as required by subsection (j) of this  
3 Section. Beginning on June 30, 2021, payment of tuition  
4 reimbursement claims under Section 14-7.03 or 18-3 of the  
5 School Code as of June 30, payable from appropriations that  
6 have otherwise expired, may be paid out of the expiring  
7 appropriation during the 4-month period ending at the close of  
8 business on October 31.

9 (b-2) (Blank).

10 (b-2.5) (Blank).

11 (b-2.6) (Blank).

12 (b-2.6a) (Blank).

13 (b-2.6b) (Blank).

14 (b-2.6c) (Blank).

15 (b-2.6d) All outstanding liabilities as of June 30, 2020,  
16 payable from appropriations that would otherwise expire at the  
17 conclusion of the lapse period for fiscal year 2020, and  
18 interest penalties payable on those liabilities under the  
19 State Prompt Payment Act, may be paid out of the expiring  
20 appropriations until December 31, 2020, without regard to the  
21 fiscal year in which the payment is made, as long as vouchers  
22 for the liabilities are received by the Comptroller no later  
23 than September 30, 2020.

24 (b-2.6e) All outstanding liabilities as of June 30, 2021,  
25 payable from appropriations that would otherwise expire at the  
26 conclusion of the lapse period for fiscal year 2021, and

1 interest penalties payable on those liabilities under the  
2 State Prompt Payment Act, may be paid out of the expiring  
3 appropriations until September 30, 2021, without regard to the  
4 fiscal year in which the payment is made.

5 (b-2.7) For fiscal years 2012, 2013, 2014, 2018, 2019,  
6 2020, 2021, ~~and~~ 2022, and 2023, interest penalties payable  
7 under the State Prompt Payment Act associated with a voucher  
8 for which payment is issued after June 30 may be paid out of  
9 the next fiscal year's appropriation. The future year  
10 appropriation must be for the same purpose and from the same  
11 fund as the original payment. An interest penalty voucher  
12 submitted against a future year appropriation must be  
13 submitted within 60 days after the issuance of the associated  
14 voucher, except that, for fiscal year 2018 only, an interest  
15 penalty voucher submitted against a future year appropriation  
16 must be submitted within 60 days of June 5, 2019 (the effective  
17 date of Public Act 101-10). The Comptroller must issue the  
18 interest payment within 60 days after acceptance of the  
19 interest voucher.

20 (b-3) Medical payments may be made by the Department of  
21 Veterans' Affairs from its appropriations for those purposes  
22 for any fiscal year, without regard to the fact that the  
23 medical services being compensated for by such payment may  
24 have been rendered in a prior fiscal year, except as required  
25 by subsection (j) of this Section. Beginning on June 30, 2021,  
26 medical payments payable from appropriations that have

1 otherwise expired may be paid out of the expiring  
2 appropriation during the 4-month period ending at the close of  
3 business on October 31.

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

22 (b-5) Medical payments may be made by the Department of  
23 Human Services from its appropriations relating to substance  
24 abuse treatment services for any fiscal year, without regard  
25 to the fact that the medical services being compensated for by  
26 such payment may have been rendered in a prior fiscal year,

1 provided the payments are made on a fee-for-service basis  
2 consistent with requirements established for Medicaid  
3 reimbursement by the Department of Healthcare and Family  
4 Services, except as required by subsection (j) of this  
5 Section. Beginning on June 30, 2021, medical payments made by  
6 the Department of Human Services relating to substance abuse  
7 treatment services payable from appropriations that have  
8 otherwise expired may be paid out of the expiring  
9 appropriation during the 4-month period ending at the close of  
10 business on October 31.

11 (b-6) (Blank).

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

17 (b-8) Reimbursements to eligible airport sponsors for the  
18 construction or upgrading of Automated Weather Observation  
19 Systems may be made by the Department of Transportation from  
20 appropriations for those purposes for any fiscal year, without  
21 regard to the fact that the qualification or obligation may  
22 have occurred in a prior fiscal year, provided that at the time  
23 the expenditure was made the project had been approved by the  
24 Department of Transportation prior to June 1, 2012 and, as a  
25 result of recent changes in federal funding formulas, can no  
26 longer receive federal reimbursement.

1 (b-9) (Blank).

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

24 (d) The Department of Public Health and the Department of  
25 Human Services (acting as successor to the Department of  
26 Public Health under the Department of Human Services Act)

1 shall each annually submit to the State Comptroller, Senate  
2 President, Senate Minority Leader, Speaker of the House, House  
3 Minority Leader, and the respective Chairmen and Minority  
4 Spokesmen of the Appropriations Committees of the Senate and  
5 the House, on or before December 31, a report of fiscal year  
6 funds used to pay for services provided in any prior fiscal  
7 year. This report shall document by program or service  
8 category those expenditures from the most recently completed  
9 fiscal year used to pay for services provided in prior fiscal  
10 years.

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

25 (f) The Department of Human Services (as successor to the  
26 Department of Public Aid) shall annually submit to the State

1 Comptroller, Senate President, Senate Minority Leader, Speaker  
2 of the House, House Minority Leader, and the respective  
3 Chairmen and Minority Spokesmen of the Appropriations  
4 Committees of the Senate and the House, on or before December  
5 31, a report of fiscal year funds used to pay for services  
6 (other than medical care) provided in any prior fiscal year.  
7 This report shall document by program or service category  
8 those expenditures from the most recently completed fiscal  
9 year used to pay for services provided in prior fiscal years.

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

14 (1) Explanations of the exact causes of the variance  
15 between the previous year's estimated and actual  
16 liabilities.

17 (2) Factors affecting the Department of Healthcare and  
18 Family Services' liabilities, including, but not limited  
19 to, numbers of aid recipients, levels of medical service  
20 utilization by aid recipients, and inflation in the cost  
21 of medical services.

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

24 (h) As provided in Section 4 of the General Assembly  
25 Compensation Act, any utility bill for service provided to a  
26 General Assembly member's district office for a period

1 including portions of 2 consecutive fiscal years may be paid  
2 from funds appropriated for such expenditure in either fiscal  
3 year.

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

6 (1) billing user agencies in advance for payments or  
7 authorized inter-fund transfers based on estimated charges  
8 for goods or services;

9 (2) issuing credits, refunding through inter-fund  
10 transfers, or reducing future inter-fund transfers during  
11 the subsequent fiscal year for all user agency payments or  
12 authorized inter-fund transfers received during the prior  
13 fiscal year which were in excess of the final amounts owed  
14 by the user agency for that period; and

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

20 User agencies are authorized to reimburse internal service  
21 funds for catch-up billings by vouchers drawn against their  
22 respective appropriations for the fiscal year in which the  
23 catch-up billing was issued or by increasing an authorized  
24 inter-fund transfer during the current fiscal year. For the  
25 purposes of this Act, "inter-fund transfers" means transfers  
26 without the use of the voucher-warrant process, as authorized

1 by Section 9.01 of the State Comptroller Act.

2 (i-1) Beginning on July 1, 2021, all outstanding  
3 liabilities, not payable during the 4-month lapse period as  
4 described in subsections (b-1), (b-3), (b-4), (b-5), and (c)  
5 of this Section, that are made from appropriations for that  
6 purpose for any fiscal year, without regard to the fact that  
7 the services being compensated for by those payments may have  
8 been rendered in a prior fiscal year, are limited to only those  
9 claims that have been incurred but for which a proper bill or  
10 invoice as defined by the State Prompt Payment Act has not been  
11 received by September 30th following the end of the fiscal  
12 year in which the service was rendered.

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

19 (1) \$6,000,000,000 for outstanding liabilities related  
20 to fiscal year 2012;

21 (2) \$5,300,000,000 for outstanding liabilities related  
22 to fiscal year 2013;

23 (3) \$4,600,000,000 for outstanding liabilities related  
24 to fiscal year 2014;

25 (4) \$4,000,000,000 for outstanding liabilities related  
26 to fiscal year 2015;

1           (5) \$3,300,000,000 for outstanding liabilities related  
2 to fiscal year 2016;

3           (6) \$2,600,000,000 for outstanding liabilities related  
4 to fiscal year 2017;

5           (7) \$2,000,000,000 for outstanding liabilities related  
6 to fiscal year 2018;

7           (8) \$1,300,000,000 for outstanding liabilities related  
8 to fiscal year 2019;

9           (9) \$600,000,000 for outstanding liabilities related  
10 to fiscal year 2020; and

11           (10) \$0 for outstanding liabilities related to fiscal  
12 year 2021 and fiscal years thereafter.

13           (k) Department of Healthcare and Family Services Medical  
14 Assistance Payments.

15           (1) Definition of Medical Assistance.

16           For purposes of this subsection, the term "Medical  
17 Assistance" shall include, but not necessarily be  
18 limited to, medical programs and services authorized  
19 under Titles XIX and XXI of the Social Security Act,  
20 the Illinois Public Aid Code, the Children's Health  
21 Insurance Program Act, the Covering ALL KIDS Health  
22 Insurance Act, the Long Term Acute Care Hospital  
23 Quality Improvement Transfer Program Act, and medical  
24 care to or on behalf of persons suffering from chronic  
25 renal disease, persons suffering from hemophilia, and  
26 victims of sexual assault.

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

3           (A) The maximum amounts of annual unpaid Medical  
4 Assistance bills received and recorded by the  
5 Department of Healthcare and Family Services on or  
6 before June 30th of a particular fiscal year  
7 attributable in aggregate to the General Revenue Fund,  
8 Healthcare Provider Relief Fund, Tobacco Settlement  
9 Recovery Fund, Long-Term Care Provider Fund, and the  
10 Drug Rebate Fund that may be paid in total by the  
11 Department from future fiscal year Medical Assistance  
12 appropriations to those funds are: \$700,000,000 for  
13 fiscal year 2013 and \$100,000,000 for fiscal year 2014  
14 and each fiscal year thereafter.

15           (B) Bills for Medical Assistance services rendered  
16 in a particular fiscal year, but received and recorded  
17 by the Department of Healthcare and Family Services  
18 after June 30th of that fiscal year, may be paid from  
19 either appropriations for that fiscal year or future  
20 fiscal year appropriations for Medical Assistance.  
21 Such payments shall not be subject to the requirements  
22 of subparagraph (A).

23           (C) Medical Assistance bills received by the  
24 Department of Healthcare and Family Services in a  
25 particular fiscal year, but subject to payment amount  
26 adjustments in a future fiscal year may be paid from a

1 future fiscal year's appropriation for Medical  
2 Assistance. Such payments shall not be subject to the  
3 requirements of subparagraph (A).

4 (D) Medical Assistance payments made by the  
5 Department of Healthcare and Family Services from  
6 funds other than those specifically referenced in  
7 subparagraph (A) may be made from appropriations for  
8 those purposes for any fiscal year without regard to  
9 the fact that the Medical Assistance services being  
10 compensated for by such payment may have been rendered  
11 in a prior fiscal year. Such payments shall not be  
12 subject to the requirements of subparagraph (A).

13 (3) Extended lapse period for Department of Healthcare  
14 and Family Services Medical Assistance payments.  
15 Notwithstanding any other State law to the contrary,  
16 outstanding Department of Healthcare and Family Services  
17 Medical Assistance liabilities, as of June 30th, payable  
18 from appropriations which have otherwise expired, may be  
19 paid out of the expiring appropriations during the 4-month  
20 period ending at the close of business on October 31st.

21 (1) The changes to this Section made by Public Act 97-691  
22 shall be effective for payment of Medical Assistance bills  
23 incurred in fiscal year 2013 and future fiscal years. The  
24 changes to this Section made by Public Act 97-691 shall not be  
25 applied to Medical Assistance bills incurred in fiscal year  
26 2012 or prior fiscal years.

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

7 (Source: P.A. 101-10, eff. 6-5-19; 101-275, eff. 8-9-19;  
8 101-636, eff. 6-10-20; 102-16, eff. 6-17-21; 102-291, eff.  
9 8-6-21; revised 9-28-21.)

10           Section 5-40. The State Revenue Sharing Act is amended by  
11 changing Section 12 as follows:

12           (30 ILCS 115/12) (from Ch. 85, par. 616)

13           Sec. 12. Personal Property Tax Replacement Fund. There is  
14 hereby created the Personal Property Tax Replacement Fund, a  
15 special fund in the State Treasury into which shall be paid all  
16 revenue realized:

17           (a) all amounts realized from the additional personal  
18 property tax replacement income tax imposed by subsections  
19 (c) and (d) of Section 201 of the Illinois Income Tax Act,  
20 except for those amounts deposited into the Income Tax  
21 Refund Fund pursuant to subsection (c) of Section 901 of  
22 the Illinois Income Tax Act; and

23           (b) all amounts realized from the additional personal  
24 property replacement invested capital taxes imposed by

1 Section 2a.1 of the Messages Tax Act, Section 2a.1 of the  
2 Gas Revenue Tax Act, Section 2a.1 of the Public Utilities  
3 Revenue Act, and Section 3 of the Water Company Invested  
4 Capital Tax Act, and amounts payable to the Department of  
5 Revenue under the Telecommunications Infrastructure  
6 Maintenance Fee Act.

7 As soon as may be after the end of each month, the  
8 Department of Revenue shall certify to the Treasurer and the  
9 Comptroller the amount of all refunds paid out of the General  
10 Revenue Fund through the preceding month on account of  
11 overpayment of liability on taxes paid into the Personal  
12 Property Tax Replacement Fund. Upon receipt of such  
13 certification, the Treasurer and the Comptroller shall  
14 transfer the amount so certified from the Personal Property  
15 Tax Replacement Fund into the General Revenue Fund.

16 The payments of revenue into the Personal Property Tax  
17 Replacement Fund shall be used exclusively for distribution to  
18 taxing districts, regional offices and officials, and local  
19 officials as provided in this Section and in the School Code,  
20 payment of the ordinary and contingent expenses of the  
21 Property Tax Appeal Board, payment of the expenses of the  
22 Department of Revenue incurred in administering the collection  
23 and distribution of monies paid into the Personal Property Tax  
24 Replacement Fund and transfers due to refunds to taxpayers for  
25 overpayment of liability for taxes paid into the Personal  
26 Property Tax Replacement Fund.

1           In addition, moneys in the Personal Property Tax  
2 Replacement Fund may be used to pay any of the following: (i)  
3 salary, stipends, and additional compensation as provided by  
4 law for chief election clerks, county clerks, and county  
5 recorders; (ii) costs associated with regional offices of  
6 education and educational service centers; (iii)  
7 reimbursements payable by the State Board of Elections under  
8 Section 4-25, 5-35, 6-71, 13-10, 13-10a, or 13-11 of the  
9 Election Code; (iv) expenses of the Illinois Educational Labor  
10 Relations Board; and (v) salary, personal services, and  
11 additional compensation as provided by law for court reporters  
12 under the Court Reporters Act.

13           As soon as may be after June 26, 1980 (the effective date  
14 of Public Act 81-1255), the Department of Revenue shall  
15 certify to the Treasurer the amount of net replacement revenue  
16 paid into the General Revenue Fund prior to that effective  
17 date from the additional tax imposed by Section 2a.1 of the  
18 Messages Tax Act; Section 2a.1 of the Gas Revenue Tax Act;  
19 Section 2a.1 of the Public Utilities Revenue Act; Section 3 of  
20 the Water Company Invested Capital Tax Act; amounts collected  
21 by the Department of Revenue under the Telecommunications  
22 Infrastructure Maintenance Fee Act; and the additional  
23 personal property tax replacement income tax imposed by the  
24 Illinois Income Tax Act, as amended by Public Act 81-1st  
25 Special Session-1. Net replacement revenue shall be defined as  
26 the total amount paid into and remaining in the General

1 Revenue Fund as a result of those Acts minus the amount  
2 outstanding and obligated from the General Revenue Fund in  
3 state vouchers or warrants prior to June 26, 1980 (the  
4 effective date of Public Act 81-1255) as refunds to taxpayers  
5 for overpayment of liability under those Acts.

6 All interest earned by monies accumulated in the Personal  
7 Property Tax Replacement Fund shall be deposited in such Fund.  
8 All amounts allocated pursuant to this Section are  
9 appropriated on a continuing basis.

10 Prior to December 31, 1980, as soon as may be after the end  
11 of each quarter beginning with the quarter ending December 31,  
12 1979, and on and after December 31, 1980, as soon as may be  
13 after January 1, March 1, April 1, May 1, July 1, August 1,  
14 October 1 and December 1 of each year, the Department of  
15 Revenue shall allocate to each taxing district as defined in  
16 Section 1-150 of the Property Tax Code, in accordance with the  
17 provisions of paragraph (2) of this Section the portion of the  
18 funds held in the Personal Property Tax Replacement Fund which  
19 is required to be distributed, as provided in paragraph (1),  
20 for each quarter. Provided, however, under no circumstances  
21 shall any taxing district during each of the first two years of  
22 distribution of the taxes imposed by Public Act 81-1st Special  
23 Session-1 be entitled to an annual allocation which is less  
24 than the funds such taxing district collected from the 1978  
25 personal property tax. Provided further that under no  
26 circumstances shall any taxing district during the third year

1 of distribution of the taxes imposed by Public Act 81-1st  
2 Special Session-1 receive less than 60% of the funds such  
3 taxing district collected from the 1978 personal property tax.  
4 In the event that the total of the allocations made as above  
5 provided for all taxing districts, during either of such 3  
6 years, exceeds the amount available for distribution the  
7 allocation of each taxing district shall be proportionately  
8 reduced. Except as provided in Section 13 of this Act, the  
9 Department shall then certify, pursuant to appropriation, such  
10 allocations to the State Comptroller who shall pay over to the  
11 several taxing districts the respective amounts allocated to  
12 them.

13 Any township which receives an allocation based in whole  
14 or in part upon personal property taxes which it levied  
15 pursuant to Section 6-507 or 6-512 of the Illinois Highway  
16 Code and which was previously required to be paid over to a  
17 municipality shall immediately pay over to that municipality a  
18 proportionate share of the personal property replacement funds  
19 which such township receives.

20 Any municipality or township, other than a municipality  
21 with a population in excess of 500,000, which receives an  
22 allocation based in whole or in part on personal property  
23 taxes which it levied pursuant to Sections 3-1, 3-4 and 3-6 of  
24 the Illinois Local Library Act and which was previously  
25 required to be paid over to a public library shall immediately  
26 pay over to that library a proportionate share of the personal

1 property tax replacement funds which such municipality or  
2 township receives; provided that if such a public library has  
3 converted to a library organized under the Illinois Public  
4 Library District Act, regardless of whether such conversion  
5 has occurred on, after or before January 1, 1988, such  
6 proportionate share shall be immediately paid over to the  
7 library district which maintains and operates the library.  
8 However, any library that has converted prior to January 1,  
9 1988, and which hitherto has not received the personal  
10 property tax replacement funds, shall receive such funds  
11 commencing on January 1, 1988.

12 Any township which receives an allocation based in whole  
13 or in part on personal property taxes which it levied pursuant  
14 to Section 1c of the Public Graveyards Act and which taxes were  
15 previously required to be paid over to or used for such public  
16 cemetery or cemeteries shall immediately pay over to or use  
17 for such public cemetery or cemeteries a proportionate share  
18 of the personal property tax replacement funds which the  
19 township receives.

20 Any taxing district which receives an allocation based in  
21 whole or in part upon personal property taxes which it levied  
22 for another governmental body or school district in Cook  
23 County in 1976 or for another governmental body or school  
24 district in the remainder of the State in 1977 shall  
25 immediately pay over to that governmental body or school  
26 district the amount of personal property replacement funds

1 which such governmental body or school district would receive  
2 directly under the provisions of paragraph (2) of this  
3 Section, had it levied its own taxes.

4 (1) The portion of the Personal Property Tax  
5 Replacement Fund required to be distributed as of the time  
6 allocation is required to be made shall be the amount  
7 available in such Fund as of the time allocation is  
8 required to be made.

9 The amount available for distribution shall be the  
10 total amount in the fund at such time minus the necessary  
11 administrative and other authorized expenses as limited by  
12 the appropriation and the amount determined by: (a) \$2.8  
13 million for fiscal year 1981; (b) for fiscal year 1982,  
14 .54% of the funds distributed from the fund during the  
15 preceding fiscal year; (c) for fiscal year 1983 through  
16 fiscal year 1988, .54% of the funds distributed from the  
17 fund during the preceding fiscal year less .02% of such  
18 fund for fiscal year 1983 and less .02% of such funds for  
19 each fiscal year thereafter; (d) for fiscal year 1989  
20 through fiscal year 2011 no more than 105% of the actual  
21 administrative expenses of the prior fiscal year; (e) for  
22 fiscal year 2012 and beyond, a sufficient amount to pay  
23 (i) stipends, additional compensation, salary  
24 reimbursements, and other amounts directed to be paid out  
25 of this Fund for local officials as authorized or required  
26 by statute and (ii) the ordinary and contingent expenses

1 of the Property Tax Appeal Board and the expenses of the  
2 Department of Revenue incurred in administering the  
3 collection and distribution of moneys paid into the Fund;  
4 (f) for fiscal years 2012 and 2013 only, a sufficient  
5 amount to pay stipends, additional compensation, salary  
6 reimbursements, and other amounts directed to be paid out  
7 of this Fund for regional offices and officials as  
8 authorized or required by statute; or (g) for fiscal years  
9 2018 through 2023 ~~2022~~ only, a sufficient amount to pay  
10 amounts directed to be paid out of this Fund for public  
11 community college base operating grants and local health  
12 protection grants to certified local health departments as  
13 authorized or required by appropriation or statute. Such  
14 portion of the fund shall be determined after the transfer  
15 into the General Revenue Fund due to refunds, if any, paid  
16 from the General Revenue Fund during the preceding  
17 quarter. If at any time, for any reason, there is  
18 insufficient amount in the Personal Property Tax  
19 Replacement Fund for payments for regional offices and  
20 officials or local officials or payment of costs of  
21 administration or for transfers due to refunds at the end  
22 of any particular month, the amount of such insufficiency  
23 shall be carried over for the purposes of payments for  
24 regional offices and officials, local officials, transfers  
25 into the General Revenue Fund, and costs of administration  
26 to the following month or months. Net replacement revenue

1 held, and defined above, shall be transferred by the  
2 Treasurer and Comptroller to the Personal Property Tax  
3 Replacement Fund within 10 days of such certification.

4 (2) Each quarterly allocation shall first be  
5 apportioned in the following manner: 51.65% for taxing  
6 districts in Cook County and 48.35% for taxing districts  
7 in the remainder of the State.

8 The Personal Property Replacement Ratio of each taxing  
9 district outside Cook County shall be the ratio which the Tax  
10 Base of that taxing district bears to the Downstate Tax Base.  
11 The Tax Base of each taxing district outside of Cook County is  
12 the personal property tax collections for that taxing district  
13 for the 1977 tax year. The Downstate Tax Base is the personal  
14 property tax collections for all taxing districts in the State  
15 outside of Cook County for the 1977 tax year. The Department of  
16 Revenue shall have authority to review for accuracy and  
17 completeness the personal property tax collections for each  
18 taxing district outside Cook County for the 1977 tax year.

19 The Personal Property Replacement Ratio of each Cook  
20 County taxing district shall be the ratio which the Tax Base of  
21 that taxing district bears to the Cook County Tax Base. The Tax  
22 Base of each Cook County taxing district is the personal  
23 property tax collections for that taxing district for the 1976  
24 tax year. The Cook County Tax Base is the personal property tax  
25 collections for all taxing districts in Cook County for the  
26 1976 tax year. The Department of Revenue shall have authority

1 to review for accuracy and completeness the personal property  
2 tax collections for each taxing district within Cook County  
3 for the 1976 tax year.

4 For all purposes of this Section 12, amounts paid to a  
5 taxing district for such tax years as may be applicable by a  
6 foreign corporation under the provisions of Section 7-202 of  
7 the Public Utilities Act, as amended, shall be deemed to be  
8 personal property taxes collected by such taxing district for  
9 such tax years as may be applicable. The Director shall  
10 determine from the Illinois Commerce Commission, for any tax  
11 year as may be applicable, the amounts so paid by any such  
12 foreign corporation to any and all taxing districts. The  
13 Illinois Commerce Commission shall furnish such information to  
14 the Director. For all purposes of this Section 12, the  
15 Director shall deem such amounts to be collected personal  
16 property taxes of each such taxing district for the applicable  
17 tax year or years.

18 Taxing districts located both in Cook County and in one or  
19 more other counties shall receive both a Cook County  
20 allocation and a Downstate allocation determined in the same  
21 way as all other taxing districts.

22 If any taxing district in existence on July 1, 1979 ceases  
23 to exist, or discontinues its operations, its Tax Base shall  
24 thereafter be deemed to be zero. If the powers, duties and  
25 obligations of the discontinued taxing district are assumed by  
26 another taxing district, the Tax Base of the discontinued

1 taxing district shall be added to the Tax Base of the taxing  
2 district assuming such powers, duties and obligations.

3 If two or more taxing districts in existence on July 1,  
4 1979, or a successor or successors thereto shall consolidate  
5 into one taxing district, the Tax Base of such consolidated  
6 taxing district shall be the sum of the Tax Bases of each of  
7 the taxing districts which have consolidated.

8 If a single taxing district in existence on July 1, 1979,  
9 or a successor or successors thereto shall be divided into two  
10 or more separate taxing districts, the tax base of the taxing  
11 district so divided shall be allocated to each of the  
12 resulting taxing districts in proportion to the then current  
13 equalized assessed value of each resulting taxing district.

14 If a portion of the territory of a taxing district is  
15 disconnected and annexed to another taxing district of the  
16 same type, the Tax Base of the taxing district from which  
17 disconnection was made shall be reduced in proportion to the  
18 then current equalized assessed value of the disconnected  
19 territory as compared with the then current equalized assessed  
20 value within the entire territory of the taxing district prior  
21 to disconnection, and the amount of such reduction shall be  
22 added to the Tax Base of the taxing district to which  
23 annexation is made.

24 If a community college district is created after July 1,  
25 1979, beginning on January 1, 1996 (the effective date of  
26 Public Act 89-327), its Tax Base shall be 3.5% of the sum of

1 the personal property tax collected for the 1977 tax year  
2 within the territorial jurisdiction of the district.

3 The amounts allocated and paid to taxing districts  
4 pursuant to the provisions of Public Act 81-1st Special  
5 Session-1 shall be deemed to be substitute revenues for the  
6 revenues derived from taxes imposed on personal property  
7 pursuant to the provisions of the "Revenue Act of 1939" or "An  
8 Act for the assessment and taxation of private car line  
9 companies", approved July 22, 1943, as amended, or Section 414  
10 of the Illinois Insurance Code, prior to the abolition of such  
11 taxes and shall be used for the same purposes as the revenues  
12 derived from ad valorem taxes on real estate.

13 Monies received by any taxing districts from the Personal  
14 Property Tax Replacement Fund shall be first applied toward  
15 payment of the proportionate amount of debt service which was  
16 previously levied and collected from extensions against  
17 personal property on bonds outstanding as of December 31, 1978  
18 and next applied toward payment of the proportionate share of  
19 the pension or retirement obligations of the taxing district  
20 which were previously levied and collected from extensions  
21 against personal property. For each such outstanding bond  
22 issue, the County Clerk shall determine the percentage of the  
23 debt service which was collected from extensions against real  
24 estate in the taxing district for 1978 taxes payable in 1979,  
25 as related to the total amount of such levies and collections  
26 from extensions against both real and personal property. For

1 1979 and subsequent years' taxes, the County Clerk shall levy  
2 and extend taxes against the real estate of each taxing  
3 district which will yield the said percentage or percentages  
4 of the debt service on such outstanding bonds. The balance of  
5 the amount necessary to fully pay such debt service shall  
6 constitute a first and prior lien upon the monies received by  
7 each such taxing district through the Personal Property Tax  
8 Replacement Fund and shall be first applied or set aside for  
9 such purpose. In counties having fewer than 3,000,000  
10 inhabitants, the amendments to this paragraph as made by  
11 Public Act 81-1255 shall be first applicable to 1980 taxes to  
12 be collected in 1981.

13 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;  
14 102-16, eff. 6-17-21.)

15 Section 5-47. The Agricultural Fair Act is amended by  
16 changing Sections 5, 6, 10, and 13 as follows:

17 (30 ILCS 120/5) (from Ch. 85, par. 655)

18 Sec. 5. To qualify for disbursements made by the  
19 Department from an appropriation made under provisions of this  
20 Act, each county fair should notify the Department in writing  
21 of its declaration of intent to participate by December 31 of  
22 the year preceding the year in which such distribution shall  
23 be made. The DeWitt County Fair shall qualify for  
24 disbursements made by the Department from an appropriation

1 made under the provisions of this Act in fiscal years 2022 and  
2 2023, subject to appropriation, and provided the DeWitt County  
3 Fair notifies the Department in writing of its declaration of  
4 intent to participate within 30 days after the effective date  
5 of this amendatory Act of the 102nd General Assembly. The  
6 notification shall state the following: facts of its  
7 organization, location, officers, dates of exhibitions and  
8 approximate amount of premiums to be offered.

9 (Source: P.A. 91-934, eff. 6-1-01.)

10 (30 ILCS 120/6) (from Ch. 85, par. 656)

11 Sec. 6. After August 20, 1971, the General Assembly and  
12 the Director shall approve the organization of new county  
13 fairs that shall be established for the purpose of holding  
14 annual fairs, provided that an element of such approval shall  
15 be an appropriation ~~in a separate bill~~ authorizing such fairs'  
16 participation in the disbursements provided for in this Act.

17 (Source: P.A. 81-159.)

18 (30 ILCS 120/10) (from Ch. 85, par. 660)

19 Sec. 10. (a) Effective with fiscal year 1987, each county  
20 fair's authorized base shall be set at 66 2/3% of the approved  
21 amount of premium paid in either fiscal year 1984 or 1985,  
22 whichever year has the largest approved amount. The authorized  
23 base of the Gallatin, Montgomery and Massac county fairs for  
24 fiscal years 1987 and 1988 shall be \$15,000 each. Subject to

1 appropriation, the authorized base of the DeWitt County Fair  
2 for fiscal years 2022 and 2023 shall be \$20,000 each. If there  
3 is a change in the appropriation, the Director shall allocate  
4 to each fair the same percentages of that appropriation as it  
5 received of the authorized bases for all fairs.

6 (b) The Department shall reimburse each eligible county  
7 fair as follows:

8 100% of the first \$2,000 of approved premiums awarded at  
9 each eligible county fair;

10 85% of the next \$2,000;

11 75% of the next \$3,000;

12 65% of the next \$3,000;

13 55% of the next \$4,000; and

14 50% of the remaining premiums paid until the total  
15 reimbursement equals the authorized base amount for each fair.

16 (c) If, after all approved state aid claims are paid for  
17 the current year pursuant to subsection (b) of this Section,  
18 any amount remains in the appropriations for state aid, that  
19 remaining amount shall be distributed on a grant basis. If the  
20 total amount of excess approved state aid claims over the  
21 authorized base is equal to or less than the remaining amount  
22 appropriated for state aid, then each participating fair shall  
23 receive a grant equivalent to the excess of its approved claim  
24 over its authorized base. If the total amount of excess  
25 approved state aid claims exceeds the remaining monies  
26 appropriated for state aid, the grants shall be distributed to

1 the participating fairs in proportion to the total amounts of  
2 their respective excess approved claims. If, after all  
3 approved claims are paid, any amount remains, that amount  
4 shall be distributed to all county fairs eligible under this  
5 Section in proportion to their total state aid claims. Fairs  
6 filing approved claims exceeding both their authorized base  
7 and the grant provided for in this subsection shall  
8 participate in the Growth Incentive Program set forth in  
9 Section 10.1.

10 Grant monies received by a county fair shall be used only  
11 for premiums, awards, judge's fees, and other expenses  
12 incurred by the fair which are directly related to the  
13 operation of the fair and approved by regulation of the  
14 Department. Each fair shall file with the Department a fiscal  
15 accounting of the expenditure of the grant monies received  
16 under this subsection each year at the same time it files its  
17 report under Section 12 in relation to the fair held in the  
18 next succeeding year.

19 Effective with fiscal year 1989 and each odd numbered  
20 fiscal year thereafter, the authorized base of all  
21 participating county fairs shall be adjusted by applying 66  
22 2/3% to the amount of approved premiums paid in the highest of  
23 the previous 2 fiscal years.

24 (Source: P.A. 91-934, eff. 6-1-01.)

1           Sec. 13. Rehabilitation. Except as otherwise allowed by  
2 the Director, to qualify for disbursements made by the  
3 Department from an appropriation made under the provisions of  
4 this Section, the land on which the fair is held must be owned  
5 by the county fair board participating in this disbursement or  
6 by a State, city, village, or county government body, or be  
7 held under a lease that is at least 20 years in duration, the  
8 terms of which require the lessee to have continuous  
9 possession of the land during every day of the lease period. No  
10 county fair shall qualify for disbursements made by the  
11 Department from an appropriation made under the provisions of  
12 this Section unless it shall have notified the Department in  
13 writing of its intent to participate prior to obligating any  
14 funds for which reimbursement will be requested. Each county  
15 fair shall be reimbursed annually for that part of the amount  
16 expended by the fair during the year for liability and  
17 casualty insurance, as provided in this Section, and the  
18 rehabilitation of its grounds, including major construction  
19 projects and minor maintenance and repair projects; as  
20 follows:

21           100% of the first \$5,000 or any part thereof;

22           75% of the next \$20,000 or any part thereof;

23           50% of the next \$20,000 or any part thereof.

24           The lesser of either \$20,000 or 50% of the amount received  
25 by a county fair pursuant to this Section may be expended for  
26 liability and casualty insurance.

1       The maximum amount the DeWitt County Fair may be  
2 reimbursed in each of fiscal years 2022 and 2023, subject to  
3 appropriation, is \$13,250.

4       If a county fair expends more than is needed in any year  
5 for approved projects to maximize State reimbursement under  
6 this Section and provides itemized receipts and other evidence  
7 of expenditures for that year, any excess may be carried over  
8 to the succeeding year. The amount carried over shall  
9 constitute a claim for reimbursement for a subsequent period  
10 not to exceed 7 years as long as funds are available.

11       Before June 30 of each year, the president and secretary  
12 of each county fair which has participated in this program  
13 shall file with the Department a sworn statement of the amount  
14 expended during the period July 1 to June 30 of the State's  
15 fiscal year, accompanied by itemized receipted bills and other  
16 evidence of expenditures. If the Department approves the  
17 claim, the State Comptroller is authorized and directed to  
18 draw a warrant payable from the Agricultural Premium Fund on  
19 the State Treasurer for the amount of the rehabilitation  
20 claims.

21       If after all claims are paid, there remains any amount of  
22 the appropriation for rehabilitation, the remaining amount  
23 shall be distributed as a grant to the participating fairs  
24 qualifying for the maximum reimbursement and shall be  
25 distributed to the eligible fairs on an equal basis not to  
26 exceed each eligible fair's pro rata share granted in this

1 paragraph. A sworn statement of the amount expended  
2 accompanied by the itemized receipted bills as evidence of  
3 expenditure must be filed with the Department by June 30 of  
4 each year.

5 (Source: P.A. 94-261, eff. 1-1-06.)

6 Section 5-48. The General Obligation Bond Act is amended  
7 by changing Section 15 as follows:

8 (30 ILCS 330/15) (from Ch. 127, par. 665)

9 Sec. 15. Computation of principal and interest; transfers.

10 (a) Upon each delivery of Bonds authorized to be issued  
11 under this Act, the Comptroller shall compute and certify to  
12 the Treasurer the total amount of principal of, interest on,  
13 and premium, if any, on Bonds issued that will be payable in  
14 order to retire such Bonds, the amount of principal of,  
15 interest on and premium, if any, on such Bonds that will be  
16 payable on each payment date according to the tenor of such  
17 Bonds during the then current and each succeeding fiscal year,  
18 and the amount of sinking fund payments needed to be deposited  
19 in connection with Qualified School Construction Bonds  
20 authorized by subsection (e) of Section 9. With respect to the  
21 interest payable on variable rate bonds, such certifications  
22 shall be calculated at the maximum rate of interest that may be  
23 payable during the fiscal year, after taking into account any  
24 credits permitted in the related indenture or other instrument

1 against the amount of such interest required to be  
2 appropriated for such period pursuant to subsection (c) of  
3 Section 14 of this Act. With respect to the interest payable,  
4 such certifications shall include the amounts certified by the  
5 Director of the Governor's Office of Management and Budget  
6 under subsection (b) of Section 9 of this Act.

7 On or before the last day of each month the State Treasurer  
8 and Comptroller shall transfer from (1) the Road Fund with  
9 respect to Bonds issued under paragraphs (a) and (e) of  
10 Section 4 of this Act, or Bonds issued under authorization in  
11 Public Act 98-781, or Bonds issued for the purpose of  
12 refunding such bonds, and from (2) the General Revenue Fund,  
13 with respect to all other Bonds issued under this Act, to the  
14 General Obligation Bond Retirement and Interest Fund an amount  
15 sufficient to pay the aggregate of the principal of, interest  
16 on, and premium, if any, on Bonds payable, by their terms on  
17 the next payment date divided by the number of full calendar  
18 months between the date of such Bonds and the first such  
19 payment date, and thereafter, divided by the number of months  
20 between each succeeding payment date after the first. Such  
21 computations and transfers shall be made for each series of  
22 Bonds issued and delivered. Interest payable on variable rate  
23 bonds shall be calculated at the maximum rate of interest that  
24 may be payable for the relevant period, after taking into  
25 account any credits permitted in the related indenture or  
26 other instrument against the amount of such interest required

1 to be appropriated for such period pursuant to subsection (c)  
2 of Section 14 of this Act. Computations of interest shall  
3 include the amounts certified by the Director of the  
4 Governor's Office of Management and Budget under subsection  
5 (b) of Section 9 of this Act. Interest for which moneys have  
6 already been deposited into the capitalized interest account  
7 within the General Obligation Bond Retirement and Interest  
8 Fund shall not be included in the calculation of the amounts to  
9 be transferred under this subsection. Notwithstanding any  
10 other provision in this Section, the transfer provisions  
11 provided in this paragraph shall not apply to transfers made  
12 in fiscal year 2010 or fiscal year 2011 with respect to Bonds  
13 issued in fiscal year 2010 or fiscal year 2011 pursuant to  
14 Section 7.2 of this Act. In the case of transfers made in  
15 fiscal year 2010 or fiscal year 2011 with respect to the Bonds  
16 issued in fiscal year 2010 or fiscal year 2011 pursuant to  
17 Section 7.2 of this Act, on or before the 15th day of the month  
18 prior to the required debt service payment, the State  
19 Treasurer and Comptroller shall transfer from the General  
20 Revenue Fund to the General Obligation Bond Retirement and  
21 Interest Fund an amount sufficient to pay the aggregate of the  
22 principal of, interest on, and premium, if any, on the Bonds  
23 payable in that next month.

24 The transfer of monies herein and above directed is not  
25 required if monies in the General Obligation Bond Retirement  
26 and Interest Fund are more than the amount otherwise to be

1 transferred as herein above provided, and if the Governor or  
2 his authorized representative notifies the State Treasurer and  
3 Comptroller of such fact in writing.

4 (b) After the effective date of this Act, the balance of,  
5 and monies directed to be included in the Capital Development  
6 Bond Retirement and Interest Fund, Anti-Pollution Bond  
7 Retirement and Interest Fund, Transportation Bond, Series A  
8 Retirement and Interest Fund, Transportation Bond, Series B  
9 Retirement and Interest Fund, and Coal Development Bond  
10 Retirement and Interest Fund shall be transferred to and  
11 deposited in the General Obligation Bond Retirement and  
12 Interest Fund. This Fund shall be used to make debt service  
13 payments on the State's general obligation Bonds heretofore  
14 issued which are now outstanding and payable from the Funds  
15 herein listed as well as on Bonds issued under this Act.

16 (c) The unused portion of federal funds received for or as  
17 reimbursement for a capital facilities project, as authorized  
18 by Section 3 of this Act, for which monies from the Capital  
19 Development Fund have been expended shall remain in the  
20 Capital Development Board Contributory Trust Fund and shall be  
21 used for capital projects and for no other purpose, subject to  
22 appropriation and as directed by the Capital Development  
23 Board. Any federal funds received as reimbursement for the  
24 completed construction of a capital facilities project, as  
25 authorized by Section 3 of this Act, for which monies from the  
26 Capital Development Fund have been expended may be used for

1 any expense or project necessary for implementation of the  
2 Quincy Veterans' Home Rehabilitation and Rebuilding Act for a  
3 period of 5 years from July 17, 2018 (the effective date of  
4 Public Act 100-610) ~~this amendatory Act of the 100th General~~  
5 ~~Assembly, and any remaining funds shall be deposited in the~~  
6 ~~General Obligation Bond Retirement and Interest Fund.~~

7 (Source: P.A. 100-23, eff. 7-6-17; 100-610, eff. 7-17-18;  
8 101-30, eff. 6-28-19.)

9 Section 5-49. The Capital Development Bond Act of 1972 is  
10 amended by changing Section 9a as follows:

11 (30 ILCS 420/9a) (from Ch. 127, par. 759a)

12 Sec. 9a. The unused portion of federal funds received for  
13 or as reimbursement for a capital improvement project for  
14 which moneys from the Capital Development Fund have been  
15 expended shall remain in the Capital Development Board  
16 Contributory Trust Fund and shall be used for capital projects  
17 and for no other purpose, subject to appropriation and as  
18 directed by the Capital Development Board. Any federal funds  
19 received as reimbursement for the completed construction of a  
20 capital improvement project for which moneys from the Capital  
21 Development Fund have been expended may be used for any  
22 expense or project necessary for implementation of the Quincy  
23 Veterans' Home Rehabilitation and Rebuilding Act for a period  
24 of 5 years from July 17, 2018 (the effective date of Public Act

1 ~~100-610) this amendatory Act of the 100th General Assembly,~~  
2 ~~and any remaining funds shall be deposited in the Capital~~  
3 ~~Development Bond Retirement and Interest Fund.~~

4 (Source: P.A. 100-610, eff. 7-17-18.)

5 Section 5-55. The Illinois Grant Funds Recovery Act is  
6 amended by adding Section 5.1 as follows:

7 (30 ILCS 705/5.1 new)

8 Sec. 5.1. Restoration of grant award.

9 (a) A grantee who received an award pursuant to the Open  
10 Space Lands Acquisition and Development Act who was unable to  
11 complete the project within the 2 years required by Section 5  
12 due to the COVID-19 public health emergency, and whose grant  
13 agreement expired between January 1, 2021 and July 29, 2021,  
14 shall be eligible for an award under the same terms as the  
15 expired grant agreement, subject to the availability of  
16 appropriated moneys in the fund from which the original  
17 disbursement to the grantee was made. The grantee must  
18 demonstrate prior compliance with the terms and conditions of  
19 the expired award to be eligible for funding under this  
20 Section.

21 (b) Any grant funds not expended or legally obligated by  
22 the expiration of the newly executed agreement must be  
23 returned to the grantor agency within 45 days, if the funds are  
24 not already on deposit with the grantor agency or the State

1 Treasurer. Such returned funds shall be deposited into the  
2 fund from which the original grant disbursement to the grantee  
3 was made.

4 (c) This Section is repealed on July 31, 2024.

5 Section 5-57. The Charitable Trust Stabilization Act is  
6 amended by changing Section 5 as follows:

7 (30 ILCS 790/5)

8 Sec. 5. The Charitable Trust Stabilization Fund.

9 (a) The Charitable Trust Stabilization Fund is created as  
10 a special fund in the State treasury. From appropriations from  
11 the Fund, upon recommendation from the Charitable Trust  
12 Stabilization Committee, the State Treasurer may make grants  
13 to public and private entities in the State for the purposes  
14 set forth under subsection (b). Special attention shall be  
15 given to public and private entities with operating budgets of  
16 less than \$1,000,000 that are located within a depressed area,  
17 as defined under Section 3 of the Illinois Enterprise Zone  
18 Act, and preferences for recommending grants to the State  
19 Treasurer may be given to these entities by the Committee.  
20 Moneys received for the purposes of this Section, including,  
21 without limitation, fees collected under subsection (m) of  
22 Section 115.10 of the General Not For Profit Corporation Act  
23 of 1986 and appropriations, gifts, grants, and awards from any  
24 public or private entity, must be deposited into the Fund. Any

1 interest earnings that are attributable to moneys in the Fund  
2 must be deposited into the Fund.

3 (b) Moneys in the Fund may be used only for the following  
4 purposes:

5 ~~(1) (blank);~~

6 ~~(2) (blank);~~

7 (1) ~~(3)~~ grants for the ~~start-up or~~ operational  
8 purposes of participating organizations; and

9 (2) ~~(4)~~ the administration of the Fund and this Act.

10 (c) Moneys deposited into ~~in~~ the Fund must be allocated as  
11 follows:

12 ~~(1) 20% of the amount deposited into the Fund in the~~  
13 ~~fiscal year must be set aside for the operating budget of~~  
14 ~~the Fund for the next fiscal year, but the operating~~  
15 ~~budget of the Fund may not exceed \$4,000,000 in any fiscal~~  
16 ~~year;~~

17 (1) 80% ~~(2) 50%~~ must be available for the purposes set  
18 forth under subsection (b); and

19 (2) 20% ~~(3) 30%~~ must be invested for the purpose of  
20 earning interest or other investment income.

21 ~~(d) As soon as practical after the effective date of this~~  
22 ~~Act, the State Treasurer must transfer the amount of~~  
23 ~~\$1,000,000 from the General Revenue Fund to the Charitable~~  
24 ~~Trust Stabilization Fund. On the June 30 that occurs in the~~  
25 ~~third year after the transfer to the Charitable Trust~~  
26 ~~Stabilization Fund, the Treasurer must transfer the amount of~~

~~\$1,000,000 from the Charitable Trust Stabilization Fund to the General Revenue Fund. If, on that date, less than \$1,000,000 is available for transfer, then the Treasurer must transfer the remaining balance of the Charitable Trust Stabilization Fund to the General Revenue Fund, and on each June 30 thereafter must transfer any balance in the Charitable Trust Stabilization Fund to the General Revenue Fund until the aggregate amount of \$1,000,000 has been transferred.~~

(Source: P.A. 97-274, eff. 8-8-11.)

Section 5-60. The Illinois Income Tax Act is amended by changing Sections 224 and 901 as follows:

(35 ILCS 5/224)

Sec. 224. Invest in Kids credit.

(a) For taxable years beginning on or after January 1, 2018 and ending before January 1, 2024 ~~2023~~, each taxpayer for whom a tax credit has been awarded by the Department under the Invest in Kids Act is entitled to a credit against the tax imposed under subsections (a) and (b) of Section 201 of this Act in an amount equal to the amount awarded under the Invest in Kids Act.

(b) For partners, shareholders of subchapter S corporations, and owners of limited liability companies, if the liability company is treated as a partnership for purposes of federal and State income taxation, the credit under this

1 Section shall be determined in accordance with the  
2 determination of income and distributive share of income under  
3 Sections 702 and 704 and subchapter S of the Internal Revenue  
4 Code.

5 (c) The credit may not be carried back and may not reduce  
6 the taxpayer's liability to less than zero. If the amount of  
7 the credit exceeds the tax liability for the year, the excess  
8 may be carried forward and applied to the tax liability of the  
9 5 taxable years following the excess credit year. The tax  
10 credit shall be applied to the earliest year for which there is  
11 a tax liability. If there are credits for more than one year  
12 that are available to offset the liability, the earlier credit  
13 shall be applied first.

14 (d) A tax credit awarded by the Department under the  
15 Invest in Kids Act may not be claimed for any qualified  
16 contribution for which the taxpayer claims a federal income  
17 tax deduction.

18 (Source: P.A. 100-465, eff. 8-31-17.)

19 (35 ILCS 5/901)

20 Sec. 901. Collection authority.

21 (a) In general. The Department shall collect the taxes  
22 imposed by this Act. The Department shall collect certified  
23 past due child support amounts under Section 2505-650 of the  
24 Department of Revenue Law of the Civil Administrative Code of  
25 Illinois. Except as provided in subsections (b), (c), (e),

1 (f), (g), and (h) of this Section, money collected pursuant to  
2 subsections (a) and (b) of Section 201 of this Act shall be  
3 paid into the General Revenue Fund in the State treasury;  
4 money collected pursuant to subsections (c) and (d) of Section  
5 201 of this Act shall be paid into the Personal Property Tax  
6 Replacement Fund, a special fund in the State Treasury; and  
7 money collected under Section 2505-650 of the Department of  
8 Revenue Law of the Civil Administrative Code of Illinois shall  
9 be paid into the Child Support Enforcement Trust Fund, a  
10 special fund outside the State Treasury, or to the State  
11 Disbursement Unit established under Section 10-26 of the  
12 Illinois Public Aid Code, as directed by the Department of  
13 Healthcare and Family Services.

14 (b) Local Government Distributive Fund. Beginning August  
15 1, 2017 and continuing through July 31, 2022, the Treasurer  
16 shall transfer each month from the General Revenue Fund to the  
17 Local Government Distributive Fund an amount equal to the sum  
18 of: (i) 6.06% (10% of the ratio of the 3% individual income tax  
19 rate prior to 2011 to the 4.95% individual income tax rate  
20 after July 1, 2017) of the net revenue realized from the tax  
21 imposed by subsections (a) and (b) of Section 201 of this Act  
22 upon individuals, trusts, and estates during the preceding  
23 month; (ii) 6.85% (10% of the ratio of the 4.8% corporate  
24 income tax rate prior to 2011 to the 7% corporate income tax  
25 rate after July 1, 2017) of the net revenue realized from the  
26 tax imposed by subsections (a) and (b) of Section 201 of this

1 Act upon corporations during the preceding month; and (iii)  
2 beginning February 1, 2022, 6.06% of the net revenue realized  
3 from the tax imposed by subsection (p) of Section 201 of this  
4 Act upon electing pass-through entities. Beginning August 1,  
5 2022, the Treasurer shall transfer each month from the General  
6 Revenue Fund to the Local Government Distributive Fund an  
7 amount equal to the sum of: (i) 6.16% of the net revenue  
8 realized from the tax imposed by subsections (a) and (b) of  
9 Section 201 of this Act upon individuals, trusts, and estates  
10 during the preceding month; (ii) 6.85% of the net revenue  
11 realized from the tax imposed by subsections (a) and (b) of  
12 Section 201 of this Act upon corporations during the preceding  
13 month; and (iii) 6.16% of the net revenue realized from the tax  
14 imposed by subsection (p) of Section 201 of this Act upon  
15 electing pass-through entities. Net revenue realized for a  
16 month shall be defined as the revenue from the tax imposed by  
17 subsections (a) and (b) of Section 201 of this Act which is  
18 deposited in the General Revenue Fund, the Education  
19 Assistance Fund, the Income Tax Surcharge Local Government  
20 Distributive Fund, the Fund for the Advancement of Education,  
21 and the Commitment to Human Services Fund during the month  
22 minus the amount paid out of the General Revenue Fund in State  
23 warrants during that same month as refunds to taxpayers for  
24 overpayment of liability under the tax imposed by subsections  
25 (a) and (b) of Section 201 of this Act.

26 Notwithstanding any provision of law to the contrary,

1 beginning on July 6, 2017 (the effective date of Public Act  
2 100-23), those amounts required under this subsection (b) to  
3 be transferred by the Treasurer into the Local Government  
4 Distributive Fund from the General Revenue Fund shall be  
5 directly deposited into the Local Government Distributive Fund  
6 as the revenue is realized from the tax imposed by subsections  
7 (a) and (b) of Section 201 of this Act.

8 (c) Deposits Into Income Tax Refund Fund.

9 (1) Beginning on January 1, 1989 and thereafter, the  
10 Department shall deposit a percentage of the amounts  
11 collected pursuant to subsections (a) and (b)(1), (2), and  
12 (3) of Section 201 of this Act into a fund in the State  
13 treasury known as the Income Tax Refund Fund. Beginning  
14 with State fiscal year 1990 and for each fiscal year  
15 thereafter, the percentage deposited into the Income Tax  
16 Refund Fund during a fiscal year shall be the Annual  
17 Percentage. For fiscal year 2011, the Annual Percentage  
18 shall be 8.75%. For fiscal year 2012, the Annual  
19 Percentage shall be 8.75%. For fiscal year 2013, the  
20 Annual Percentage shall be 9.75%. For fiscal year 2014,  
21 the Annual Percentage shall be 9.5%. For fiscal year 2015,  
22 the Annual Percentage shall be 10%. For fiscal year 2018,  
23 the Annual Percentage shall be 9.8%. For fiscal year 2019,  
24 the Annual Percentage shall be 9.7%. For fiscal year 2020,  
25 the Annual Percentage shall be 9.5%. For fiscal year 2021,  
26 the Annual Percentage shall be 9%. For fiscal year 2022,

1 the Annual Percentage shall be 9.25%. For fiscal year  
2 2023, the Annual Percentage shall be 9.25%. For all other  
3 fiscal years, the Annual Percentage shall be calculated as  
4 a fraction, the numerator of which shall be the amount of  
5 refunds approved for payment by the Department during the  
6 preceding fiscal year as a result of overpayment of tax  
7 liability under subsections (a) and (b)(1), (2), and (3)  
8 of Section 201 of this Act plus the amount of such refunds  
9 remaining approved but unpaid at the end of the preceding  
10 fiscal year, minus the amounts transferred into the Income  
11 Tax Refund Fund from the Tobacco Settlement Recovery Fund,  
12 and the denominator of which shall be the amounts which  
13 will be collected pursuant to subsections (a) and (b)(1),  
14 (2), and (3) of Section 201 of this Act during the  
15 preceding fiscal year; except that in State fiscal year  
16 2002, the Annual Percentage shall in no event exceed 7.6%.  
17 The Director of Revenue shall certify the Annual  
18 Percentage to the Comptroller on the last business day of  
19 the fiscal year immediately preceding the fiscal year for  
20 which it is to be effective.

21 (2) Beginning on January 1, 1989 and thereafter, the  
22 Department shall deposit a percentage of the amounts  
23 collected pursuant to subsections (a) and (b)(6), (7), and  
24 (8), (c) and (d) of Section 201 of this Act into a fund in  
25 the State treasury known as the Income Tax Refund Fund.  
26 Beginning with State fiscal year 1990 and for each fiscal

1 year thereafter, the percentage deposited into the Income  
2 Tax Refund Fund during a fiscal year shall be the Annual  
3 Percentage. For fiscal year 2011, the Annual Percentage  
4 shall be 17.5%. For fiscal year 2012, the Annual  
5 Percentage shall be 17.5%. For fiscal year 2013, the  
6 Annual Percentage shall be 14%. For fiscal year 2014, the  
7 Annual Percentage shall be 13.4%. For fiscal year 2015,  
8 the Annual Percentage shall be 14%. For fiscal year 2018,  
9 the Annual Percentage shall be 17.5%. For fiscal year  
10 2019, the Annual Percentage shall be 15.5%. For fiscal  
11 year 2020, the Annual Percentage shall be 14.25%. For  
12 fiscal year 2021, the Annual Percentage shall be 14%. For  
13 fiscal year 2022, the Annual Percentage shall be 15%. For  
14 fiscal year 2023, the Annual Percentage shall be 14.5%.

15 For all other fiscal years, the Annual Percentage shall be  
16 calculated as a fraction, the numerator of which shall be  
17 the amount of refunds approved for payment by the  
18 Department during the preceding fiscal year as a result of  
19 overpayment of tax liability under subsections (a) and  
20 (b) (6), (7), and (8), (c) and (d) of Section 201 of this  
21 Act plus the amount of such refunds remaining approved but  
22 unpaid at the end of the preceding fiscal year, and the  
23 denominator of which shall be the amounts which will be  
24 collected pursuant to subsections (a) and (b) (6), (7), and  
25 (8), (c) and (d) of Section 201 of this Act during the  
26 preceding fiscal year; except that in State fiscal year

1           2002, the Annual Percentage shall in no event exceed 23%.  
2           The Director of Revenue shall certify the Annual  
3           Percentage to the Comptroller on the last business day of  
4           the fiscal year immediately preceding the fiscal year for  
5           which it is to be effective.

6           (3) The Comptroller shall order transferred and the  
7           Treasurer shall transfer from the Tobacco Settlement  
8           Recovery Fund to the Income Tax Refund Fund (i)  
9           \$35,000,000 in January, 2001, (ii) \$35,000,000 in January,  
10          2002, and (iii) \$35,000,000 in January, 2003.

11          (d) Expenditures from Income Tax Refund Fund.

12          (1) Beginning January 1, 1989, money in the Income Tax  
13          Refund Fund shall be expended exclusively for the purpose  
14          of paying refunds resulting from overpayment of tax  
15          liability under Section 201 of this Act and for making  
16          transfers pursuant to this subsection (d).

17          (2) The Director shall order payment of refunds  
18          resulting from overpayment of tax liability under Section  
19          201 of this Act from the Income Tax Refund Fund only to the  
20          extent that amounts collected pursuant to Section 201 of  
21          this Act and transfers pursuant to this subsection (d) and  
22          item (3) of subsection (c) have been deposited and  
23          retained in the Fund.

24          (3) As soon as possible after the end of each fiscal  
25          year, the Director shall order transferred and the State  
26          Treasurer and State Comptroller shall transfer from the

1           Income Tax Refund Fund to the Personal Property Tax  
2           Replacement Fund an amount, certified by the Director to  
3           the Comptroller, equal to the excess of the amount  
4           collected pursuant to subsections (c) and (d) of Section  
5           201 of this Act deposited into the Income Tax Refund Fund  
6           during the fiscal year over the amount of refunds  
7           resulting from overpayment of tax liability under  
8           subsections (c) and (d) of Section 201 of this Act paid  
9           from the Income Tax Refund Fund during the fiscal year.

10           (4) As soon as possible after the end of each fiscal  
11           year, the Director shall order transferred and the State  
12           Treasurer and State Comptroller shall transfer from the  
13           Personal Property Tax Replacement Fund to the Income Tax  
14           Refund Fund an amount, certified by the Director to the  
15           Comptroller, equal to the excess of the amount of refunds  
16           resulting from overpayment of tax liability under  
17           subsections (c) and (d) of Section 201 of this Act paid  
18           from the Income Tax Refund Fund during the fiscal year  
19           over the amount collected pursuant to subsections (c) and  
20           (d) of Section 201 of this Act deposited into the Income  
21           Tax Refund Fund during the fiscal year.

22           (4.5) As soon as possible after the end of fiscal year  
23           1999 and of each fiscal year thereafter, the Director  
24           shall order transferred and the State Treasurer and State  
25           Comptroller shall transfer from the Income Tax Refund Fund  
26           to the General Revenue Fund any surplus remaining in the

1           Income Tax Refund Fund as of the end of such fiscal year;  
2           excluding for fiscal years 2000, 2001, and 2002 amounts  
3           attributable to transfers under item (3) of subsection (c)  
4           less refunds resulting from the earned income tax credit.

5           (5) This Act shall constitute an irrevocable and  
6           continuing appropriation from the Income Tax Refund Fund  
7           for the purpose of paying refunds upon the order of the  
8           Director in accordance with the provisions of this  
9           Section.

10          (e) Deposits into the Education Assistance Fund and the  
11          Income Tax Surcharge Local Government Distributive Fund. On  
12          July 1, 1991, and thereafter, of the amounts collected  
13          pursuant to subsections (a) and (b) of Section 201 of this Act,  
14          minus deposits into the Income Tax Refund Fund, the Department  
15          shall deposit 7.3% into the Education Assistance Fund in the  
16          State Treasury. Beginning July 1, 1991, and continuing through  
17          January 31, 1993, of the amounts collected pursuant to  
18          subsections (a) and (b) of Section 201 of the Illinois Income  
19          Tax Act, minus deposits into the Income Tax Refund Fund, the  
20          Department shall deposit 3.0% into the Income Tax Surcharge  
21          Local Government Distributive Fund in the State Treasury.  
22          Beginning February 1, 1993 and continuing through June 30,  
23          1993, of the amounts collected pursuant to subsections (a) and  
24          (b) of Section 201 of the Illinois Income Tax Act, minus  
25          deposits into the Income Tax Refund Fund, the Department shall  
26          deposit 4.4% into the Income Tax Surcharge Local Government

1 Distributive Fund in the State Treasury. Beginning July 1,  
2 1993, and continuing through June 30, 1994, of the amounts  
3 collected under subsections (a) and (b) of Section 201 of this  
4 Act, minus deposits into the Income Tax Refund Fund, the  
5 Department shall deposit 1.475% into the Income Tax Surcharge  
6 Local Government Distributive Fund in the State Treasury.

7 (f) Deposits into the Fund for the Advancement of  
8 Education. Beginning February 1, 2015, the Department shall  
9 deposit the following portions of the revenue realized from  
10 the tax imposed upon individuals, trusts, and estates by  
11 subsections (a) and (b) of Section 201 of this Act, minus  
12 deposits into the Income Tax Refund Fund, into the Fund for the  
13 Advancement of Education:

14 (1) beginning February 1, 2015, and prior to February  
15 1, 2025, 1/30; and

16 (2) beginning February 1, 2025, 1/26.

17 If the rate of tax imposed by subsection (a) and (b) of  
18 Section 201 is reduced pursuant to Section 201.5 of this Act,  
19 the Department shall not make the deposits required by this  
20 subsection (f) on or after the effective date of the  
21 reduction.

22 (g) Deposits into the Commitment to Human Services Fund.  
23 Beginning February 1, 2015, the Department shall deposit the  
24 following portions of the revenue realized from the tax  
25 imposed upon individuals, trusts, and estates by subsections  
26 (a) and (b) of Section 201 of this Act, minus deposits into the

1 Income Tax Refund Fund, into the Commitment to Human Services  
2 Fund:

3 (1) beginning February 1, 2015, and prior to February  
4 1, 2025, 1/30; and

5 (2) beginning February 1, 2025, 1/26.

6 If the rate of tax imposed by subsection (a) and (b) of  
7 Section 201 is reduced pursuant to Section 201.5 of this Act,  
8 the Department shall not make the deposits required by this  
9 subsection (g) on or after the effective date of the  
10 reduction.

11 (h) Deposits into the Tax Compliance and Administration  
12 Fund. Beginning on the first day of the first calendar month to  
13 occur on or after August 26, 2014 (the effective date of Public  
14 Act 98-1098), each month the Department shall pay into the Tax  
15 Compliance and Administration Fund, to be used, subject to  
16 appropriation, to fund additional auditors and compliance  
17 personnel at the Department, an amount equal to 1/12 of 5% of  
18 the cash receipts collected during the preceding fiscal year  
19 by the Audit Bureau of the Department from the tax imposed by  
20 subsections (a), (b), (c), and (d) of Section 201 of this Act,  
21 net of deposits into the Income Tax Refund Fund made from those  
22 cash receipts.

23 (Source: P.A. 101-8, see Section 99 for effective date;  
24 101-10, eff. 6-5-19; 101-81, eff. 7-12-19; 101-636, eff.  
25 6-10-20; 102-16, eff. 6-17-21; 102-558, eff. 8-20-21; 102-658,  
26 eff. 8-27-21; revised 10-19-21.)

1 Section 5-62. The Invest in Kids Act is amended by  
2 changing Section 40 as follows:

3 (35 ILCS 40/40)

4 (Section scheduled to be repealed on January 1, 2025)

5 Sec. 40. Scholarship granting organization  
6 responsibilities.

7 (a) Before granting a scholarship for an academic year,  
8 all scholarship granting organizations shall assess and  
9 document each student's eligibility for the academic year.

10 (b) A scholarship granting organization shall grant  
11 scholarships only to eligible students.

12 (c) A scholarship granting organization shall allow an  
13 eligible student to attend any qualified school of the  
14 student's choosing, subject to the availability of funds.

15 (d) In granting scholarships, a scholarship granting  
16 organization shall give priority to the following priority  
17 groups:

18 (1) eligible students who received a scholarship from  
19 a scholarship granting organization during the previous  
20 school year;

21 (2) eligible students who are members of a household  
22 whose previous year's total annual income does not exceed  
23 185% of the federal poverty level;

24 (3) eligible students who reside within a focus

1 district; and

2 (4) eligible students who are siblings of students  
3 currently receiving a scholarship.

4 (d-5) A scholarship granting organization shall begin  
5 granting scholarships no later than February 1 preceding the  
6 school year for which the scholarship is sought. The priority  
7 groups identified in subsection (d) of this Section shall be  
8 eligible to receive scholarships on a first-come, first-served  
9 basis until the April 1 immediately preceding the school year  
10 for which the scholarship is sought. Applications for  
11 scholarships for eligible students meeting the qualifications  
12 of one or more priority groups that are received before April 1  
13 must be either approved or denied within 10 business days  
14 after receipt. Beginning April 1, all eligible students shall  
15 be eligible to receive scholarships without regard to the  
16 priority groups identified in subsection (d) of this Section.

17 (e) Except as provided in subsection (e-5) of this  
18 Section, scholarships shall not exceed the lesser of (i) the  
19 statewide average operational expense per student among public  
20 schools or (ii) the necessary costs and fees for attendance at  
21 the qualified school. Scholarships shall be prorated as  
22 follows:

23 (1) for eligible students whose household income is  
24 less than 185% of the federal poverty level, the  
25 scholarship shall be 100% of the amount determined  
26 pursuant to this subsection (e) and subsection (e-5) of

1 this Section;

2 (2) for eligible students whose household income is  
3 185% or more of the federal poverty level but less than  
4 250% of the federal poverty level, the average of  
5 scholarships shall be 75% of the amount determined  
6 pursuant to this subsection (e) and subsection (e-5) of  
7 this Section; and

8 (3) for eligible students whose household income is  
9 250% or more of the federal poverty level, the average of  
10 scholarships shall be 50% of the amount determined  
11 pursuant to this subsection (e) and subsection (e-5) of  
12 this Section.

13 (e-5) The statewide average operational expense per  
14 student among public schools shall be multiplied by the  
15 following factors:

16 (1) for students determined eligible to receive  
17 services under the federal Individuals with Disabilities  
18 Education Act, 2;

19 (2) for students who are English learners, as defined  
20 in subsection (d) of Section 14C-2 of the School Code,  
21 1.2; and

22 (3) for students who are gifted and talented children,  
23 as defined in Section 14A-20 of the School Code, 1.1.

24 (f) A scholarship granting organization shall distribute  
25 scholarship payments to the participating school where the  
26 student is enrolled.

1 (g) For the 2018-2019 school year through the 2022-2023  
2 ~~2021-2022~~ school year, each scholarship granting organization  
3 shall expend no less than 75% of the qualified contributions  
4 received during the calendar year in which the qualified  
5 contributions were received. No more than 25% of the qualified  
6 contributions may be carried forward to the following calendar  
7 year.

8 (h) For the 2023-2024 ~~2022-2023~~ school year, each  
9 scholarship granting organization shall expend all qualified  
10 contributions received during the calendar year in which the  
11 qualified contributions were received. No qualified  
12 contributions may be carried forward to the following calendar  
13 year.

14 (i) A scholarship granting organization shall allow an  
15 eligible student to transfer a scholarship during a school  
16 year to any other participating school of the custodian's  
17 choice. Such scholarships shall be prorated.

18 (j) With the prior approval of the Department, a  
19 scholarship granting organization may transfer funds to  
20 another scholarship granting organization if additional funds  
21 are required to meet scholarship demands at the receiving  
22 scholarship granting organization. All transferred funds must  
23 be deposited by the receiving scholarship granting  
24 organization into its scholarship accounts. All transferred  
25 amounts received by any scholarship granting organization must  
26 be separately disclosed to the Department.

1 (k) If the approval of a scholarship granting organization  
2 is revoked as provided in Section 20 of this Act or the  
3 scholarship granting organization is dissolved, all remaining  
4 qualified contributions of the scholarship granting  
5 organization shall be transferred to another scholarship  
6 granting organization. All transferred funds must be deposited  
7 by the receiving scholarship granting organization into its  
8 scholarship accounts.

9 (l) Scholarship granting organizations shall make  
10 reasonable efforts to advertise the availability of  
11 scholarships to eligible students.

12 (Source: P.A. 100-465, eff. 8-31-17.)

13 Section 5-65. The Motor Fuel Tax Law is amended by  
14 changing Section 8 as follows:

15 (35 ILCS 505/8) (from Ch. 120, par. 424)

16 Sec. 8. Except as provided in subsection (a-1) of this  
17 Section, Section 8a, subdivision (h)(1) of Section 12a,  
18 Section 13a.6, and items 13, 14, 15, and 16 of Section 15, all  
19 money received by the Department under this Act, including  
20 payments made to the Department by member jurisdictions  
21 participating in the International Fuel Tax Agreement, shall  
22 be deposited in a special fund in the State treasury, to be  
23 known as the "Motor Fuel Tax Fund", and shall be used as  
24 follows:

1 (a) 2 1/2 cents per gallon of the tax collected on special  
2 fuel under paragraph (b) of Section 2 and Section 13a of this  
3 Act shall be transferred to the State Construction Account  
4 Fund in the State Treasury; the remainder of the tax collected  
5 on special fuel under paragraph (b) of Section 2 and Section  
6 13a of this Act shall be deposited into the Road Fund;

7 (a-1) Beginning on July 1, 2019, an amount equal to the  
8 amount of tax collected under subsection (a) of Section 2 as a  
9 result of the increase in the tax rate under Public Act 101-32  
10 shall be transferred each month into the Transportation  
11 Renewal Fund;

12 (b) \$420,000 shall be transferred each month to the State  
13 Boating Act Fund to be used by the Department of Natural  
14 Resources for the purposes specified in Article X of the Boat  
15 Registration and Safety Act;

16 (c) \$3,500,000 shall be transferred each month to the  
17 Grade Crossing Protection Fund to be used as follows: not less  
18 than \$12,000,000 each fiscal year shall be used for the  
19 construction or reconstruction of rail highway grade  
20 separation structures; \$5,500,000 in fiscal year 2022  
21 ~~\$2,250,000 in fiscal years 2004 through 2009 and \$3,000,000 in~~  
22 ~~fiscal year 2010~~ and each fiscal year thereafter shall be  
23 transferred to the Transportation Regulatory Fund ~~and shall be~~  
24 ~~accounted for as part of the rail carrier portion of such funds~~  
25 and shall be used to pay the cost of administration of the  
26 Illinois Commerce Commission's railroad safety program in

1 connection with its duties under subsection (3) of Section  
2 18c-7401 of the Illinois Vehicle Code, with the remainder to  
3 be used by the Department of Transportation upon order of the  
4 Illinois Commerce Commission, to pay that part of the cost  
5 apportioned by such Commission to the State to cover the  
6 interest of the public in the use of highways, roads, streets,  
7 or pedestrian walkways in the county highway system, township  
8 and district road system, or municipal street system as  
9 defined in the Illinois Highway Code, as the same may from time  
10 to time be amended, for separation of grades, for  
11 installation, construction or reconstruction of crossing  
12 protection or reconstruction, alteration, relocation including  
13 construction or improvement of any existing highway necessary  
14 for access to property or improvement of any grade crossing  
15 and grade crossing surface including the necessary highway  
16 approaches thereto of any railroad across the highway or  
17 public road, or for the installation, construction,  
18 reconstruction, or maintenance of safety treatments to deter  
19 trespassing or a pedestrian walkway over or under a railroad  
20 right-of-way, as provided for in and in accordance with  
21 Section 18c-7401 of the Illinois Vehicle Code. The Commission  
22 may order up to \$2,000,000 per year in Grade Crossing  
23 Protection Fund moneys for the improvement of grade crossing  
24 surfaces and up to \$300,000 per year for the maintenance and  
25 renewal of 4-quadrant gate vehicle detection systems located  
26 at non-high speed rail grade crossings. In entering orders for

1 projects for which payments from the Grade Crossing Protection  
2 Fund will be made, the Commission shall account for  
3 expenditures authorized by the orders on a cash rather than an  
4 accrual basis. For purposes of this requirement an "accrual  
5 basis" assumes that the total cost of the project is expended  
6 in the fiscal year in which the order is entered, while a "cash  
7 basis" allocates the cost of the project among fiscal years as  
8 expenditures are actually made. To meet the requirements of  
9 this subsection, the Illinois Commerce Commission shall  
10 develop annual and 5-year project plans of rail crossing  
11 capital improvements that will be paid for with moneys from  
12 the Grade Crossing Protection Fund. The annual project plan  
13 shall identify projects for the succeeding fiscal year and the  
14 5-year project plan shall identify projects for the 5 directly  
15 succeeding fiscal years. The Commission shall submit the  
16 annual and 5-year project plans for this Fund to the Governor,  
17 the President of the Senate, the Senate Minority Leader, the  
18 Speaker of the House of Representatives, and the Minority  
19 Leader of the House of Representatives on the first Wednesday  
20 in April of each year;

21 (d) of the amount remaining after allocations provided for  
22 in subsections (a), (a-1), (b), and (c), a sufficient amount  
23 shall be reserved to pay all of the following:

24 (1) the costs of the Department of Revenue in  
25 administering this Act;

26 (2) the costs of the Department of Transportation in

1 performing its duties imposed by the Illinois Highway Code  
2 for supervising the use of motor fuel tax funds  
3 apportioned to municipalities, counties and road  
4 districts;

5 (3) refunds provided for in Section 13, refunds for  
6 overpayment of decal fees paid under Section 13a.4 of this  
7 Act, and refunds provided for under the terms of the  
8 International Fuel Tax Agreement referenced in Section  
9 14a;

10 (4) from October 1, 1985 until June 30, 1994, the  
11 administration of the Vehicle Emissions Inspection Law,  
12 which amount shall be certified monthly by the  
13 Environmental Protection Agency to the State Comptroller  
14 and shall promptly be transferred by the State Comptroller  
15 and Treasurer from the Motor Fuel Tax Fund to the Vehicle  
16 Inspection Fund, and for the period July 1, 1994 through  
17 June 30, 2000, one-twelfth of \$25,000,000 each month, for  
18 the period July 1, 2000 through June 30, 2003, one-twelfth  
19 of \$30,000,000 each month, and \$15,000,000 on July 1,  
20 2003, and \$15,000,000 on January 1, 2004, and \$15,000,000  
21 on each July 1 and October 1, or as soon thereafter as may  
22 be practical, during the period July 1, 2004 through June  
23 30, 2012, and \$30,000,000 on June 1, 2013, or as soon  
24 thereafter as may be practical, and \$15,000,000 on July 1  
25 and October 1, or as soon thereafter as may be practical,  
26 during the period of July 1, 2013 through June 30, 2015,

1 for the administration of the Vehicle Emissions Inspection  
2 Law of 2005, to be transferred by the State Comptroller  
3 and Treasurer from the Motor Fuel Tax Fund into the  
4 Vehicle Inspection Fund;

5 (4.5) beginning on July 1, 2019, the costs of the  
6 Environmental Protection Agency for the administration of  
7 the Vehicle Emissions Inspection Law of 2005 shall be  
8 paid, subject to appropriation, from the Motor Fuel Tax  
9 Fund into the Vehicle Inspection Fund; beginning in 2019,  
10 no later than December 31 of each year, or as soon  
11 thereafter as practical, the State Comptroller shall  
12 direct and the State Treasurer shall transfer from the  
13 Vehicle Inspection Fund to the Motor Fuel Tax Fund any  
14 balance remaining in the Vehicle Inspection Fund in excess  
15 of \$2,000,000;

16 (5) amounts ordered paid by the Court of Claims; and

17 (6) payment of motor fuel use taxes due to member  
18 jurisdictions under the terms of the International Fuel  
19 Tax Agreement. The Department shall certify these amounts  
20 to the Comptroller by the 15th day of each month; the  
21 Comptroller shall cause orders to be drawn for such  
22 amounts, and the Treasurer shall administer those amounts  
23 on or before the last day of each month;

24 (e) after allocations for the purposes set forth in  
25 subsections (a), (a-1), (b), (c), and (d), the remaining  
26 amount shall be apportioned as follows:

1           (1) Until January 1, 2000, 58.4%, and beginning  
2           January 1, 2000, 45.6% shall be deposited as follows:

3                   (A) 37% into the State Construction Account Fund,  
4           and

5                   (B) 63% into the Road Fund, \$1,250,000 of which  
6           shall be reserved each month for the Department of  
7           Transportation to be used in accordance with the  
8           provisions of Sections 6-901 through 6-906 of the  
9           Illinois Highway Code;

10           (2) Until January 1, 2000, 41.6%, and beginning  
11           January 1, 2000, 54.4% shall be transferred to the  
12           Department of Transportation to be distributed as follows:

13                   (A) 49.10% to the municipalities of the State,

14                   (B) 16.74% to the counties of the State having  
15           1,000,000 or more inhabitants,

16                   (C) 18.27% to the counties of the State having  
17           less than 1,000,000 inhabitants,

18                   (D) 15.89% to the road districts of the State.

19           If a township is dissolved under Article 24 of the  
20           Township Code, McHenry County shall receive any moneys  
21           that would have been distributed to the township under  
22           this subparagraph, except that a municipality that assumes  
23           the powers and responsibilities of a road district under  
24           paragraph (6) of Section 24-35 of the Township Code shall  
25           receive any moneys that would have been distributed to the  
26           township in a percent equal to the area of the dissolved

1 road district or portion of the dissolved road district  
2 over which the municipality assumed the powers and  
3 responsibilities compared to the total area of the  
4 dissolved township. The moneys received under this  
5 subparagraph shall be used in the geographic area of the  
6 dissolved township. If a township is reconstituted as  
7 provided under Section 24-45 of the Township Code, McHenry  
8 County or a municipality shall no longer be distributed  
9 moneys under this subparagraph.

10 As soon as may be after the first day of each month, the  
11 Department of Transportation shall allot to each municipality  
12 its share of the amount apportioned to the several  
13 municipalities which shall be in proportion to the population  
14 of such municipalities as determined by the last preceding  
15 municipal census if conducted by the Federal Government or  
16 Federal census. If territory is annexed to any municipality  
17 subsequent to the time of the last preceding census the  
18 corporate authorities of such municipality may cause a census  
19 to be taken of such annexed territory and the population so  
20 ascertained for such territory shall be added to the  
21 population of the municipality as determined by the last  
22 preceding census for the purpose of determining the allotment  
23 for that municipality. If the population of any municipality  
24 was not determined by the last Federal census preceding any  
25 apportionment, the apportionment to such municipality shall be  
26 in accordance with any census taken by such municipality. Any

1 municipal census used in accordance with this Section shall be  
2 certified to the Department of Transportation by the clerk of  
3 such municipality, and the accuracy thereof shall be subject  
4 to approval of the Department which may make such corrections  
5 as it ascertains to be necessary.

6 As soon as may be after the first day of each month, the  
7 Department of Transportation shall allot to each county its  
8 share of the amount apportioned to the several counties of the  
9 State as herein provided. Each allotment to the several  
10 counties having less than 1,000,000 inhabitants shall be in  
11 proportion to the amount of motor vehicle license fees  
12 received from the residents of such counties, respectively,  
13 during the preceding calendar year. The Secretary of State  
14 shall, on or before April 15 of each year, transmit to the  
15 Department of Transportation a full and complete report  
16 showing the amount of motor vehicle license fees received from  
17 the residents of each county, respectively, during the  
18 preceding calendar year. The Department of Transportation  
19 shall, each month, use for allotment purposes the last such  
20 report received from the Secretary of State.

21 As soon as may be after the first day of each month, the  
22 Department of Transportation shall allot to the several  
23 counties their share of the amount apportioned for the use of  
24 road districts. The allotment shall be apportioned among the  
25 several counties in the State in the proportion which the  
26 total mileage of township or district roads in the respective

1 counties bears to the total mileage of all township and  
2 district roads in the State. Funds allotted to the respective  
3 counties for the use of road districts therein shall be  
4 allocated to the several road districts in the county in the  
5 proportion which the total mileage of such township or  
6 district roads in the respective road districts bears to the  
7 total mileage of all such township or district roads in the  
8 county. After July 1 of any year prior to 2011, no allocation  
9 shall be made for any road district unless it levied a tax for  
10 road and bridge purposes in an amount which will require the  
11 extension of such tax against the taxable property in any such  
12 road district at a rate of not less than either .08% of the  
13 value thereof, based upon the assessment for the year  
14 immediately prior to the year in which such tax was levied and  
15 as equalized by the Department of Revenue or, in DuPage  
16 County, an amount equal to or greater than \$12,000 per mile of  
17 road under the jurisdiction of the road district, whichever is  
18 less. Beginning July 1, 2011 and each July 1 thereafter, an  
19 allocation shall be made for any road district if it levied a  
20 tax for road and bridge purposes. In counties other than  
21 DuPage County, if the amount of the tax levy requires the  
22 extension of the tax against the taxable property in the road  
23 district at a rate that is less than 0.08% of the value  
24 thereof, based upon the assessment for the year immediately  
25 prior to the year in which the tax was levied and as equalized  
26 by the Department of Revenue, then the amount of the

1 allocation for that road district shall be a percentage of the  
2 maximum allocation equal to the percentage obtained by  
3 dividing the rate extended by the district by 0.08%. In DuPage  
4 County, if the amount of the tax levy requires the extension of  
5 the tax against the taxable property in the road district at a  
6 rate that is less than the lesser of (i) 0.08% of the value of  
7 the taxable property in the road district, based upon the  
8 assessment for the year immediately prior to the year in which  
9 such tax was levied and as equalized by the Department of  
10 Revenue, or (ii) a rate that will yield an amount equal to  
11 \$12,000 per mile of road under the jurisdiction of the road  
12 district, then the amount of the allocation for the road  
13 district shall be a percentage of the maximum allocation equal  
14 to the percentage obtained by dividing the rate extended by  
15 the district by the lesser of (i) 0.08% or (ii) the rate that  
16 will yield an amount equal to \$12,000 per mile of road under  
17 the jurisdiction of the road district.

18 Prior to 2011, if any road district has levied a special  
19 tax for road purposes pursuant to Sections 6-601, 6-602, and  
20 6-603 of the Illinois Highway Code, and such tax was levied in  
21 an amount which would require extension at a rate of not less  
22 than .08% of the value of the taxable property thereof, as  
23 equalized or assessed by the Department of Revenue, or, in  
24 DuPage County, an amount equal to or greater than \$12,000 per  
25 mile of road under the jurisdiction of the road district,  
26 whichever is less, such levy shall, however, be deemed a

1 proper compliance with this Section and shall qualify such  
2 road district for an allotment under this Section. Beginning  
3 in 2011 and thereafter, if any road district has levied a  
4 special tax for road purposes under Sections 6-601, 6-602, and  
5 6-603 of the Illinois Highway Code, and the tax was levied in  
6 an amount that would require extension at a rate of not less  
7 than 0.08% of the value of the taxable property of that road  
8 district, as equalized or assessed by the Department of  
9 Revenue or, in DuPage County, an amount equal to or greater  
10 than \$12,000 per mile of road under the jurisdiction of the  
11 road district, whichever is less, that levy shall be deemed a  
12 proper compliance with this Section and shall qualify such  
13 road district for a full, rather than proportionate, allotment  
14 under this Section. If the levy for the special tax is less  
15 than 0.08% of the value of the taxable property, or, in DuPage  
16 County if the levy for the special tax is less than the lesser  
17 of (i) 0.08% or (ii) \$12,000 per mile of road under the  
18 jurisdiction of the road district, and if the levy for the  
19 special tax is more than any other levy for road and bridge  
20 purposes, then the levy for the special tax qualifies the road  
21 district for a proportionate, rather than full, allotment  
22 under this Section. If the levy for the special tax is equal to  
23 or less than any other levy for road and bridge purposes, then  
24 any allotment under this Section shall be determined by the  
25 other levy for road and bridge purposes.

26 Prior to 2011, if a township has transferred to the road

1 and bridge fund money which, when added to the amount of any  
2 tax levy of the road district would be the equivalent of a tax  
3 levy requiring extension at a rate of at least .08%, or, in  
4 DuPage County, an amount equal to or greater than \$12,000 per  
5 mile of road under the jurisdiction of the road district,  
6 whichever is less, such transfer, together with any such tax  
7 levy, shall be deemed a proper compliance with this Section  
8 and shall qualify the road district for an allotment under  
9 this Section.

10 In counties in which a property tax extension limitation  
11 is imposed under the Property Tax Extension Limitation Law,  
12 road districts may retain their entitlement to a motor fuel  
13 tax allotment or, beginning in 2011, their entitlement to a  
14 full allotment if, at the time the property tax extension  
15 limitation was imposed, the road district was levying a road  
16 and bridge tax at a rate sufficient to entitle it to a motor  
17 fuel tax allotment and continues to levy the maximum allowable  
18 amount after the imposition of the property tax extension  
19 limitation. Any road district may in all circumstances retain  
20 its entitlement to a motor fuel tax allotment or, beginning in  
21 2011, its entitlement to a full allotment if it levied a road  
22 and bridge tax in an amount that will require the extension of  
23 the tax against the taxable property in the road district at a  
24 rate of not less than 0.08% of the assessed value of the  
25 property, based upon the assessment for the year immediately  
26 preceding the year in which the tax was levied and as equalized

1 by the Department of Revenue or, in DuPage County, an amount  
2 equal to or greater than \$12,000 per mile of road under the  
3 jurisdiction of the road district, whichever is less.

4 As used in this Section, the term "road district" means  
5 any road district, including a county unit road district,  
6 provided for by the Illinois Highway Code; and the term  
7 "township or district road" means any road in the township and  
8 district road system as defined in the Illinois Highway Code.  
9 For the purposes of this Section, "township or district road"  
10 also includes such roads as are maintained by park districts,  
11 forest preserve districts and conservation districts. The  
12 Department of Transportation shall determine the mileage of  
13 all township and district roads for the purposes of making  
14 allotments and allocations of motor fuel tax funds for use in  
15 road districts.

16 Payment of motor fuel tax moneys to municipalities and  
17 counties shall be made as soon as possible after the allotment  
18 is made. The treasurer of the municipality or county may  
19 invest these funds until their use is required and the  
20 interest earned by these investments shall be limited to the  
21 same uses as the principal funds.

22 (Source: P.A. 101-32, eff. 6-28-19; 101-230, eff. 8-9-19;  
23 101-493, eff. 8-23-19; 102-16, eff. 6-17-21; 102-558, eff.  
24 8-20-21.)

25 Section 5-66. The Illinois Pension Code is amended by

1 changing Section 1-110.16 as follows:

2 (40 ILCS 5/1-110.16)

3 Sec. 1-110.16. Transactions prohibited by retirement  
4 systems; companies that boycott Israel, for-profit companies  
5 that contract to shelter migrant children, Iran-restricted  
6 companies, Sudan-restricted companies, and expatriated  
7 entities.

8 (a) As used in this Section:

9 "Boycott Israel" means engaging in actions that are  
10 politically motivated and are intended to penalize,  
11 inflict economic harm on, or otherwise limit commercial  
12 relations with the State of Israel or companies based in  
13 the State of Israel or in territories controlled by the  
14 State of Israel.

15 "Company" means any sole proprietorship, organization,  
16 association, corporation, partnership, joint venture,  
17 limited partnership, limited liability partnership,  
18 limited liability company, or other entity or business  
19 association, including all wholly owned subsidiaries,  
20 majority-owned subsidiaries, parent companies, or  
21 affiliates of those entities or business associations,  
22 that exist for the purpose of making profit.

23 "Contract to shelter migrant children" means entering  
24 into a contract with the federal government to shelter  
25 migrant children under the federal Unaccompanied Alien

1 Children Program or a substantially similar federal  
2 program.

3 "Illinois Investment Policy Board" means the board  
4 established under subsection (b) of this Section.

5 "Direct holdings" in a company means all publicly  
6 traded securities of that company that are held directly  
7 by the retirement system in an actively managed account or  
8 fund in which the retirement system owns all shares or  
9 interests.

10 "Expatriated entity" has the meaning ascribed to it in  
11 Section 1-15.120 of the Illinois Procurement Code.

12 "Indirect holdings" in a company means all securities  
13 of that company that are held in an account or fund, such  
14 as a mutual fund, managed by one or more persons not  
15 employed by the retirement system, in which the retirement  
16 system owns shares or interests together with other  
17 investors not subject to the provisions of this Section or  
18 that are held in an index fund.

19 "Iran-restricted company" means a company that meets  
20 the qualifications under Section 1-110.15 of this Code.

21 "Private market fund" means any private equity fund,  
22 private equity funds of funds, venture capital fund, hedge  
23 fund, hedge fund of funds, real estate fund, or other  
24 investment vehicle that is not publicly traded.

25 "Restricted companies" means companies that boycott  
26 Israel, for-profit companies that contract to shelter

1 migrant children, Iran-restricted companies,  
2 Sudan-restricted companies, and expatriated entities.

3 "Retirement system" means a retirement system  
4 established under Article 2, 14, 15, 16, or 18 of this Code  
5 or the Illinois State Board of Investment.

6 "Sudan-restricted company" means a company that meets  
7 the qualifications under Section 1-110.6 of this Code.

8 (b) There shall be established an Illinois Investment  
9 Policy Board. The Illinois Investment Policy Board shall  
10 consist of 7 members. Each board of a pension fund or  
11 investment board created under Article 15, 16, or 22A of this  
12 Code shall appoint one member, and the Governor shall appoint  
13 4 members. The Governor shall designate one member of the  
14 Board as the Chairperson.

15 (b-5) The term of office of each member appointed by the  
16 Governor, who is serving on the Board on June 30, 2022, is  
17 abolished on that date. The terms of office of members  
18 appointed by the Governor after June 30, 2022 shall be as  
19 follows: 2 initial members shall be appointed for terms of 2  
20 years, and 2 initial members shall be appointed for terms of 4  
21 years. Thereafter, the members appointed by the Governor shall  
22 hold office for 4 years, except that any member chosen to fill  
23 a vacancy occurring otherwise than by expiration of a term  
24 shall be appointed only for the unexpired term of the member  
25 whom he or she shall succeed. Board members may be  
26 reappointed. The Governor may remove a Governor's appointee to

1 the Board for incompetence, neglect of duty, malfeasance, or  
2 inability to serve.

3 (c) Notwithstanding any provision of law to the contrary,  
4 beginning January 1, 2016, Sections 110.15 and 1-110.6 of this  
5 Code shall be administered in accordance with this Section.

6 (d) By April 1, 2016, the Illinois Investment Policy Board  
7 shall make its best efforts to identify all Iran-restricted  
8 companies, Sudan-restricted companies, and companies that  
9 boycott Israel and assemble those identified companies into a  
10 list of restricted companies, to be distributed to each  
11 retirement system.

12 These efforts shall include the following, as appropriate  
13 in the Illinois Investment Policy Board's judgment:

14 (1) reviewing and relying on publicly available  
15 information regarding Iran-restricted companies,  
16 Sudan-restricted companies, and companies that boycott  
17 Israel, including information provided by nonprofit  
18 organizations, research firms, and government entities;

19 (2) contacting asset managers contracted by the  
20 retirement systems that invest in Iran-restricted  
21 companies, Sudan-restricted companies, and companies that  
22 boycott Israel;

23 (3) contacting other institutional investors that have  
24 divested from or engaged with Iran-restricted companies,  
25 Sudan-restricted companies, and companies that boycott  
26 Israel; and

1           (4) retaining an independent research firm to identify  
2           Iran-restricted companies, Sudan-restricted companies,  
3           and companies that boycott Israel.

4           The Illinois Investment Policy Board shall review the list  
5           of restricted companies on a quarterly basis based on evolving  
6           information from, among other sources, those listed in this  
7           subsection (d) and distribute any updates to the list of  
8           restricted companies to the retirement systems and the State  
9           Treasurer.

10          By April 1, 2018, the Illinois Investment Policy Board  
11          shall make its best efforts to identify all expatriated  
12          entities and include those companies in the list of restricted  
13          companies distributed to each retirement system and the State  
14          Treasurer. These efforts shall include the following, as  
15          appropriate in the Illinois Investment Policy Board's  
16          judgment:

17               (1) reviewing and relying on publicly available  
18               information regarding expatriated entities, including  
19               information provided by nonprofit organizations, research  
20               firms, and government entities;

21               (2) contacting asset managers contracted by the  
22               retirement systems that invest in expatriated entities;

23               (3) contacting other institutional investors that have  
24               divested from or engaged with expatriated entities; and

25               (4) retaining an independent research firm to identify  
26               expatriated entities.

1           By July 1, 2022, the Illinois Investment Policy Board  
2 shall make its best efforts to identify all for-profit  
3 companies that contract to shelter migrant children and  
4 include those companies in the list of restricted companies  
5 distributed to each retirement system. These efforts shall  
6 include the following, as appropriate in the Illinois  
7 Investment Policy Board's judgment:

8           (1) reviewing and relying on publicly available  
9 information regarding for-profit companies that contract  
10 to shelter migrant children, including information  
11 provided by nonprofit organizations, research firms, and  
12 government entities;

13           (2) contacting asset managers contracted by the  
14 retirement systems that invest in for-profit companies  
15 that contract to shelter migrant children;

16           (3) contacting other institutional investors that have  
17 divested from or engaged with for-profit companies that  
18 contract to shelter migrant children; and

19           (4) retaining an independent research firm to identify  
20 for-profit companies that contract to shelter migrant  
21 children.

22           (e) The Illinois Investment Policy Board shall adhere to  
23 the following procedures for companies on the list of  
24 restricted companies:

25           (1) For each company newly identified in subsection  
26 (d), the Illinois Investment Policy Board shall send a

1 written notice informing the company of its status and  
2 that it may become subject to divestment or shareholder  
3 activism by the retirement systems.

4 (2) If, following the Illinois Investment Policy  
5 Board's engagement pursuant to this subsection (e) with a  
6 restricted company, that company ceases activity that  
7 designates the company to be an Iran-restricted company, a  
8 Sudan-restricted company, a company that boycotts Israel,  
9 an expatriated entity, or a for-profit company that  
10 contracts to shelter migrant children, the company shall  
11 be removed from the list of restricted companies and the  
12 provisions of this Section shall cease to apply to it  
13 unless it resumes such activities.

14 (f) Except as provided in subsection (f-1) of this Section  
15 the retirement system shall adhere to the following procedures  
16 for companies on the list of restricted companies:

17 (1) The retirement system shall identify those  
18 companies on the list of restricted companies in which the  
19 retirement system owns direct holdings and indirect  
20 holdings.

21 (2) The retirement system shall instruct its  
22 investment advisors to sell, redeem, divest, or withdraw  
23 all direct holdings of restricted companies from the  
24 retirement system's assets under management in an orderly  
25 and fiduciarily responsible manner within 12 months after  
26 the company's most recent appearance on the list of

1 restricted companies.

2 (3) The retirement system may not acquire securities  
3 of restricted companies.

4 (4) The provisions of this subsection (f) do not apply  
5 to the retirement system's indirect holdings or private  
6 market funds. The Illinois Investment Policy Board shall  
7 submit letters to the managers of those investment funds  
8 containing restricted companies requesting that they  
9 consider removing the companies from the fund or create a  
10 similar actively managed fund having indirect holdings  
11 devoid of the companies. If the manager creates a similar  
12 fund, the retirement system shall replace all applicable  
13 investments with investments in the similar fund in an  
14 expedited timeframe consistent with prudent investing  
15 standards.

16 (f-1) The retirement system shall adhere to the following  
17 procedures for restricted companies that are expatriated  
18 entities or for-profit companies that contract to shelter  
19 migrant children:

20 (1) To the extent that the retirement system believes  
21 that shareholder activism would be more impactful than  
22 divestment, the retirement system shall have the authority  
23 to engage with a restricted company prior to divesting.

24 (2) Subject to any applicable State or Federal laws,  
25 methods of shareholder activism utilized by the retirement  
26 system may include, but are not limited to, bringing

1           shareholder resolutions and proxy voting on shareholder  
2           resolutions.

3           (3) The retirement system shall report on its  
4           shareholder activism and the outcome of such efforts to  
5           the Illinois Investment Policy Board by April 1 of each  
6           year.

7           (4) If the engagement efforts of the retirement system  
8           are unsuccessful, then it shall adhere to the procedures  
9           under subsection (f) of this Section.

10          (g) Upon request, and by April 1 of each year, each  
11          retirement system shall provide the Illinois Investment Policy  
12          Board with information regarding investments sold, redeemed,  
13          divested, or withdrawn in compliance with this Section.

14          (h) Notwithstanding any provision of this Section to the  
15          contrary, a retirement system may cease divesting from  
16          companies pursuant to subsection (f) if clear and convincing  
17          evidence shows that the value of investments in such companies  
18          becomes equal to or less than 0.5% of the market value of all  
19          assets under management by the retirement system. For any  
20          cessation of divestment authorized by this subsection (h), the  
21          retirement system shall provide a written notice to the  
22          Illinois Investment Policy Board in advance of the cessation  
23          of divestment, setting forth the reasons and justification,  
24          supported by clear and convincing evidence, for its decision  
25          to cease divestment under subsection (f).

26          (i) The cost associated with the activities of the

1 Illinois Investment Policy Board shall be borne by the boards  
2 of each pension fund or investment board created under Article  
3 15, 16, or 22A of this Code.

4 (j) With respect to actions taken in compliance with this  
5 Section, including all good-faith determinations regarding  
6 companies as required by this Section, the retirement system  
7 and Illinois Investment Policy Board are exempt from any  
8 conflicting statutory or common law obligations, including any  
9 fiduciary duties under this Article and any obligations with  
10 respect to choice of asset managers, investment funds, or  
11 investments for the retirement system's securities portfolios.

12 (k) It is not the intent of the General Assembly in  
13 enacting this amendatory Act of the 99th General Assembly to  
14 cause divestiture from any company based in the United States  
15 of America. The Illinois Investment Policy Board shall  
16 consider this intent when developing or reviewing the list of  
17 restricted companies.

18 (l) If any provision of this amendatory Act of the 99th  
19 General Assembly or its application to any person or  
20 circumstance is held invalid, the invalidity of that provision  
21 or application does not affect other provisions or  
22 applications of this amendatory Act of the 99th General  
23 Assembly that can be given effect without the invalid  
24 provision or application.

25 If any provision of Public Act 100-551 or its application  
26 to any person or circumstance is held invalid, the invalidity

1 of that provision or application does not affect other  
2 provisions or applications of Public Act 100-551 that can be  
3 given effect without the invalid provision or application.

4 If any provision of this amendatory Act of the 102nd  
5 General Assembly or its application to any person or  
6 circumstance is held invalid, the invalidity of that provision  
7 or application does not affect other provisions or  
8 applications of this amendatory Act of the 102nd General  
9 Assembly that can be given effect without the invalid  
10 provision or application.

11 (Source: P.A. 102-118, eff. 7-23-21.)

12 Section 5-67. The Law Enforcement Camera Grant Act is  
13 amended by changing Section 5 as follows:

14 (50 ILCS 707/5)

15 Sec. 5. Definitions. As used in this Act:

16 "Board" means the Illinois Law Enforcement Training  
17 Standards Board created by the Illinois Police Training Act.

18 "In-car video camera" means a video camera located in a  
19 law enforcement patrol vehicle.

20 "In-car video camera recording equipment" means a video  
21 camera recording system located in a law enforcement patrol  
22 vehicle consisting of a camera assembly, recording mechanism,  
23 and an in-car video recording medium.

24 "In uniform" means a law enforcement officer who is

1 wearing any officially authorized uniform designated by a law  
2 enforcement agency, or a law enforcement officer who is  
3 visibly wearing articles of clothing, badge, tactical gear,  
4 gun belt, a patch, or other insignia indicating that he or she  
5 is a law enforcement officer acting in the course of his or her  
6 duties.

7 "Law enforcement officer" or "officer" means any person  
8 employed by a unit of local government ~~county, municipality,~~  
9 ~~township,~~ or an Illinois public university as a policeman,  
10 peace officer or in some like position involving the  
11 enforcement of the law and protection of the public interest  
12 at the risk of that person's life.

13 "Officer-worn body camera" means an electronic camera  
14 system for creating, generating, sending, receiving, storing,  
15 displaying, and processing audiovisual recordings that may be  
16 worn about the person of a law enforcement officer.

17 "Recording" means the process of capturing data or  
18 information stored on a recording medium as required under  
19 this Act.

20 "Recording medium" means any recording medium authorized  
21 by the Board for the retention and playback of recorded audio  
22 and video including, but not limited to, VHS, DVD, hard drive,  
23 cloud storage, solid state, digital, flash memory technology,  
24 or any other electronic medium.

25 "Unit of local government" has the meaning ascribed to it  
26 in Section 1 of Article VII of the Illinois Constitution.

1 (Source: P.A. 102-16, eff. 6-17-21.)

2 Section 5-69. The Illinois Municipal Code is amended by  
3 changing Sections 8-3-14b and 8-3-14c as follows:

4 (65 ILCS 5/8-3-14b)

5 (Section scheduled to be repealed on January 1, 2023)

6 Sec. 8-3-14b. Municipal hotel operators' tax in DuPage  
7 County. For any municipality located within DuPage County that  
8 belongs to a not-for-profit organization headquartered in  
9 DuPage County that is recognized by the Department of Commerce  
10 and Economic Opportunity as a certified local tourism and  
11 convention bureau entitled to receive State tourism grant  
12 funds, not less than 75% of the amounts collected pursuant to  
13 Section 8-3-14 shall be expended by the municipality to  
14 promote tourism and conventions within that municipality or  
15 otherwise to attract nonresident overnight visitors to the  
16 municipality, and the remainder of the amounts collected by a  
17 municipality within DuPage County pursuant to Section 8-3-14  
18 may be expended by the municipality for economic development  
19 or capital infrastructure.

20 This Section is repealed on January 1, 2025 ~~January 1,~~  
21 ~~2023~~.

22 (Source: P.A. 101-204, eff. 8-2-19.)

23 (65 ILCS 5/8-3-14c)

1 (Section scheduled to be repealed on January 1, 2023)

2 Sec. 8-3-14c. Municipal hotel use tax in DuPage County.  
3 For any municipality located within DuPage County that belongs  
4 to a not-for-profit organization headquartered in DuPage  
5 County that is recognized by the Department of Commerce and  
6 Economic Opportunity as a certified local tourism and  
7 convention bureau entitled to receive State tourism grant  
8 funds, not less than 75% of the amounts collected pursuant to  
9 Section 8-3-14a shall be expended by the municipality to  
10 promote tourism and conventions within that municipality or  
11 otherwise to attract nonresident overnight visitors to the  
12 municipality, and the remainder of the amounts collected by a  
13 municipality within DuPage County pursuant to Section 8-3-14a  
14 may be expended by the municipality for economic development  
15 or capital infrastructure.

16 This Section is repealed on January 1, 2025 ~~January 1,~~  
17 ~~2023~~.

18 (Source: P.A. 101-204, eff. 8-2-19.)

19 Section 5-70. The Metropolitan Pier and Exposition  
20 Authority Act is amended by changing Sections 5 and 14 as  
21 follows:

22 (70 ILCS 210/5) (from Ch. 85, par. 1225)

23 Sec. 5. The Metropolitan Pier and Exposition Authority  
24 shall also have the following rights and powers:

1           (a) To accept from Chicago Park Fair, a corporation,  
2           an assignment of whatever sums of money it may have  
3           received from the Fair and Exposition Fund, allocated by  
4           the Department of Agriculture of the State of Illinois,  
5           and Chicago Park Fair is hereby authorized to assign, set  
6           over and transfer any of those funds to the Metropolitan  
7           Pier and Exposition Authority. The Authority has the right  
8           and power hereafter to receive sums as may be distributed  
9           to it by the Department of Agriculture of the State of  
10          Illinois from the Fair and Exposition Fund pursuant to the  
11          provisions of Sections 5, 6i, and 28 of the State Finance  
12          Act. All sums received by the Authority shall be held in  
13          the sole custody of the secretary-treasurer of the  
14          Metropolitan Pier and Exposition Board.

15          (b) To accept the assignment of, assume and execute  
16          any contracts heretofore entered into by Chicago Park  
17          Fair.

18          (c) To acquire, own, construct, equip, lease, operate  
19          and maintain grounds, buildings and facilities to carry  
20          out its corporate purposes and duties, and to carry out or  
21          otherwise provide for the recreational, cultural,  
22          commercial or residential development of Navy Pier, and to  
23          fix and collect just, reasonable and nondiscriminatory  
24          charges for the use thereof. The charges so collected  
25          shall be made available to defray the reasonable expenses  
26          of the Authority and to pay the principal of and the

1 interest upon any revenue bonds issued by the Authority.  
2 The Authority shall be subject to and comply with the Lake  
3 Michigan and Chicago Lakefront Protection Ordinance, the  
4 Chicago Building Code, the Chicago Zoning Ordinance, and  
5 all ordinances and regulations of the City of Chicago  
6 contained in the following Titles of the Municipal Code of  
7 Chicago: Businesses, Occupations and Consumer Protection;  
8 Health and Safety; Fire Prevention; Public Peace, Morals  
9 and Welfare; Utilities and Environmental Protection;  
10 Streets, Public Ways, Parks, Airports and Harbors;  
11 Electrical Equipment and Installation; Housing and  
12 Economic Development (only Chapter 5-4 thereof); and  
13 Revenue and Finance (only so far as such Title pertains to  
14 the Authority's duty to collect taxes on behalf of the  
15 City of Chicago).

16 (d) To enter into contracts treating in any manner  
17 with the objects and purposes of this Act.

18 (e) To lease any buildings to the Adjutant General of  
19 the State of Illinois for the use of the Illinois National  
20 Guard or the Illinois Naval Militia.

21 (f) To exercise the right of eminent domain by  
22 condemnation proceedings in the manner provided by the  
23 Eminent Domain Act, including, with respect to Site B  
24 only, the authority to exercise quick take condemnation by  
25 immediate vesting of title under Article 20 of the Eminent  
26 Domain Act, to acquire any privately owned real or

1 personal property and, with respect to Site B only, public  
2 property used for rail transportation purposes (but no  
3 such taking of such public property shall, in the  
4 reasonable judgment of the owner, interfere with such rail  
5 transportation) for the lawful purposes of the Authority  
6 in Site A, at Navy Pier, and at Site B. Just compensation  
7 for property taken or acquired under this paragraph shall  
8 be paid in money or, notwithstanding any other provision  
9 of this Act and with the agreement of the owner of the  
10 property to be taken or acquired, the Authority may convey  
11 substitute property or interests in property or enter into  
12 agreements with the property owner, including leases,  
13 licenses, or concessions, with respect to any property  
14 owned by the Authority, or may provide for other lawful  
15 forms of just compensation to the owner. Any property  
16 acquired in condemnation proceedings shall be used only as  
17 provided in this Act. Except as otherwise provided by law,  
18 the City of Chicago shall have a right of first refusal  
19 prior to any sale of any such property by the Authority to  
20 a third party other than substitute property. The  
21 Authority shall develop and implement a relocation plan  
22 for businesses displaced as a result of the Authority's  
23 acquisition of property. The relocation plan shall be  
24 substantially similar to provisions of the Uniform  
25 Relocation Assistance and Real Property Acquisition Act  
26 and regulations promulgated under that Act relating to

1 assistance to displaced businesses. To implement the  
2 relocation plan the Authority may acquire property by  
3 purchase or gift or may exercise the powers authorized in  
4 this subsection (f), except the immediate vesting of title  
5 under Article 20 of the Eminent Domain Act, to acquire  
6 substitute private property within one mile of Site B for  
7 the benefit of displaced businesses located on property  
8 being acquired by the Authority. However, no such  
9 substitute property may be acquired by the Authority  
10 unless the mayor of the municipality in which the property  
11 is located certifies in writing that the acquisition is  
12 consistent with the municipality's land use and economic  
13 development policies and goals. The acquisition of  
14 substitute property is declared to be for public use. In  
15 exercising the powers authorized in this subsection (f),  
16 the Authority shall use its best efforts to relocate  
17 businesses within the area of McCormick Place or, failing  
18 that, within the City of Chicago.

19 (g) To enter into contracts relating to construction  
20 projects which provide for the delivery by the contractor  
21 of a completed project, structure, improvement, or  
22 specific portion thereof, for a fixed maximum price, which  
23 contract may provide that the delivery of the project,  
24 structure, improvement, or specific portion thereof, for  
25 the fixed maximum price is insured or guaranteed by a  
26 third party capable of completing the construction.

1           (h) To enter into agreements with any person with  
2           respect to the use and occupancy of the grounds,  
3           buildings, and facilities of the Authority, including  
4           concession, license, and lease agreements on terms and  
5           conditions as the Authority determines. Notwithstanding  
6           Section 24, agreements with respect to the use and  
7           occupancy of the grounds, buildings, and facilities of the  
8           Authority for a term of more than one year shall be entered  
9           into in accordance with the procurement process provided  
10          for in Section 25.1.

11          (i) To enter into agreements with any person with  
12          respect to the operation and management of the grounds,  
13          buildings, and facilities of the Authority or the  
14          provision of goods and services on terms and conditions as  
15          the Authority determines.

16          (j) After conducting the procurement process provided  
17          for in Section 25.1, to enter into one or more contracts to  
18          provide for the design and construction of all or part of  
19          the Authority's Expansion Project grounds, buildings, and  
20          facilities. Any contract for design and construction of  
21          the Expansion Project shall be in the form authorized by  
22          subsection (g), shall be for a fixed maximum price not in  
23          excess of the funds that are authorized to be made  
24          available for those purposes during the term of the  
25          contract, and shall be entered into before commencement of  
26          construction.

1           (k) To enter into agreements, including project  
2 agreements with labor unions, that the Authority deems  
3 necessary to complete the Expansion Project or any other  
4 construction or improvement project in the most timely and  
5 efficient manner and without strikes, picketing, or other  
6 actions that might cause disruption or delay and thereby  
7 add to the cost of the project.

8           (l) To provide incentives to organizations and  
9 entities that agree to make use of the grounds, buildings,  
10 and facilities of the Authority for conventions, meetings,  
11 or trade shows. The incentives may take the form of  
12 discounts from regular fees charged by the Authority,  
13 subsidies for or assumption of the costs incurred with  
14 respect to the convention, meeting, or trade show, or  
15 other inducements. The Authority shall award incentives to  
16 attract or retain conventions, meetings, and trade shows  
17 under the terms set forth in this subsection (l) from  
18 amounts appropriated to the Authority from the  
19 Metropolitan Pier and Exposition Authority Incentive Fund  
20 for this purpose.

21           No later than May 15 of each year, the Chief Executive  
22 Officer of the Metropolitan Pier and Exposition Authority  
23 shall certify to the State Comptroller and the State  
24 Treasurer the amounts of incentive grant funds used during  
25 the current fiscal year to provide incentives for  
26 conventions, meetings, or trade shows that:

1           (i) have been approved by the Authority, in  
2           consultation with an organization meeting the  
3           qualifications set out in Section 5.6 of this Act,  
4           provided the Authority has entered into a marketing  
5           agreement with such an organization,

6           (ii) (A) for fiscal years prior to 2022 and after  
7           2024, demonstrate registered attendance in excess of  
8           5,000 individuals or in excess of 10,000 individuals,  
9           as appropriate;

10          (B) for fiscal years 2022 through 2024,  
11          demonstrate registered attendance in excess of 3,000  
12          individuals or in excess of 5,000 individuals, as  
13          appropriate; or

14          (C) for fiscal years 2022 and 2023, regardless of  
15          registered attendance, demonstrate incurrence of costs  
16          associated with mitigation of COVID-19, including, but  
17          not limited to, costs for testing and screening,  
18          contact tracing and notification, personal protective  
19          equipment, and other physical and organizational  
20          costs, and

21          (iii) in the case of subparagraphs (A) and (B) of  
22          paragraph (ii), but for the incentive, would not have  
23          used the facilities of the Authority for the  
24          convention, meeting, or trade show. The State  
25          Comptroller may request that the Auditor General  
26          conduct an audit of the accuracy of the certification.

1           If the State Comptroller determines by this process of  
2           certification that incentive funds, in whole or in  
3           part, were disbursed by the Authority by means other  
4           than in accordance with the standards of this  
5           subsection (1), then any amount transferred to the  
6           Metropolitan Pier and Exposition Authority Incentive  
7           Fund shall be reduced during the next subsequent  
8           transfer in direct proportion to that amount  
9           determined to be in violation of the terms set forth in  
10          this subsection (1).

11          On July 15, 2012, the Comptroller shall order  
12          transferred, and the Treasurer shall transfer, into the  
13          Metropolitan Pier and Exposition Authority Incentive Fund  
14          from the General Revenue Fund the sum of \$7,500,000 plus  
15          an amount equal to the incentive grant funds certified by  
16          the Chief Executive Officer as having been lawfully paid  
17          under the provisions of this Section in the previous 2  
18          fiscal years that have not otherwise been transferred into  
19          the Metropolitan Pier and Exposition Authority Incentive  
20          Fund, provided that transfers in excess of \$15,000,000  
21          shall not be made in any fiscal year.

22          On July 15, 2013, the Comptroller shall order  
23          transferred, and the Treasurer shall transfer, into the  
24          Metropolitan Pier and Exposition Authority Incentive Fund  
25          from the General Revenue Fund the sum of \$7,500,000 plus  
26          an amount equal to the incentive grant funds certified by

1 the Chief Executive Officer as having been lawfully paid  
2 under the provisions of this Section in the previous  
3 fiscal year that have not otherwise been transferred into  
4 the Metropolitan Pier and Exposition Authority Incentive  
5 Fund, provided that transfers in excess of \$15,000,000  
6 shall not be made in any fiscal year.

7 On July 15, 2014, and every year thereafter, the  
8 Comptroller shall order transferred, and the Treasurer  
9 shall transfer, into the Metropolitan Pier and Exposition  
10 Authority Incentive Fund from the General Revenue Fund an  
11 amount equal to the incentive grant funds certified by the  
12 Chief Executive Officer as having been lawfully paid under  
13 the provisions of this Section in the previous fiscal year  
14 that have not otherwise been transferred into the  
15 Metropolitan Pier and Exposition Authority Incentive Fund,  
16 provided that (1) no transfers with respect to any  
17 previous fiscal year shall be made after the transfer has  
18 been made with respect to the 2017 fiscal year until the  
19 transfer that is made for the 2022 fiscal year and  
20 thereafter, and no transfers with respect to any previous  
21 fiscal year shall be made after the transfer has been made  
22 with respect to the 2026 fiscal year, and (2) transfers in  
23 excess of \$15,000,000 shall not be made in any fiscal  
24 year.

25 After a transfer has been made under this subsection  
26 (1), the Chief Executive Officer shall file a request for

1 payment with the Comptroller evidencing that the incentive  
2 grants have been made and the Comptroller shall thereafter  
3 order paid, and the Treasurer shall pay, the requested  
4 amounts to the Metropolitan Pier and Exposition Authority.

5 Excluding any amounts related to the payment of costs  
6 associated with the mitigation of COVID-19 in accordance  
7 with this subsection (1), in no case shall more than  
8 \$5,000,000 be used in any one year by the Authority for  
9 incentives granted conventions, meetings, or trade shows  
10 with a registered attendance of (1) more than 5,000 and  
11 less than 10,000 prior to the 2022 fiscal year and after  
12 the 2024 fiscal year and (2) more than 3,000 and less than  
13 5,000 for fiscal years 2022 through 2024. Amounts in the  
14 Metropolitan Pier and Exposition Authority Incentive Fund  
15 shall only be used by the Authority for incentives paid to  
16 attract or retain conventions, meetings, and trade shows  
17 as provided in this subsection (1).

18 (1-5) The Village of Rosemont shall provide incentives  
19 from amounts transferred into the Convention Center  
20 Support Fund to retain and attract conventions, meetings,  
21 or trade shows to the Donald E. Stephens Convention Center  
22 under the terms set forth in this subsection (1-5).

23 No later than May 15 of each year, the Mayor of the  
24 Village of Rosemont or his or her designee shall certify  
25 to the State Comptroller and the State Treasurer the  
26 amounts of incentive grant funds used during the previous

1 fiscal year to provide incentives for conventions,  
2 meetings, or trade shows that (1) have been approved by  
3 the Village, (2) demonstrate registered attendance in  
4 excess of 5,000 individuals, and (3) but for the  
5 incentive, would not have used the Donald E. Stephens  
6 Convention Center facilities for the convention, meeting,  
7 or trade show. The State Comptroller may request that the  
8 Auditor General conduct an audit of the accuracy of the  
9 certification.

10 If the State Comptroller determines by this process of  
11 certification that incentive funds, in whole or in part,  
12 were disbursed by the Village by means other than in  
13 accordance with the standards of this subsection (1-5),  
14 then the amount transferred to the Convention Center  
15 Support Fund shall be reduced during the next subsequent  
16 transfer in direct proportion to that amount determined to  
17 be in violation of the terms set forth in this subsection  
18 (1-5).

19 On July 15, 2012, and each year thereafter, the  
20 Comptroller shall order transferred, and the Treasurer  
21 shall transfer, into the Convention Center Support Fund  
22 from the General Revenue Fund the amount of \$5,000,000 for  
23 (i) incentives to attract large conventions, meetings, and  
24 trade shows to the Donald E. Stephens Convention Center,  
25 and (ii) to be used by the Village of Rosemont for the  
26 repair, maintenance, and improvement of the Donald E.

1 Stephens Convention Center and for debt service on debt  
2 instruments issued for those purposes by the village. No  
3 later than 30 days after the transfer, the Comptroller  
4 shall order paid, and the Treasurer shall pay, to the  
5 Village of Rosemont the amounts transferred.

6 (m) To enter into contracts with any person conveying  
7 the naming rights or other intellectual property rights  
8 with respect to the grounds, buildings, and facilities of  
9 the Authority.

10 (n) To enter into grant agreements with the Chicago  
11 Convention and Tourism Bureau providing for the marketing  
12 of the convention facilities to large and small  
13 conventions, meetings, and trade shows and the promotion  
14 of the travel industry in the City of Chicago, provided  
15 such agreements meet the requirements of Section 5.6 of  
16 this Act. Receipts of the Authority from the increase in  
17 the airport departure tax authorized in subsection (f) of  
18 Section 13 of this Act by Public Act 96-898 ~~by Section~~  
19 ~~13(f) of this amendatory Act of the 96th General Assembly~~  
20 and, subject to appropriation to the Authority, funds  
21 deposited in the Chicago Travel Industry Promotion Fund  
22 pursuant to Section 6 of the Hotel Operators' Occupation  
23 Tax Act shall be granted to the Bureau for such purposes.

24 For Fiscal Year 2023 only, the Department of Commerce  
25 and Economic Opportunity shall enter into the grant  
26 agreements described in this subsection in place of the

1 Authority. The grant agreements entered into by the  
2 Department and the Bureau under this subsection are not  
3 subject to the matching funds requirements or the other  
4 terms and conditions of Section 605-705 of the Department  
5 of Commerce and Economic Opportunity Law of the Civil  
6 Administrative Code of Illinois. Subject to appropriation,  
7 funds transferred into the Chicago Travel Industry  
8 Promotion Fund pursuant to subsection (f) of Section  
9 6z-121 of the State Finance Act shall be granted to the  
10 Bureau for the purposes described in this subsection. The  
11 Department shall have authority to make expenditures from  
12 the Chicago Travel Industry Promotion Fund solely for the  
13 purpose of providing grants to the Bureau.

14 (Source: P.A. 102-16, eff. 6-17-21.)

15 (70 ILCS 210/14) (from Ch. 85, par. 1234)

16 Sec. 14. Board; compensation. The governing and  
17 administrative body of the Authority shall be a board known as  
18 the Metropolitan Pier and Exposition Board. On the effective  
19 date of this amendatory Act of the 96th General Assembly, the  
20 Trustee shall assume the duties and powers of the Board for a  
21 period of 18 months or until the Board is fully constituted,  
22 whichever is later. Any action requiring Board approval shall  
23 be deemed approved by the Board if the Trustee approves the  
24 action in accordance with Section 14.5. Beginning the first  
25 Monday of the month occurring 18 months after the effective

1 date of this amendatory Act of the 96th General Assembly, the  
2 Board shall consist of 9 members. The Governor shall appoint 4  
3 members to the Board, subject to the advice and consent of the  
4 Senate. The Mayor shall appoint 4 members to the Board. At  
5 least one member of the Board shall represent the interests of  
6 labor and at least one member of the Board shall represent the  
7 interests of the convention industry. A majority of the  
8 members appointed by the Governor and Mayor shall appoint a  
9 ninth member to serve as the chairperson. The Board shall be  
10 fully constituted when a quorum has been appointed. The  
11 members of the board shall be individuals of generally  
12 recognized ability and integrity. No member of the Board may  
13 be (i) an officer or employee of, or a member of a board,  
14 commission or authority of, the State, any unit of local  
15 government or any school district or (ii) a person who served  
16 on the Board prior to the effective date of this amendatory Act  
17 of the 96th General Assembly.

18 Of the initial members appointed by the Governor, one  
19 shall serve for a term expiring June 1, 2013, one shall serve  
20 for a term expiring June 1, 2014, one shall serve for a term  
21 expiring June 1, 2015, and one shall serve for a term expiring  
22 June 1, 2016, as determined by the Governor. Of the initial  
23 members appointed by the Mayor, one shall serve for a term  
24 expiring June 1, 2013, one shall serve for a term expiring June  
25 1, 2014, one shall serve for a term expiring June 1, 2015, and  
26 one shall serve for a term expiring June 1, 2016, as determined

1 by the Mayor. The initial chairperson appointed by the Board  
2 shall serve a term for a term expiring June 1, 2015. Successors  
3 shall be appointed to 4-year terms. ~~No person may be appointed~~  
4 ~~to more than 3 terms.~~

5 Members of the Board shall serve without compensation, but  
6 shall be reimbursed for actual expenses incurred by them in  
7 the performance of their duties. All members of the Board and  
8 employees of the Authority are subject to the Illinois  
9 Governmental Ethics Act, in accordance with its terms.

10 (Source: P.A. 100-1116, eff. 11-28-18.)

11 Section 5-73. The Joliet Arsenal Development Authority Act  
12 is amended by changing Section 55 as follows:

13 (70 ILCS 508/55)

14 Sec. 55. Abolition of Authority. The Authority shall be  
15 abolished upon the last to occur of the following: (1)  
16 expiration of the 30-year ~~25-year~~ period that begins on the  
17 effective date of this Act; or (2) one year after all revenue  
18 bonds, notes, and other evidences of indebtedness of the  
19 Authority have been fully paid and discharged or otherwise  
20 provided for. Upon the abolition of the Authority, all of its  
21 rights and property shall pass to and be vested in the State.

22 (Source: P.A. 96-1122, eff. 7-20-10.)

23 Section 5-75. The School Code is amended by changing

1 Sections 2-3.33, 2-3.192, and 18-8.15 as follows:

2 (105 ILCS 5/2-3.33) (from Ch. 122, par. 2-3.33)

3 Sec. 2-3.33. Recomputation of claims. To recompute within  
4 3 years from the final date for filing of a claim any claim for  
5 general State aid reimbursement to any school district ~~and one~~  
6 ~~year from the final date for filing of a claim for~~  
7 ~~evidence based funding if the claim has been found to be~~  
8 ~~incorrect and to adjust subsequent claims accordingly,~~ and to  
9 recompute and adjust any such claims within 6 years from the  
10 final date for filing when there has been an adverse court or  
11 administrative agency decision on the merits affecting the tax  
12 revenues of the school district. However, no such adjustment  
13 shall be made regarding equalized assessed valuation unless  
14 the district's equalized assessed valuation is changed by  
15 greater than \$250,000 or 2%. Any adjustments for claims  
16 recomputed for the 2016-2017 school year and prior school  
17 years shall be applied to the apportionment of evidence-based  
18 funding in Section 18-8.15 of this Code beginning in the  
19 2017-2018 school year and thereafter. However, the  
20 recomputation of a claim for evidence-based funding for a  
21 school district shall not require the recomputation of claims  
22 for all districts, and the State Board of Education shall only  
23 make recomputations of evidence-based funding for those  
24 districts where an adjustment is required. The State Board is  
25 authorized to and shall apply corrections to data used in

1 evidence-based funding calculations that may result in current  
2 year adjustments and shall recover funds previously scheduled  
3 to be distributed or previously distributed to an  
4 Organizational Unit or specially funded unit during a fiscal  
5 year in accordance with Section 18-8.15 of this Code.

6 Except in the case of an adverse court or administrative  
7 agency decision, no recomputation of a State aid claim shall  
8 be made pursuant to this Section as a result of a reduction in  
9 the assessed valuation of a school district from the assessed  
10 valuation of the district reported to the State Board of  
11 Education by the Department of Revenue under Section 18-8.05  
12 or 18-8.15 of this Code unless the requirements of Section  
13 16-15 of the Property Tax Code and Section 2-3.84 of this Code  
14 are complied with in all respects.

15 This paragraph applies to all requests for recomputation  
16 of a general State aid or evidence-based funding claim  
17 received after June 30, 2003. In recomputing a general State  
18 aid or evidence-based funding claim that was originally  
19 calculated using an extension limitation equalized assessed  
20 valuation under paragraph (3) of subsection (G) of Section  
21 18-8.05 of this Code or Section 18-8.15 of this Code, a  
22 qualifying reduction in equalized assessed valuation shall be  
23 deducted from the extension limitation equalized assessed  
24 valuation that was used in calculating the original claim.

25 From the total amount of general State aid or  
26 evidence-based funding to be provided to districts,

1 adjustments as a result of recomputation under this Section  
2 together with adjustments under Section 2-3.84 must not exceed  
3 \$25 million, in the aggregate for all districts under both  
4 Sections combined, of the general State aid or evidence-based  
5 funding appropriation in any fiscal year; if necessary,  
6 amounts shall be prorated among districts. If it is necessary  
7 to prorate claims under this paragraph, then that portion of  
8 each prorated claim that is approved but not paid in the  
9 current fiscal year may be resubmitted as a valid claim in the  
10 following fiscal year.

11 (Source: P.A. 100-465, eff. 8-31-17.)

12 (105 ILCS 5/2-3.192 new)

13 Sec. 2-3.192. Significant loss grant program. Subject to  
14 specific State appropriation, the State Board shall make  
15 Significant Loss Grants available to school districts that  
16 meet all of the following requirements:

17 (1) The district has been affected by a recent  
18 substantial loss of contributions from a single taxpayer  
19 that resulted in either a significant loss of the overall  
20 district Equalized Assessed Value or a significant loss in  
21 property tax revenue from January 1, 2018 through the  
22 effective date of this amendatory Act of the 102nd General  
23 Assembly.

24 (2) The district's total equalized assessed value is  
25 significantly derived from a single taxpayer.

1           (3) The district's administrative office is located in  
2           a county with less than 30,000 inhabitants.

3           (4) The district has a total student enrollment of  
4           less than 500 students as published on the most recent  
5           Illinois School Report Card.

6           (5) The district has a low income concentration of at  
7           least 45% as published on the most recent Illinois School  
8           Report Card.

9           The Professional Review Panel shall make recommendations  
10          to the State Board regarding grant eligibility and  
11          allocations. The State Board shall determine grant eligibility  
12          and allocations. This Section is repealed on July 1, 2023.

13           (105 ILCS 5/18-8.15)

14           Sec. 18-8.15. Evidence-Based Funding for student success  
15           for the 2017-2018 and subsequent school years.

16           (a) General provisions.

17           (1) The purpose of this Section is to ensure that, by  
18           June 30, 2027 and beyond, this State has a kindergarten  
19           through grade 12 public education system with the capacity  
20           to ensure the educational development of all persons to  
21           the limits of their capacities in accordance with Section  
22           1 of Article X of the Constitution of the State of  
23           Illinois. To accomplish that objective, this Section  
24           creates a method of funding public education that is  
25           evidence-based; is sufficient to ensure every student

1 receives a meaningful opportunity to learn irrespective of  
2 race, ethnicity, sexual orientation, gender, or  
3 community-income level; and is sustainable and  
4 predictable. When fully funded under this Section, every  
5 school shall have the resources, based on what the  
6 evidence indicates is needed, to:

7 (A) provide all students with a high quality  
8 education that offers the academic, enrichment, social  
9 and emotional support, technical, and career-focused  
10 programs that will allow them to become competitive  
11 workers, responsible parents, productive citizens of  
12 this State, and active members of our national  
13 democracy;

14 (B) ensure all students receive the education they  
15 need to graduate from high school with the skills  
16 required to pursue post-secondary education and  
17 training for a rewarding career;

18 (C) reduce, with a goal of eliminating, the  
19 achievement gap between at-risk and non-at-risk  
20 students by raising the performance of at-risk  
21 students and not by reducing standards; and

22 (D) ensure this State satisfies its obligation to  
23 assume the primary responsibility to fund public  
24 education and simultaneously relieve the  
25 disproportionate burden placed on local property taxes  
26 to fund schools.

1           (2) The Evidence-Based Funding formula under this  
2 Section shall be applied to all Organizational Units in  
3 this State. The Evidence-Based Funding formula outlined in  
4 this Act is based on the formula outlined in Senate Bill 1  
5 of the 100th General Assembly, as passed by both  
6 legislative chambers. As further defined and described in  
7 this Section, there are 4 major components of the  
8 Evidence-Based Funding model:

9           (A) First, the model calculates a unique Adequacy  
10 Target for each Organizational Unit in this State that  
11 considers the costs to implement research-based  
12 activities, the unit's student demographics, and  
13 regional wage differences.

14           (B) Second, the model calculates each  
15 Organizational Unit's Local Capacity, or the amount  
16 each Organizational Unit is assumed to contribute  
17 toward its Adequacy Target from local resources.

18           (C) Third, the model calculates how much funding  
19 the State currently contributes to the Organizational  
20 Unit and adds that to the unit's Local Capacity to  
21 determine the unit's overall current adequacy of  
22 funding.

23           (D) Finally, the model's distribution method  
24 allocates new State funding to those Organizational  
25 Units that are least well-funded, considering both  
26 Local Capacity and State funding, in relation to their

1 Adequacy Target.

2 (3) An Organizational Unit receiving any funding under  
3 this Section may apply those funds to any fund so received  
4 for which that Organizational Unit is authorized to make  
5 expenditures by law.

6 (4) As used in this Section, the following terms shall  
7 have the meanings ascribed in this paragraph (4):

8 "Adequacy Target" is defined in paragraph (1) of  
9 subsection (b) of this Section.

10 "Adjusted EAV" is defined in paragraph (4) of  
11 subsection (d) of this Section.

12 "Adjusted Local Capacity Target" is defined in  
13 paragraph (3) of subsection (c) of this Section.

14 "Adjusted Operating Tax Rate" means a tax rate for all  
15 Organizational Units, for which the State Superintendent  
16 shall calculate and subtract for the Operating Tax Rate a  
17 transportation rate based on total expenses for  
18 transportation services under this Code, as reported on  
19 the most recent Annual Financial Report in Pupil  
20 Transportation Services, function 2550 in both the  
21 Education and Transportation funds and functions 4110 and  
22 4120 in the Transportation fund, less any corresponding  
23 fiscal year State of Illinois scheduled payments excluding  
24 net adjustments for prior years for regular, vocational,  
25 or special education transportation reimbursement pursuant  
26 to Section 29-5 or subsection (b) of Section 14-13.01 of

1           this Code divided by the Adjusted EAV. If an  
2           Organizational Unit's corresponding fiscal year State of  
3           Illinois scheduled payments excluding net adjustments for  
4           prior years for regular, vocational, or special education  
5           transportation reimbursement pursuant to Section 29-5 or  
6           subsection (b) of Section 14-13.01 of this Code exceed the  
7           total transportation expenses, as defined in this  
8           paragraph, no transportation rate shall be subtracted from  
9           the Operating Tax Rate.

10           "Allocation Rate" is defined in paragraph (3) of  
11           subsection (g) of this Section.

12           "Alternative School" means a public school that is  
13           created and operated by a regional superintendent of  
14           schools and approved by the State Board.

15           "Applicable Tax Rate" is defined in paragraph (1) of  
16           subsection (d) of this Section.

17           "Assessment" means any of those benchmark, progress  
18           monitoring, formative, diagnostic, and other assessments,  
19           in addition to the State accountability assessment, that  
20           assist teachers' needs in understanding the skills and  
21           meeting the needs of the students they serve.

22           "Assistant principal" means a school administrator  
23           duly endorsed to be employed as an assistant principal in  
24           this State.

25           "At-risk student" means a student who is at risk of  
26           not meeting the Illinois Learning Standards or not

1       graduating from elementary or high school and who  
2       demonstrates a need for vocational support or social  
3       services beyond that provided by the regular school  
4       program. All students included in an Organizational Unit's  
5       Low-Income Count, as well as all English learner and  
6       disabled students attending the Organizational Unit, shall  
7       be considered at-risk students under this Section.

8       "Average Student Enrollment" or "ASE" for fiscal year  
9       2018 means, for an Organizational Unit, the greater of the  
10      average number of students (grades K through 12) reported  
11      to the State Board as enrolled in the Organizational Unit  
12      on October 1 in the immediately preceding school year,  
13      plus the pre-kindergarten students who receive special  
14      education services of 2 or more hours a day as reported to  
15      the State Board on December 1 in the immediately preceding  
16      school year, or the average number of students (grades K  
17      through 12) reported to the State Board as enrolled in the  
18      Organizational Unit on October 1, plus the  
19      pre-kindergarten students who receive special education  
20      services of 2 or more hours a day as reported to the State  
21      Board on December 1, for each of the immediately preceding  
22      3 school years. For fiscal year 2019 and each subsequent  
23      fiscal year, "Average Student Enrollment" or "ASE" means,  
24      for an Organizational Unit, the greater of the average  
25      number of students (grades K through 12) reported to the  
26      State Board as enrolled in the Organizational Unit on

1           October 1 and March 1 in the immediately preceding school  
2           year, plus the pre-kindergarten students who receive  
3           special education services as reported to the State Board  
4           on October 1 and March 1 in the immediately preceding  
5           school year, or the average number of students (grades K  
6           through 12) reported to the State Board as enrolled in the  
7           Organizational Unit on October 1 and March 1, plus the  
8           pre-kindergarten students who receive special education  
9           services as reported to the State Board on October 1 and  
10          March 1, for each of the immediately preceding 3 school  
11          years. For the purposes of this definition, "enrolled in  
12          the Organizational Unit" means the number of students  
13          reported to the State Board who are enrolled in schools  
14          within the Organizational Unit that the student attends or  
15          would attend if not placed or transferred to another  
16          school or program to receive needed services. For the  
17          purposes of calculating "ASE", all students, grades K  
18          through 12, excluding those attending kindergarten for a  
19          half day and students attending an alternative education  
20          program operated by a regional office of education or  
21          intermediate service center, shall be counted as 1.0. All  
22          students attending kindergarten for a half day shall be  
23          counted as 0.5, unless in 2017 by June 15 or by March 1 in  
24          subsequent years, the school district reports to the State  
25          Board of Education the intent to implement full-day  
26          kindergarten district-wide for all students, then all

1 students attending kindergarten shall be counted as 1.0.  
2 Special education pre-kindergarten students shall be  
3 counted as 0.5 each. If the State Board does not collect or  
4 has not collected both an October 1 and March 1 enrollment  
5 count by grade or a December 1 collection of special  
6 education pre-kindergarten students as of August 31, 2017  
7 (the effective date of Public Act 100-465), it shall  
8 establish such collection for all future years. For any  
9 year in which a count by grade level was collected only  
10 once, that count shall be used as the single count  
11 available for computing a 3-year average ASE. Funding for  
12 programs operated by a regional office of education or an  
13 intermediate service center must be calculated using the  
14 Evidence-Based Funding formula under this Section for the  
15 2019-2020 school year and each subsequent school year  
16 until separate adequacy formulas are developed and adopted  
17 for each type of program. ASE for a program operated by a  
18 regional office of education or an intermediate service  
19 center must be determined by the March 1 enrollment for  
20 the program. For the 2019-2020 school year, the ASE used  
21 in the calculation must be the first-year ASE and, in that  
22 year only, the assignment of students served by a regional  
23 office of education or intermediate service center shall  
24 not result in a reduction of the March enrollment for any  
25 school district. For the 2020-2021 school year, the ASE  
26 must be the greater of the current-year ASE or the 2-year

1 average ASE. Beginning with the 2021-2022 school year, the  
2 ASE must be the greater of the current-year ASE or the  
3 3-year average ASE. School districts shall submit the data  
4 for the ASE calculation to the State Board within 45 days  
5 of the dates required in this Section for submission of  
6 enrollment data in order for it to be included in the ASE  
7 calculation. For fiscal year 2018 only, the ASE  
8 calculation shall include only enrollment taken on October  
9 1. In recognition of the impact of COVID-19, the  
10 definition of "Average Student Enrollment" or "ASE" shall  
11 be adjusted for calculations under this Section for fiscal  
12 years 2022 through 2024. For fiscal years 2022 through  
13 2024, the enrollment used in the calculation of ASE  
14 representing the 2020-2021 school year shall be the  
15 greater of the enrollment for the 2020-2021 school year or  
16 the 2019-2020 school year.

17 "Base Funding Guarantee" is defined in paragraph (10)  
18 of subsection (g) of this Section.

19 "Base Funding Minimum" is defined in subsection (e) of  
20 this Section.

21 "Base Tax Year" means the property tax levy year used  
22 to calculate the Budget Year allocation of primary State  
23 aid.

24 "Base Tax Year's Extension" means the product of the  
25 equalized assessed valuation utilized by the county clerk  
26 in the Base Tax Year multiplied by the limiting rate as

1 calculated by the county clerk and defined in PTELL.

2 "Bilingual Education Allocation" means the amount of  
3 an Organizational Unit's final Adequacy Target  
4 attributable to bilingual education divided by the  
5 Organizational Unit's final Adequacy Target, the product  
6 of which shall be multiplied by the amount of new funding  
7 received pursuant to this Section. An Organizational  
8 Unit's final Adequacy Target attributable to bilingual  
9 education shall include all additional investments in  
10 English learner students' adequacy elements.

11 "Budget Year" means the school year for which primary  
12 State aid is calculated and awarded under this Section.

13 "Central office" means individual administrators and  
14 support service personnel charged with managing the  
15 instructional programs, business and operations, and  
16 security of the Organizational Unit.

17 "Comparable Wage Index" or "CWI" means a regional cost  
18 differentiation metric that measures systemic, regional  
19 variations in the salaries of college graduates who are  
20 not educators. The CWI utilized for this Section shall,  
21 for the first 3 years of Evidence-Based Funding  
22 implementation, be the CWI initially developed by the  
23 National Center for Education Statistics, as most recently  
24 updated by Texas A & M University. In the fourth and  
25 subsequent years of Evidence-Based Funding implementation,  
26 the State Superintendent shall re-determine the CWI using

1 a similar methodology to that identified in the Texas A & M  
2 University study, with adjustments made no less frequently  
3 than once every 5 years.

4 "Computer technology and equipment" means computers  
5 servers, notebooks, network equipment, copiers, printers,  
6 instructional software, security software, curriculum  
7 management courseware, and other similar materials and  
8 equipment.

9 "Computer technology and equipment investment  
10 allocation" means the final Adequacy Target amount of an  
11 Organizational Unit assigned to Tier 1 or Tier 2 in the  
12 prior school year attributable to the additional \$285.50  
13 per student computer technology and equipment investment  
14 grant divided by the Organizational Unit's final Adequacy  
15 Target, the result of which shall be multiplied by the  
16 amount of new funding received pursuant to this Section.  
17 An Organizational Unit assigned to a Tier 1 or Tier 2 final  
18 Adequacy Target attributable to the received computer  
19 technology and equipment investment grant shall include  
20 all additional investments in computer technology and  
21 equipment adequacy elements.

22 "Core subject" means mathematics; science; reading,  
23 English, writing, and language arts; history and social  
24 studies; world languages; and subjects taught as Advanced  
25 Placement in high schools.

26 "Core teacher" means a regular classroom teacher in

1 elementary schools and teachers of a core subject in  
2 middle and high schools.

3 "Core Intervention teacher (tutor)" means a licensed  
4 teacher providing one-on-one or small group tutoring to  
5 students struggling to meet proficiency in core subjects.

6 "CPPRT" means corporate personal property replacement  
7 tax funds paid to an Organizational Unit during the  
8 calendar year one year before the calendar year in which a  
9 school year begins, pursuant to "An Act in relation to the  
10 abolition of ad valorem personal property tax and the  
11 replacement of revenues lost thereby, and amending and  
12 repealing certain Acts and parts of Acts in connection  
13 therewith", certified August 14, 1979, as amended (Public  
14 Act 81-1st S.S.-1).

15 "EAV" means equalized assessed valuation as defined in  
16 paragraph (2) of subsection (d) of this Section and  
17 calculated in accordance with paragraph (3) of subsection  
18 (d) of this Section.

19 "ECI" means the Bureau of Labor Statistics' national  
20 employment cost index for civilian workers in educational  
21 services in elementary and secondary schools on a  
22 cumulative basis for the 12-month calendar year preceding  
23 the fiscal year of the Evidence-Based Funding calculation.

24 "EIS Data" means the employment information system  
25 data maintained by the State Board on educators within  
26 Organizational Units.

1           "Employee benefits" means health, dental, and vision  
2 insurance offered to employees of an Organizational Unit,  
3 the costs associated with the statutorily required payment  
4 of the normal cost of the Organizational Unit's teacher  
5 pensions, Social Security employer contributions, and  
6 Illinois Municipal Retirement Fund employer contributions.

7           "English learner" or "EL" means a child included in  
8 the definition of "English learners" under Section 14C-2  
9 of this Code participating in a program of transitional  
10 bilingual education or a transitional program of  
11 instruction meeting the requirements and program  
12 application procedures of Article 14C of this Code. For  
13 the purposes of collecting the number of EL students  
14 enrolled, the same collection and calculation methodology  
15 as defined above for "ASE" shall apply to English  
16 learners, with the exception that EL student enrollment  
17 shall include students in grades pre-kindergarten through  
18 12.

19           "Essential Elements" means those elements, resources,  
20 and educational programs that have been identified through  
21 academic research as necessary to improve student success,  
22 improve academic performance, close achievement gaps, and  
23 provide for other per student costs related to the  
24 delivery and leadership of the Organizational Unit, as  
25 well as the maintenance and operations of the unit, and  
26 which are specified in paragraph (2) of subsection (b) of

1 this Section.

2 "Evidence-Based Funding" means State funding provided  
3 to an Organizational Unit pursuant to this Section.

4 "Extended day" means academic and enrichment programs  
5 provided to students outside the regular school day before  
6 and after school or during non-instructional times during  
7 the school day.

8 "Extension Limitation Ratio" means a numerical ratio  
9 in which the numerator is the Base Tax Year's Extension  
10 and the denominator is the Preceding Tax Year's Extension.

11 "Final Percent of Adequacy" is defined in paragraph  
12 (4) of subsection (f) of this Section.

13 "Final Resources" is defined in paragraph (3) of  
14 subsection (f) of this Section.

15 "Full-time equivalent" or "FTE" means the full-time  
16 equivalency compensation for staffing the relevant  
17 position at an Organizational Unit.

18 "Funding Gap" is defined in paragraph (1) of  
19 subsection (g).

20 "Hybrid District" means a partial elementary unit  
21 district created pursuant to Article 11E of this Code.

22 "Instructional assistant" means a core or special  
23 education, non-licensed employee who assists a teacher in  
24 the classroom and provides academic support to students.

25 "Instructional facilitator" means a qualified teacher  
26 or licensed teacher leader who facilitates and coaches

1 continuous improvement in classroom instruction; provides  
2 instructional support to teachers in the elements of  
3 research-based instruction or demonstrates the alignment  
4 of instruction with curriculum standards and assessment  
5 tools; develops or coordinates instructional programs or  
6 strategies; develops and implements training; chooses  
7 standards-based instructional materials; provides  
8 teachers with an understanding of current research; serves  
9 as a mentor, site coach, curriculum specialist, or lead  
10 teacher; or otherwise works with fellow teachers, in  
11 collaboration, to use data to improve instructional  
12 practice or develop model lessons.

13 "Instructional materials" means relevant  
14 instructional materials for student instruction,  
15 including, but not limited to, textbooks, consumable  
16 workbooks, laboratory equipment, library books, and other  
17 similar materials.

18 "Laboratory School" means a public school that is  
19 created and operated by a public university and approved  
20 by the State Board.

21 "Librarian" means a teacher with an endorsement as a  
22 library information specialist or another individual whose  
23 primary responsibility is overseeing library resources  
24 within an Organizational Unit.

25 "Limiting rate for Hybrid Districts" means the  
26 combined elementary school and high school limiting rates.

1 "Local Capacity" is defined in paragraph (1) of  
2 subsection (c) of this Section.

3 "Local Capacity Percentage" is defined in subparagraph  
4 (A) of paragraph (2) of subsection (c) of this Section.

5 "Local Capacity Ratio" is defined in subparagraph (B)  
6 of paragraph (2) of subsection (c) of this Section.

7 "Local Capacity Target" is defined in paragraph (2) of  
8 subsection (c) of this Section.

9 "Low-Income Count" means, for an Organizational Unit  
10 in a fiscal year, the higher of the average number of  
11 students for the prior school year or the immediately  
12 preceding 3 school years who, as of July 1 of the  
13 immediately preceding fiscal year (as determined by the  
14 Department of Human Services), are eligible for at least  
15 one of the following low-income programs: Medicaid, the  
16 Children's Health Insurance Program, Temporary Assistance  
17 for Needy Families (TANF), or the Supplemental Nutrition  
18 Assistance Program, excluding pupils who are eligible for  
19 services provided by the Department of Children and Family  
20 Services. Until such time that grade level low-income  
21 populations become available, grade level low-income  
22 populations shall be determined by applying the low-income  
23 percentage to total student enrollments by grade level.  
24 The low-income percentage is determined by dividing the  
25 Low-Income Count by the Average Student Enrollment. The  
26 low-income percentage for programs operated by a regional

1 office of education or an intermediate service center must  
2 be set to the weighted average of the low-income  
3 percentages of all of the school districts in the service  
4 region. The weighted low-income percentage is the result  
5 of multiplying the low-income percentage of each school  
6 district served by the regional office of education or  
7 intermediate service center by each school district's  
8 Average Student Enrollment, summarizing those products and  
9 dividing the total by the total Average Student Enrollment  
10 for the service region.

11 "Maintenance and operations" means custodial services,  
12 facility and ground maintenance, facility operations,  
13 facility security, routine facility repairs, and other  
14 similar services and functions.

15 "Minimum Funding Level" is defined in paragraph (9) of  
16 subsection (g) of this Section.

17 "New Property Tax Relief Pool Funds" means, for any  
18 given fiscal year, all State funds appropriated under  
19 Section 2-3.170 of this Code.

20 "New State Funds" means, for a given school year, all  
21 State funds appropriated for Evidence-Based Funding in  
22 excess of the amount needed to fund the Base Funding  
23 Minimum for all Organizational Units in that school year.

24 "Net State Contribution Target" means, for a given  
25 school year, the amount of State funds that would be  
26 necessary to fully meet the Adequacy Target of an

1 Operational Unit minus the Preliminary Resources available  
2 to each unit.

3 "Nurse" means an individual licensed as a certified  
4 school nurse, in accordance with the rules established for  
5 nursing services by the State Board, who is an employee of  
6 and is available to provide health care-related services  
7 for students of an Organizational Unit.

8 "Operating Tax Rate" means the rate utilized in the  
9 previous year to extend property taxes for all purposes,  
10 except Bond and Interest, Summer School, Rent, Capital  
11 Improvement, and Vocational Education Building purposes.  
12 For Hybrid Districts, the Operating Tax Rate shall be the  
13 combined elementary and high school rates utilized in the  
14 previous year to extend property taxes for all purposes,  
15 except Bond and Interest, Summer School, Rent, Capital  
16 Improvement, and Vocational Education Building purposes.

17 "Organizational Unit" means a Laboratory School or any  
18 public school district that is recognized as such by the  
19 State Board and that contains elementary schools typically  
20 serving kindergarten through 5th grades, middle schools  
21 typically serving 6th through 8th grades, high schools  
22 typically serving 9th through 12th grades, a program  
23 established under Section 2-3.66 or 2-3.41, or a program  
24 operated by a regional office of education or an  
25 intermediate service center under Article 13A or 13B. The  
26 General Assembly acknowledges that the actual grade levels

1 served by a particular Organizational Unit may vary  
2 slightly from what is typical.

3 "Organizational Unit CWI" is determined by calculating  
4 the CWI in the region and original county in which an  
5 Organizational Unit's primary administrative office is  
6 located as set forth in this paragraph, provided that if  
7 the Organizational Unit CWI as calculated in accordance  
8 with this paragraph is less than 0.9, the Organizational  
9 Unit CWI shall be increased to 0.9. Each county's current  
10 CWI value shall be adjusted based on the CWI value of that  
11 county's neighboring Illinois counties, to create a  
12 "weighted adjusted index value". This shall be calculated  
13 by summing the CWI values of all of a county's adjacent  
14 Illinois counties and dividing by the number of adjacent  
15 Illinois counties, then taking the weighted value of the  
16 original county's CWI value and the adjacent Illinois  
17 county average. To calculate this weighted value, if the  
18 number of adjacent Illinois counties is greater than 2,  
19 the original county's CWI value will be weighted at 0.25  
20 and the adjacent Illinois county average will be weighted  
21 at 0.75. If the number of adjacent Illinois counties is 2,  
22 the original county's CWI value will be weighted at 0.33  
23 and the adjacent Illinois county average will be weighted  
24 at 0.66. The greater of the county's current CWI value and  
25 its weighted adjusted index value shall be used as the  
26 Organizational Unit CWI.

1           "Preceding Tax Year" means the property tax levy year  
2 immediately preceding the Base Tax Year.

3           "Preceding Tax Year's Extension" means the product of  
4 the equalized assessed valuation utilized by the county  
5 clerk in the Preceding Tax Year multiplied by the  
6 Operating Tax Rate.

7           "Preliminary Percent of Adequacy" is defined in  
8 paragraph (2) of subsection (f) of this Section.

9           "Preliminary Resources" is defined in paragraph (2) of  
10 subsection (f) of this Section.

11           "Principal" means a school administrator duly endorsed  
12 to be employed as a principal in this State.

13           "Professional development" means training programs for  
14 licensed staff in schools, including, but not limited to,  
15 programs that assist in implementing new curriculum  
16 programs, provide data focused or academic assessment data  
17 training to help staff identify a student's weaknesses and  
18 strengths, target interventions, improve instruction,  
19 encompass instructional strategies for English learner,  
20 gifted, or at-risk students, address inclusivity, cultural  
21 sensitivity, or implicit bias, or otherwise provide  
22 professional support for licensed staff.

23           "Prototypical" means 450 special education  
24 pre-kindergarten and kindergarten through grade 5 students  
25 for an elementary school, 450 grade 6 through 8 students  
26 for a middle school, and 600 grade 9 through 12 students

1 for a high school.

2 "PTELL" means the Property Tax Extension Limitation  
3 Law.

4 "PTELL EAV" is defined in paragraph (4) of subsection  
5 (d) of this Section.

6 "Pupil support staff" means a nurse, psychologist,  
7 social worker, family liaison personnel, or other staff  
8 member who provides support to at-risk or struggling  
9 students.

10 "Real Receipts" is defined in paragraph (1) of  
11 subsection (d) of this Section.

12 "Regionalization Factor" means, for a particular  
13 Organizational Unit, the figure derived by dividing the  
14 Organizational Unit CWI by the Statewide Weighted CWI.

15 "School counselor" means a licensed school counselor  
16 who provides guidance and counseling support for students  
17 within an Organizational Unit.

18 "School site staff" means the primary school secretary  
19 and any additional clerical personnel assigned to a  
20 school.

21 "Special education" means special educational  
22 facilities and services, as defined in Section 14-1.08 of  
23 this Code.

24 "Special Education Allocation" means the amount of an  
25 Organizational Unit's final Adequacy Target attributable  
26 to special education divided by the Organizational Unit's

1 final Adequacy Target, the product of which shall be  
2 multiplied by the amount of new funding received pursuant  
3 to this Section. An Organizational Unit's final Adequacy  
4 Target attributable to special education shall include all  
5 special education investment adequacy elements.

6 "Specialist teacher" means a teacher who provides  
7 instruction in subject areas not included in core  
8 subjects, including, but not limited to, art, music,  
9 physical education, health, driver education,  
10 career-technical education, and such other subject areas  
11 as may be mandated by State law or provided by an  
12 Organizational Unit.

13 "Specially Funded Unit" means an Alternative School,  
14 safe school, Department of Juvenile Justice school,  
15 special education cooperative or entity recognized by the  
16 State Board as a special education cooperative,  
17 State-approved charter school, or alternative learning  
18 opportunities program that received direct funding from  
19 the State Board during the 2016-2017 school year through  
20 any of the funding sources included within the calculation  
21 of the Base Funding Minimum or Glenwood Academy.

22 "Supplemental Grant Funding" means supplemental  
23 general State aid funding received by an Organizational  
24 Unit during the 2016-2017 school year pursuant to  
25 subsection (H) of Section 18-8.05 of this Code (now  
26 repealed).

1           "State Adequacy Level" is the sum of the Adequacy  
2 Targets of all Organizational Units.

3           "State Board" means the State Board of Education.

4           "State Superintendent" means the State Superintendent  
5 of Education.

6           "Statewide Weighted CWI" means a figure determined by  
7 multiplying each Organizational Unit CWI times the ASE for  
8 that Organizational Unit creating a weighted value,  
9 summing all Organizational Units' weighted values, and  
10 dividing by the total ASE of all Organizational Units,  
11 thereby creating an average weighted index.

12           "Student activities" means non-credit producing  
13 after-school programs, including, but not limited to,  
14 clubs, bands, sports, and other activities authorized by  
15 the school board of the Organizational Unit.

16           "Substitute teacher" means an individual teacher or  
17 teaching assistant who is employed by an Organizational  
18 Unit and is temporarily serving the Organizational Unit on  
19 a per diem or per period-assignment basis to replace  
20 another staff member.

21           "Summer school" means academic and enrichment programs  
22 provided to students during the summer months outside of  
23 the regular school year.

24           "Supervisory aide" means a non-licensed staff member  
25 who helps in supervising students of an Organizational  
26 Unit, but does so outside of the classroom, in situations

1       such as, but not limited to, monitoring hallways and  
2       playgrounds, supervising lunchrooms, or supervising  
3       students when being transported in buses serving the  
4       Organizational Unit.

5       "Target Ratio" is defined in paragraph (4) of  
6       subsection (g).

7       "Tier 1", "Tier 2", "Tier 3", and "Tier 4" are defined  
8       in paragraph (3) of subsection (g).

9       "Tier 1 Aggregate Funding", "Tier 2 Aggregate  
10      Funding", "Tier 3 Aggregate Funding", and "Tier 4  
11      Aggregate Funding" are defined in paragraph (1) of  
12      subsection (g).

13      (b) Adequacy Target calculation.

14      (1) Each Organizational Unit's Adequacy Target is the  
15      sum of the Organizational Unit's cost of providing  
16      Essential Elements, as calculated in accordance with this  
17      subsection (b), with the salary amounts in the Essential  
18      Elements multiplied by a Regionalization Factor calculated  
19      pursuant to paragraph (3) of this subsection (b).

20      (2) The Essential Elements are attributable on a pro  
21      rata basis related to defined subgroups of the ASE of each  
22      Organizational Unit as specified in this paragraph (2),  
23      with investments and FTE positions pro rata funded based  
24      on ASE counts in excess of or less than the thresholds set  
25      forth in this paragraph (2). The method for calculating  
26      attributable pro rata costs and the defined subgroups

1 thereto are as follows:

2 (A) Core class size investments. Each  
3 Organizational Unit shall receive the funding required  
4 to support that number of FTE core teacher positions  
5 as is needed to keep the respective class sizes of the  
6 Organizational Unit to the following maximum numbers:

7 (i) For grades kindergarten through 3, the  
8 Organizational Unit shall receive funding required  
9 to support one FTE core teacher position for every  
10 15 Low-Income Count students in those grades and  
11 one FTE core teacher position for every 20  
12 non-Low-Income Count students in those grades.

13 (ii) For grades 4 through 12, the  
14 Organizational Unit shall receive funding required  
15 to support one FTE core teacher position for every  
16 20 Low-Income Count students in those grades and  
17 one FTE core teacher position for every 25  
18 non-Low-Income Count students in those grades.

19 The number of non-Low-Income Count students in a  
20 grade shall be determined by subtracting the  
21 Low-Income students in that grade from the ASE of the  
22 Organizational Unit for that grade.

23 (B) Specialist teacher investments. Each  
24 Organizational Unit shall receive the funding needed  
25 to cover that number of FTE specialist teacher  
26 positions that correspond to the following

1 percentages:

2 (i) if the Organizational Unit operates an  
3 elementary or middle school, then 20.00% of the  
4 number of the Organizational Unit's core teachers,  
5 as determined under subparagraph (A) of this  
6 paragraph (2); and

7 (ii) if such Organizational Unit operates a  
8 high school, then 33.33% of the number of the  
9 Organizational Unit's core teachers.

10 (C) Instructional facilitator investments. Each  
11 Organizational Unit shall receive the funding needed  
12 to cover one FTE instructional facilitator position  
13 for every 200 combined ASE of pre-kindergarten  
14 children with disabilities and all kindergarten  
15 through grade 12 students of the Organizational Unit.

16 (D) Core intervention teacher (tutor) investments.  
17 Each Organizational Unit shall receive the funding  
18 needed to cover one FTE teacher position for each  
19 prototypical elementary, middle, and high school.

20 (E) Substitute teacher investments. Each  
21 Organizational Unit shall receive the funding needed  
22 to cover substitute teacher costs that is equal to  
23 5.70% of the minimum pupil attendance days required  
24 under Section 10-19 of this Code for all full-time  
25 equivalent core, specialist, and intervention  
26 teachers, school nurses, special education teachers

1           and instructional assistants, instructional  
2           facilitators, and summer school and extended day  
3           teacher positions, as determined under this paragraph  
4           (2), at a salary rate of 33.33% of the average salary  
5           for grade K through 12 teachers and 33.33% of the  
6           average salary of each instructional assistant  
7           position.

8           (F) Core school counselor investments. Each  
9           Organizational Unit shall receive the funding needed  
10          to cover one FTE school counselor for each 450  
11          combined ASE of pre-kindergarten children with  
12          disabilities and all kindergarten through grade 5  
13          students, plus one FTE school counselor for each 250  
14          grades 6 through 8 ASE middle school students, plus  
15          one FTE school counselor for each 250 grades 9 through  
16          12 ASE high school students.

17          (G) Nurse investments. Each Organizational Unit  
18          shall receive the funding needed to cover one FTE  
19          nurse for each 750 combined ASE of pre-kindergarten  
20          children with disabilities and all kindergarten  
21          through grade 12 students across all grade levels it  
22          serves.

23          (H) Supervisory aide investments. Each  
24          Organizational Unit shall receive the funding needed  
25          to cover one FTE for each 225 combined ASE of  
26          pre-kindergarten children with disabilities and all

1 kindergarten through grade 5 students, plus one FTE  
2 for each 225 ASE middle school students, plus one FTE  
3 for each 200 ASE high school students.

4 (I) Librarian investments. Each Organizational  
5 Unit shall receive the funding needed to cover one FTE  
6 librarian for each prototypical elementary school,  
7 middle school, and high school and one FTE aide or  
8 media technician for every 300 combined ASE of  
9 pre-kindergarten children with disabilities and all  
10 kindergarten through grade 12 students.

11 (J) Principal investments. Each Organizational  
12 Unit shall receive the funding needed to cover one FTE  
13 principal position for each prototypical elementary  
14 school, plus one FTE principal position for each  
15 prototypical middle school, plus one FTE principal  
16 position for each prototypical high school.

17 (K) Assistant principal investments. Each  
18 Organizational Unit shall receive the funding needed  
19 to cover one FTE assistant principal position for each  
20 prototypical elementary school, plus one FTE assistant  
21 principal position for each prototypical middle  
22 school, plus one FTE assistant principal position for  
23 each prototypical high school.

24 (L) School site staff investments. Each  
25 Organizational Unit shall receive the funding needed  
26 for one FTE position for each 225 ASE of

1 pre-kindergarten children with disabilities and all  
2 kindergarten through grade 5 students, plus one FTE  
3 position for each 225 ASE middle school students, plus  
4 one FTE position for each 200 ASE high school  
5 students.

6 (M) Gifted investments. Each Organizational Unit  
7 shall receive \$40 per kindergarten through grade 12  
8 ASE.

9 (N) Professional development investments. Each  
10 Organizational Unit shall receive \$125 per student of  
11 the combined ASE of pre-kindergarten children with  
12 disabilities and all kindergarten through grade 12  
13 students for trainers and other professional  
14 development-related expenses for supplies and  
15 materials.

16 (O) Instructional material investments. Each  
17 Organizational Unit shall receive \$190 per student of  
18 the combined ASE of pre-kindergarten children with  
19 disabilities and all kindergarten through grade 12  
20 students to cover instructional material costs.

21 (P) Assessment investments. Each Organizational  
22 Unit shall receive \$25 per student of the combined ASE  
23 of pre-kindergarten children with disabilities and all  
24 kindergarten through grade 12 students to cover  
25 assessment costs.

26 (Q) Computer technology and equipment investments.

1 Each Organizational Unit shall receive \$285.50 per  
2 student of the combined ASE of pre-kindergarten  
3 children with disabilities and all kindergarten  
4 through grade 12 students to cover computer technology  
5 and equipment costs. For the 2018-2019 school year and  
6 subsequent school years, Organizational Units assigned  
7 to Tier 1 and Tier 2 in the prior school year shall  
8 receive an additional \$285.50 per student of the  
9 combined ASE of pre-kindergarten children with  
10 disabilities and all kindergarten through grade 12  
11 students to cover computer technology and equipment  
12 costs in the Organizational Unit's Adequacy Target.  
13 The State Board may establish additional requirements  
14 for Organizational Unit expenditures of funds received  
15 pursuant to this subparagraph (Q), including a  
16 requirement that funds received pursuant to this  
17 subparagraph (Q) may be used only for serving the  
18 technology needs of the district. It is the intent of  
19 Public Act 100-465 that all Tier 1 and Tier 2 districts  
20 receive the addition to their Adequacy Target in the  
21 following year, subject to compliance with the  
22 requirements of the State Board.

23 (R) Student activities investments. Each  
24 Organizational Unit shall receive the following  
25 funding amounts to cover student activities: \$100 per  
26 kindergarten through grade 5 ASE student in elementary

1 school, plus \$200 per ASE student in middle school,  
2 plus \$675 per ASE student in high school.

3 (S) Maintenance and operations investments. Each  
4 Organizational Unit shall receive \$1,038 per student  
5 of the combined ASE of pre-kindergarten children with  
6 disabilities and all kindergarten through grade 12  
7 students for day-to-day maintenance and operations  
8 expenditures, including salary, supplies, and  
9 materials, as well as purchased services, but  
10 excluding employee benefits. The proportion of salary  
11 for the application of a Regionalization Factor and  
12 the calculation of benefits is equal to \$352.92.

13 (T) Central office investments. Each  
14 Organizational Unit shall receive \$742 per student of  
15 the combined ASE of pre-kindergarten children with  
16 disabilities and all kindergarten through grade 12  
17 students to cover central office operations, including  
18 administrators and classified personnel charged with  
19 managing the instructional programs, business and  
20 operations of the school district, and security  
21 personnel. The proportion of salary for the  
22 application of a Regionalization Factor and the  
23 calculation of benefits is equal to \$368.48.

24 (U) Employee benefit investments. Each  
25 Organizational Unit shall receive 30% of the total of  
26 all salary-calculated elements of the Adequacy Target,

1 excluding substitute teachers and student activities  
2 investments, to cover benefit costs. For central  
3 office and maintenance and operations investments, the  
4 benefit calculation shall be based upon the salary  
5 proportion of each investment. If at any time the  
6 responsibility for funding the employer normal cost of  
7 teacher pensions is assigned to school districts, then  
8 that amount certified by the Teachers' Retirement  
9 System of the State of Illinois to be paid by the  
10 Organizational Unit for the preceding school year  
11 shall be added to the benefit investment. For any  
12 fiscal year in which a school district organized under  
13 Article 34 of this Code is responsible for paying the  
14 employer normal cost of teacher pensions, then that  
15 amount of its employer normal cost plus the amount for  
16 retiree health insurance as certified by the Public  
17 School Teachers' Pension and Retirement Fund of  
18 Chicago to be paid by the school district for the  
19 preceding school year that is statutorily required to  
20 cover employer normal costs and the amount for retiree  
21 health insurance shall be added to the 30% specified  
22 in this subparagraph (U). The Teachers' Retirement  
23 System of the State of Illinois and the Public School  
24 Teachers' Pension and Retirement Fund of Chicago shall  
25 submit such information as the State Superintendent  
26 may require for the calculations set forth in this



1 (iv) one FTE summer school teacher position  
2 for every 120 English learner students; and

3 (v) one FTE core teacher position for every  
4 100 English learner students.

5 (X) Special education investments. Each  
6 Organizational Unit shall receive funding based on the  
7 average teacher salary for grades K through 12 to  
8 cover special education as follows:

9 (i) one FTE teacher position for every 141  
10 combined ASE of pre-kindergarten children with  
11 disabilities and all kindergarten through grade 12  
12 students;

13 (ii) one FTE instructional assistant for every  
14 141 combined ASE of pre-kindergarten children with  
15 disabilities and all kindergarten through grade 12  
16 students; and

17 (iii) one FTE psychologist position for every  
18 1,000 combined ASE of pre-kindergarten children  
19 with disabilities and all kindergarten through  
20 grade 12 students.

21 (3) For calculating the salaries included within the  
22 Essential Elements, the State Superintendent shall  
23 annually calculate average salaries to the nearest dollar  
24 using the employment information system data maintained by  
25 the State Board, limited to public schools only and  
26 excluding special education and vocational cooperatives,

1 schools operated by the Department of Juvenile Justice,  
2 and charter schools, for the following positions:

3 (A) Teacher for grades K through 8.

4 (B) Teacher for grades 9 through 12.

5 (C) Teacher for grades K through 12.

6 (D) School counselor for grades K through 8.

7 (E) School counselor for grades 9 through 12.

8 (F) School counselor for grades K through 12.

9 (G) Social worker.

10 (H) Psychologist.

11 (I) Librarian.

12 (J) Nurse.

13 (K) Principal.

14 (L) Assistant principal.

15 For the purposes of this paragraph (3), "teacher"  
16 includes core teachers, specialist and elective teachers,  
17 instructional facilitators, tutors, special education  
18 teachers, pupil support staff teachers, English learner  
19 teachers, extended day teachers, and summer school  
20 teachers. Where specific grade data is not required for  
21 the Essential Elements, the average salary for  
22 corresponding positions shall apply. For substitute  
23 teachers, the average teacher salary for grades K through  
24 12 shall apply.

25 For calculating the salaries included within the  
26 Essential Elements for positions not included within EIS

1 Data, the following salaries shall be used in the first  
2 year of implementation of Evidence-Based Funding:

3 (i) school site staff, \$30,000; and

4 (ii) non-instructional assistant, instructional  
5 assistant, library aide, library media tech, or  
6 supervisory aide: \$25,000.

7 In the second and subsequent years of implementation  
8 of Evidence-Based Funding, the amounts in items (i) and  
9 (ii) of this paragraph (3) shall annually increase by the  
10 ECI.

11 The salary amounts for the Essential Elements  
12 determined pursuant to subparagraphs (A) through (L), (S)  
13 and (T), and (V) through (X) of paragraph (2) of  
14 subsection (b) of this Section shall be multiplied by a  
15 Regionalization Factor.

16 (c) Local Capacity calculation.

17 (1) Each Organizational Unit's Local Capacity  
18 represents an amount of funding it is assumed to  
19 contribute toward its Adequacy Target for purposes of the  
20 Evidence-Based Funding formula calculation. "Local  
21 Capacity" means either (i) the Organizational Unit's Local  
22 Capacity Target as calculated in accordance with paragraph  
23 (2) of this subsection (c) if its Real Receipts are equal  
24 to or less than its Local Capacity Target or (ii) the  
25 Organizational Unit's Adjusted Local Capacity, as  
26 calculated in accordance with paragraph (3) of this

1 subsection (c) if Real Receipts are more than its Local  
2 Capacity Target.

3 (2) "Local Capacity Target" means, for an  
4 Organizational Unit, that dollar amount that is obtained  
5 by multiplying its Adequacy Target by its Local Capacity  
6 Ratio.

7 (A) An Organizational Unit's Local Capacity  
8 Percentage is the conversion of the Organizational  
9 Unit's Local Capacity Ratio, as such ratio is  
10 determined in accordance with subparagraph (B) of this  
11 paragraph (2), into a cumulative distribution  
12 resulting in a percentile ranking to determine each  
13 Organizational Unit's relative position to all other  
14 Organizational Units in this State. The calculation of  
15 Local Capacity Percentage is described in subparagraph  
16 (C) of this paragraph (2).

17 (B) An Organizational Unit's Local Capacity Ratio  
18 in a given year is the percentage obtained by dividing  
19 its Adjusted EAV or PTELL EAV, whichever is less, by  
20 its Adequacy Target, with the resulting ratio further  
21 adjusted as follows:

22 (i) for Organizational Units serving grades  
23 kindergarten through 12 and Hybrid Districts, no  
24 further adjustments shall be made;

25 (ii) for Organizational Units serving grades  
26 kindergarten through 8, the ratio shall be

1 multiplied by 9/13;

2 (iii) for Organizational Units serving grades  
3 9 through 12, the Local Capacity Ratio shall be  
4 multiplied by 4/13; and

5 (iv) for an Organizational Unit with a  
6 different grade configuration than those specified  
7 in items (i) through (iii) of this subparagraph  
8 (B), the State Superintendent shall determine a  
9 comparable adjustment based on the grades served.

10 (C) The Local Capacity Percentage is equal to the  
11 percentile ranking of the district. Local Capacity  
12 Percentage converts each Organizational Unit's Local  
13 Capacity Ratio to a cumulative distribution resulting  
14 in a percentile ranking to determine each  
15 Organizational Unit's relative position to all other  
16 Organizational Units in this State. The Local Capacity  
17 Percentage cumulative distribution resulting in a  
18 percentile ranking for each Organizational Unit shall  
19 be calculated using the standard normal distribution  
20 of the score in relation to the weighted mean and  
21 weighted standard deviation and Local Capacity Ratios  
22 of all Organizational Units. If the value assigned to  
23 any Organizational Unit is in excess of 90%, the value  
24 shall be adjusted to 90%. For Laboratory Schools, the  
25 Local Capacity Percentage shall be set at 10% in  
26 recognition of the absence of EAV and resources from

1           the public university that are allocated to the  
2           Laboratory School. For programs operated by a regional  
3           office of education or an intermediate service center,  
4           the Local Capacity Percentage must be set at 10% in  
5           recognition of the absence of EAV and resources from  
6           school districts that are allocated to the regional  
7           office of education or intermediate service center.  
8           The weighted mean for the Local Capacity Percentage  
9           shall be determined by multiplying each Organizational  
10          Unit's Local Capacity Ratio times the ASE for the unit  
11          creating a weighted value, summing the weighted values  
12          of all Organizational Units, and dividing by the total  
13          ASE of all Organizational Units. The weighted standard  
14          deviation shall be determined by taking the square  
15          root of the weighted variance of all Organizational  
16          Units' Local Capacity Ratio, where the variance is  
17          calculated by squaring the difference between each  
18          unit's Local Capacity Ratio and the weighted mean,  
19          then multiplying the variance for each unit times the  
20          ASE for the unit to create a weighted variance for each  
21          unit, then summing all units' weighted variance and  
22          dividing by the total ASE of all units.

23                 (D)     For any Organizational Unit, the  
24                 Organizational Unit's Adjusted Local Capacity Target  
25                 shall be reduced by either (i) the school board's  
26                 remaining contribution pursuant to paragraph (ii) of

1 subsection (b-4) of Section 16-158 of the Illinois  
2 Pension Code in a given year or (ii) the board of  
3 education's remaining contribution pursuant to  
4 paragraph (iv) of subsection (b) of Section 17-129 of  
5 the Illinois Pension Code absent the employer normal  
6 cost portion of the required contribution and amount  
7 allowed pursuant to subdivision (3) of Section  
8 17-142.1 of the Illinois Pension Code in a given year.  
9 In the preceding sentence, item (i) shall be certified  
10 to the State Board of Education by the Teachers'  
11 Retirement System of the State of Illinois and item  
12 (ii) shall be certified to the State Board of  
13 Education by the Public School Teachers' Pension and  
14 Retirement Fund of the City of Chicago.

15 (3) If an Organizational Unit's Real Receipts are more  
16 than its Local Capacity Target, then its Local Capacity  
17 shall equal an Adjusted Local Capacity Target as  
18 calculated in accordance with this paragraph (3). The  
19 Adjusted Local Capacity Target is calculated as the sum of  
20 the Organizational Unit's Local Capacity Target and its  
21 Real Receipts Adjustment. The Real Receipts Adjustment  
22 equals the Organizational Unit's Real Receipts less its  
23 Local Capacity Target, with the resulting figure  
24 multiplied by the Local Capacity Percentage.

25 As used in this paragraph (3), "Real Percent of  
26 Adequacy" means the sum of an Organizational Unit's Real

1           Receipts, CPPRT, and Base Funding Minimum, with the  
2           resulting figure divided by the Organizational Unit's  
3           Adequacy Target.

4           (d) Calculation of Real Receipts, EAV, and Adjusted EAV  
5           for purposes of the Local Capacity calculation.

6           (1) An Organizational Unit's Real Receipts are the  
7           product of its Applicable Tax Rate and its Adjusted EAV.  
8           An Organizational Unit's Applicable Tax Rate is its  
9           Adjusted Operating Tax Rate for property within the  
10          Organizational Unit.

11          (2) The State Superintendent shall calculate the  
12          equalized assessed valuation, or EAV, of all taxable  
13          property of each Organizational Unit as of September 30 of  
14          the previous year in accordance with paragraph (3) of this  
15          subsection (d). The State Superintendent shall then  
16          determine the Adjusted EAV of each Organizational Unit in  
17          accordance with paragraph (4) of this subsection (d),  
18          which Adjusted EAV figure shall be used for the purposes  
19          of calculating Local Capacity.

20          (3) To calculate Real Receipts and EAV, the Department  
21          of Revenue shall supply to the State Superintendent the  
22          value as equalized or assessed by the Department of  
23          Revenue of all taxable property of every Organizational  
24          Unit, together with (i) the applicable tax rate used in  
25          extending taxes for the funds of the Organizational Unit  
26          as of September 30 of the previous year and (ii) the

1 limiting rate for all Organizational Units subject to  
2 property tax extension limitations as imposed under PTELL.

3 (A) The Department of Revenue shall add to the  
4 equalized assessed value of all taxable property of  
5 each Organizational Unit situated entirely or  
6 partially within a county that is or was subject to the  
7 provisions of Section 15-176 or 15-177 of the Property  
8 Tax Code (i) an amount equal to the total amount by  
9 which the homestead exemption allowed under Section  
10 15-176 or 15-177 of the Property Tax Code for real  
11 property situated in that Organizational Unit exceeds  
12 the total amount that would have been allowed in that  
13 Organizational Unit if the maximum reduction under  
14 Section 15-176 was (I) \$4,500 in Cook County or \$3,500  
15 in all other counties in tax year 2003 or (II) \$5,000  
16 in all counties in tax year 2004 and thereafter and  
17 (ii) an amount equal to the aggregate amount for the  
18 taxable year of all additional exemptions under  
19 Section 15-175 of the Property Tax Code for owners  
20 with a household income of \$30,000 or less. The county  
21 clerk of any county that is or was subject to the  
22 provisions of Section 15-176 or 15-177 of the Property  
23 Tax Code shall annually calculate and certify to the  
24 Department of Revenue for each Organizational Unit all  
25 homestead exemption amounts under Section 15-176 or  
26 15-177 of the Property Tax Code and all amounts of

1 additional exemptions under Section 15-175 of the  
2 Property Tax Code for owners with a household income  
3 of \$30,000 or less. It is the intent of this  
4 subparagraph (A) that if the general homestead  
5 exemption for a parcel of property is determined under  
6 Section 15-176 or 15-177 of the Property Tax Code  
7 rather than Section 15-175, then the calculation of  
8 EAV shall not be affected by the difference, if any,  
9 between the amount of the general homestead exemption  
10 allowed for that parcel of property under Section  
11 15-176 or 15-177 of the Property Tax Code and the  
12 amount that would have been allowed had the general  
13 homestead exemption for that parcel of property been  
14 determined under Section 15-175 of the Property Tax  
15 Code. It is further the intent of this subparagraph  
16 (A) that if additional exemptions are allowed under  
17 Section 15-175 of the Property Tax Code for owners  
18 with a household income of less than \$30,000, then the  
19 calculation of EAV shall not be affected by the  
20 difference, if any, because of those additional  
21 exemptions.

22 (B) With respect to any part of an Organizational  
23 Unit within a redevelopment project area in respect to  
24 which a municipality has adopted tax increment  
25 allocation financing pursuant to the Tax Increment  
26 Allocation Redevelopment Act, Division 74.4 of Article

1 11 of the Illinois Municipal Code, or the Industrial  
2 Jobs Recovery Law, Division 74.6 of Article 11 of the  
3 Illinois Municipal Code, no part of the current EAV of  
4 real property located in any such project area that is  
5 attributable to an increase above the total initial  
6 EAV of such property shall be used as part of the EAV  
7 of the Organizational Unit, until such time as all  
8 redevelopment project costs have been paid, as  
9 provided in Section 11-74.4-8 of the Tax Increment  
10 Allocation Redevelopment Act or in Section 11-74.6-35  
11 of the Industrial Jobs Recovery Law. For the purpose  
12 of the EAV of the Organizational Unit, the total  
13 initial EAV or the current EAV, whichever is lower,  
14 shall be used until such time as all redevelopment  
15 project costs have been paid.

16 (B-5) The real property equalized assessed  
17 valuation for a school district shall be adjusted by  
18 subtracting from the real property value, as equalized  
19 or assessed by the Department of Revenue, for the  
20 district an amount computed by dividing the amount of  
21 any abatement of taxes under Section 18-170 of the  
22 Property Tax Code by 3.00% for a district maintaining  
23 grades kindergarten through 12, by 2.30% for a  
24 district maintaining grades kindergarten through 8, or  
25 by 1.05% for a district maintaining grades 9 through  
26 12 and adjusted by an amount computed by dividing the

1 amount of any abatement of taxes under subsection (a)  
2 of Section 18-165 of the Property Tax Code by the same  
3 percentage rates for district type as specified in  
4 this subparagraph (B-5).

5 (C) For Organizational Units that are Hybrid  
6 Districts, the State Superintendent shall use the  
7 lesser of the adjusted equalized assessed valuation  
8 for property within the partial elementary unit  
9 district for elementary purposes, as defined in  
10 Article 11E of this Code, or the adjusted equalized  
11 assessed valuation for property within the partial  
12 elementary unit district for high school purposes, as  
13 defined in Article 11E of this Code.

14 (4) An Organizational Unit's Adjusted EAV shall be the  
15 average of its EAV over the immediately preceding 3 years  
16 or its EAV in the immediately preceding year if the EAV in  
17 the immediately preceding year has declined by 10% or more  
18 compared to the 3-year average. In the event of  
19 Organizational Unit reorganization, consolidation, or  
20 annexation, the Organizational Unit's Adjusted EAV for the  
21 first 3 years after such change shall be as follows: the  
22 most current EAV shall be used in the first year, the  
23 average of a 2-year EAV or its EAV in the immediately  
24 preceding year if the EAV declines by 10% or more compared  
25 to the 2-year average for the second year, and a 3-year  
26 average EAV or its EAV in the immediately preceding year

1 if the Adjusted EAV declines by 10% or more compared to the  
2 3-year average for the third year. For any school district  
3 whose EAV in the immediately preceding year is used in  
4 calculations, in the following year, the Adjusted EAV  
5 shall be the average of its EAV over the immediately  
6 preceding 2 years or the immediately preceding year if  
7 that year represents a decline of 10% or more compared to  
8 the 2-year average.

9 "PTELL EAV" means a figure calculated by the State  
10 Board for Organizational Units subject to PTELL as  
11 described in this paragraph (4) for the purposes of  
12 calculating an Organizational Unit's Local Capacity Ratio.  
13 Except as otherwise provided in this paragraph (4), the  
14 PTELL EAV of an Organizational Unit shall be equal to the  
15 product of the equalized assessed valuation last used in  
16 the calculation of general State aid under Section 18-8.05  
17 of this Code (now repealed) or Evidence-Based Funding  
18 under this Section and the Organizational Unit's Extension  
19 Limitation Ratio. If an Organizational Unit has approved  
20 or does approve an increase in its limiting rate, pursuant  
21 to Section 18-190 of the Property Tax Code, affecting the  
22 Base Tax Year, the PTELL EAV shall be equal to the product  
23 of the equalized assessed valuation last used in the  
24 calculation of general State aid under Section 18-8.05 of  
25 this Code (now repealed) or Evidence-Based Funding under  
26 this Section multiplied by an amount equal to one plus the

1 percentage increase, if any, in the Consumer Price Index  
2 for All Urban Consumers for all items published by the  
3 United States Department of Labor for the 12-month  
4 calendar year preceding the Base Tax Year, plus the  
5 equalized assessed valuation of new property, annexed  
6 property, and recovered tax increment value and minus the  
7 equalized assessed valuation of disconnected property.

8 As used in this paragraph (4), "new property" and  
9 "recovered tax increment value" shall have the meanings  
10 set forth in the Property Tax Extension Limitation Law.

11 (e) Base Funding Minimum calculation.

12 (1) For the 2017-2018 school year, the Base Funding  
13 Minimum of an Organizational Unit or a Specially Funded  
14 Unit shall be the amount of State funds distributed to the  
15 Organizational Unit or Specially Funded Unit during the  
16 2016-2017 school year prior to any adjustments and  
17 specified appropriation amounts described in this  
18 paragraph (1) from the following Sections, as calculated  
19 by the State Superintendent: Section 18-8.05 of this Code  
20 (now repealed); Section 5 of Article 224 of Public Act  
21 99-524 (equity grants); Section 14-7.02b of this Code  
22 (funding for children requiring special education  
23 services); Section 14-13.01 of this Code (special  
24 education facilities and staffing), except for  
25 reimbursement of the cost of transportation pursuant to  
26 Section 14-13.01; Section 14C-12 of this Code (English

1 learners); and Section 18-4.3 of this Code (summer  
2 school), based on an appropriation level of \$13,121,600.  
3 For a school district organized under Article 34 of this  
4 Code, the Base Funding Minimum also includes (i) the funds  
5 allocated to the school district pursuant to Section 1D-1  
6 of this Code attributable to funding programs authorized  
7 by the Sections of this Code listed in the preceding  
8 sentence and (ii) the difference between (I) the funds  
9 allocated to the school district pursuant to Section 1D-1  
10 of this Code attributable to the funding programs  
11 authorized by Section 14-7.02 (non-public special  
12 education reimbursement), subsection (b) of Section  
13 14-13.01 (special education transportation), Section 29-5  
14 (transportation), Section 2-3.80 (agricultural  
15 education), Section 2-3.66 (truants' alternative  
16 education), Section 2-3.62 (educational service centers),  
17 and Section 14-7.03 (special education - orphanage) of  
18 this Code and Section 15 of the Childhood Hunger Relief  
19 Act (free breakfast program) and (II) the school  
20 district's actual expenditures for its non-public special  
21 education, special education transportation,  
22 transportation programs, agricultural education, truants'  
23 alternative education, services that would otherwise be  
24 performed by a regional office of education, special  
25 education orphanage expenditures, and free breakfast, as  
26 most recently calculated and reported pursuant to

1 subsection (f) of Section 1D-1 of this Code. The Base  
2 Funding Minimum for Glenwood Academy shall be \$625,500.  
3 For programs operated by a regional office of education or  
4 an intermediate service center, the Base Funding Minimum  
5 must be the total amount of State funds allocated to those  
6 programs in the 2018-2019 school year and amounts provided  
7 pursuant to Article 34 of Public Act 100-586 and Section  
8 3-16 of this Code. All programs established after June 5,  
9 2019 (the effective date of Public Act 101-10) and  
10 administered by a regional office of education or an  
11 intermediate service center must have an initial Base  
12 Funding Minimum set to an amount equal to the first-year  
13 ASE multiplied by the amount of per pupil funding received  
14 in the previous school year by the lowest funded similar  
15 existing program type. If the enrollment for a program  
16 operated by a regional office of education or an  
17 intermediate service center is zero, then it may not  
18 receive Base Funding Minimum funds for that program in the  
19 next fiscal year, and those funds must be distributed to  
20 Organizational Units under subsection (g).

21 (2) For the 2018-2019 and subsequent school years, the  
22 Base Funding Minimum of Organizational Units and Specially  
23 Funded Units shall be the sum of (i) the amount of  
24 Evidence-Based Funding for the prior school year, (ii) the  
25 Base Funding Minimum for the prior school year, and (iii)  
26 any amount received by a school district pursuant to

1 Section 7 of Article 97 of Public Act 100-21.

2 For the 2022-2023 school year, the Base Funding  
3 Minimum of Organizational Units shall be the amounts  
4 recalculated by the State Board of Education for Fiscal  
5 Year 2019 through Fiscal Year 2022 that were necessary due  
6 to average student enrollment errors for districts  
7 organized under Article 34 of this Code, plus the Fiscal  
8 Year 2022 property tax relief grants provided under  
9 Section 2-3.170 of this Code, ensuring each Organizational  
10 Unit has the correct amount of resources for Fiscal Year  
11 2023 Evidence-Based Funding calculations and that Fiscal  
12 Year 2023 Evidence-Based Funding Distributions are made in  
13 accordance with this Section.

14 (3) Subject to approval by the General Assembly as  
15 provided in this paragraph (3), an Organizational Unit  
16 that meets all of the following criteria, as determined by  
17 the State Board, shall have District Intervention Money  
18 added to its Base Funding Minimum at the time the Base  
19 Funding Minimum is calculated by the State Board:

20 (A) The Organizational Unit is operating under an  
21 Independent Authority under Section 2-3.25f-5 of this  
22 Code for a minimum of 4 school years or is subject to  
23 the control of the State Board pursuant to a court  
24 order for a minimum of 4 school years.

25 (B) The Organizational Unit was designated as a  
26 Tier 1 or Tier 2 Organizational Unit in the previous

1 school year under paragraph (3) of subsection (g) of  
2 this Section.

3 (C) The Organizational Unit demonstrates  
4 sustainability through a 5-year financial and  
5 strategic plan.

6 (D) The Organizational Unit has made sufficient  
7 progress and achieved sufficient stability in the  
8 areas of governance, academic growth, and finances.

9 As part of its determination under this paragraph (3),  
10 the State Board may consider the Organizational Unit's  
11 summative designation, any accreditations of the  
12 Organizational Unit, or the Organizational Unit's  
13 financial profile, as calculated by the State Board.

14 If the State Board determines that an Organizational  
15 Unit has met the criteria set forth in this paragraph (3),  
16 it must submit a report to the General Assembly, no later  
17 than January 2 of the fiscal year in which the State Board  
18 makes its determination, on the amount of District  
19 Intervention Money to add to the Organizational Unit's  
20 Base Funding Minimum. The General Assembly must review the  
21 State Board's report and may approve or disapprove, by  
22 joint resolution, the addition of District Intervention  
23 Money. If the General Assembly fails to act on the report  
24 within 40 calendar days from the receipt of the report,  
25 the addition of District Intervention Money is deemed  
26 approved. If the General Assembly approves the amount of

1 District Intervention Money to be added to the  
2 Organizational Unit's Base Funding Minimum, the District  
3 Intervention Money must be added to the Base Funding  
4 Minimum annually thereafter.

5 For the first 4 years following the initial year that  
6 the State Board determines that an Organizational Unit has  
7 met the criteria set forth in this paragraph (3) and has  
8 received funding under this Section, the Organizational  
9 Unit must annually submit to the State Board, on or before  
10 November 30, a progress report regarding its financial and  
11 strategic plan under subparagraph (C) of this paragraph  
12 (3). The plan shall include the financial data from the  
13 past 4 annual financial reports or financial audits that  
14 must be presented to the State Board by November 15 of each  
15 year and the approved budget financial data for the  
16 current year. The plan shall be developed according to the  
17 guidelines presented to the Organizational Unit by the  
18 State Board. The plan shall further include financial  
19 projections for the next 3 fiscal years and include a  
20 discussion and financial summary of the Organizational  
21 Unit's facility needs. If the Organizational Unit does not  
22 demonstrate sufficient progress toward its 5-year plan or  
23 if it has failed to file an annual financial report, an  
24 annual budget, a financial plan, a deficit reduction plan,  
25 or other financial information as required by law, the  
26 State Board may establish a Financial Oversight Panel

1 under Article 1H of this Code. However, if the  
2 Organizational Unit already has a Financial Oversight  
3 Panel, the State Board may extend the duration of the  
4 Panel.

5 (f) Percent of Adequacy and Final Resources calculation.

6 (1) The Evidence-Based Funding formula establishes a  
7 Percent of Adequacy for each Organizational Unit in order  
8 to place such units into tiers for the purposes of the  
9 funding distribution system described in subsection (g) of  
10 this Section. Initially, an Organizational Unit's  
11 Preliminary Resources and Preliminary Percent of Adequacy  
12 are calculated pursuant to paragraph (2) of this  
13 subsection (f). Then, an Organizational Unit's Final  
14 Resources and Final Percent of Adequacy are calculated to  
15 account for the Organizational Unit's poverty  
16 concentration levels pursuant to paragraphs (3) and (4) of  
17 this subsection (f).

18 (2) An Organizational Unit's Preliminary Resources are  
19 equal to the sum of its Local Capacity Target, CPPRT, and  
20 Base Funding Minimum. An Organizational Unit's Preliminary  
21 Percent of Adequacy is the lesser of (i) its Preliminary  
22 Resources divided by its Adequacy Target or (ii) 100%.

23 (3) Except for Specially Funded Units, an  
24 Organizational Unit's Final Resources are equal to the sum  
25 of its Local Capacity, CPPRT, and Adjusted Base Funding  
26 Minimum. The Base Funding Minimum of each Specially Funded

1 Unit shall serve as its Final Resources, except that the  
2 Base Funding Minimum for State-approved charter schools  
3 shall not include any portion of general State aid  
4 allocated in the prior year based on the per capita  
5 tuition charge times the charter school enrollment.

6 (4) An Organizational Unit's Final Percent of Adequacy  
7 is its Final Resources divided by its Adequacy Target. An  
8 Organizational Unit's Adjusted Base Funding Minimum is  
9 equal to its Base Funding Minimum less its Supplemental  
10 Grant Funding, with the resulting figure added to the  
11 product of its Supplemental Grant Funding and Preliminary  
12 Percent of Adequacy.

13 (g) Evidence-Based Funding formula distribution system.

14 (1) In each school year under the Evidence-Based  
15 Funding formula, each Organizational Unit receives funding  
16 equal to the sum of its Base Funding Minimum and the unit's  
17 allocation of New State Funds determined pursuant to this  
18 subsection (g). To allocate New State Funds, the  
19 Evidence-Based Funding formula distribution system first  
20 places all Organizational Units into one of 4 tiers in  
21 accordance with paragraph (3) of this subsection (g),  
22 based on the Organizational Unit's Final Percent of  
23 Adequacy. New State Funds are allocated to each of the 4  
24 tiers as follows: Tier 1 Aggregate Funding equals 50% of  
25 all New State Funds, Tier 2 Aggregate Funding equals 49%  
26 of all New State Funds, Tier 3 Aggregate Funding equals

1 0.9% of all New State Funds, and Tier 4 Aggregate Funding  
2 equals 0.1% of all New State Funds. Each Organizational  
3 Unit within Tier 1 or Tier 2 receives an allocation of New  
4 State Funds equal to its tier Funding Gap, as defined in  
5 the following sentence, multiplied by the tier's  
6 Allocation Rate determined pursuant to paragraph (4) of  
7 this subsection (g). For Tier 1, an Organizational Unit's  
8 Funding Gap equals the tier's Target Ratio, as specified  
9 in paragraph (5) of this subsection (g), multiplied by the  
10 Organizational Unit's Adequacy Target, with the resulting  
11 amount reduced by the Organizational Unit's Final  
12 Resources. For Tier 2, an Organizational Unit's Funding  
13 Gap equals the tier's Target Ratio, as described in  
14 paragraph (5) of this subsection (g), multiplied by the  
15 Organizational Unit's Adequacy Target, with the resulting  
16 amount reduced by the Organizational Unit's Final  
17 Resources and its Tier 1 funding allocation. To determine  
18 the Organizational Unit's Funding Gap, the resulting  
19 amount is then multiplied by a factor equal to one minus  
20 the Organizational Unit's Local Capacity Target  
21 percentage. Each Organizational Unit within Tier 3 or Tier  
22 4 receives an allocation of New State Funds equal to the  
23 product of its Adequacy Target and the tier's Allocation  
24 Rate, as specified in paragraph (4) of this subsection  
25 (g).

26 (2) To ensure equitable distribution of dollars for

1 all Tier 2 Organizational Units, no Tier 2 Organizational  
2 Unit shall receive fewer dollars per ASE than any Tier 3  
3 Organizational Unit. Each Tier 2 and Tier 3 Organizational  
4 Unit shall have its funding allocation divided by its ASE.  
5 Any Tier 2 Organizational Unit with a funding allocation  
6 per ASE below the greatest Tier 3 allocation per ASE shall  
7 get a funding allocation equal to the greatest Tier 3  
8 funding allocation per ASE multiplied by the  
9 Organizational Unit's ASE. Each Tier 2 Organizational  
10 Unit's Tier 2 funding allocation shall be multiplied by  
11 the percentage calculated by dividing the original Tier 2  
12 Aggregate Funding by the sum of all Tier 2 Organizational  
13 Units' Tier 2 funding allocation after adjusting  
14 districts' funding below Tier 3 levels.

15 (3) Organizational Units are placed into one of 4  
16 tiers as follows:

17 (A) Tier 1 consists of all Organizational Units,  
18 except for Specially Funded Units, with a Percent of  
19 Adequacy less than the Tier 1 Target Ratio. The Tier 1  
20 Target Ratio is the ratio level that allows for Tier 1  
21 Aggregate Funding to be distributed, with the Tier 1  
22 Allocation Rate determined pursuant to paragraph (4)  
23 of this subsection (g).

24 (B) Tier 2 consists of all Tier 1 Units and all  
25 other Organizational Units, except for Specially  
26 Funded Units, with a Percent of Adequacy of less than

1           0.90.

2           (C) Tier 3 consists of all Organizational Units,  
3           except for Specially Funded Units, with a Percent of  
4           Adequacy of at least 0.90 and less than 1.0.

5           (D) Tier 4 consists of all Organizational Units  
6           with a Percent of Adequacy of at least 1.0.

7           (4) The Allocation Rates for Tiers 1 through 4 are  
8           determined as follows:

9           (A) The Tier 1 Allocation Rate is 30%.

10          (B) The Tier 2 Allocation Rate is the result of the  
11          following equation: Tier 2 Aggregate Funding, divided  
12          by the sum of the Funding Gaps for all Tier 2  
13          Organizational Units, unless the result of such  
14          equation is higher than 1.0. If the result of such  
15          equation is higher than 1.0, then the Tier 2  
16          Allocation Rate is 1.0.

17          (C) The Tier 3 Allocation Rate is the result of the  
18          following equation: Tier 3 Aggregate Funding, divided  
19          by the sum of the Adequacy Targets of all Tier 3  
20          Organizational Units.

21          (D) The Tier 4 Allocation Rate is the result of the  
22          following equation: Tier 4 Aggregate Funding, divided  
23          by the sum of the Adequacy Targets of all Tier 4  
24          Organizational Units.

25          (5) A tier's Target Ratio is determined as follows:

26          (A) The Tier 1 Target Ratio is the ratio level that

1 allows for Tier 1 Aggregate Funding to be distributed  
2 with the Tier 1 Allocation Rate.

3 (B) The Tier 2 Target Ratio is 0.90.

4 (C) The Tier 3 Target Ratio is 1.0.

5 (6) If, at any point, the Tier 1 Target Ratio is  
6 greater than 90%, then all Tier 1 funding shall be  
7 allocated to Tier 2 and no Tier 1 Organizational Unit's  
8 funding may be identified.

9 (7) In the event that all Tier 2 Organizational Units  
10 receive funding at the Tier 2 Target Ratio level, any  
11 remaining New State Funds shall be allocated to Tier 3 and  
12 Tier 4 Organizational Units.

13 (8) If any Specially Funded Units, excluding Glenwood  
14 Academy, recognized by the State Board do not qualify for  
15 direct funding following the implementation of Public Act  
16 100-465 from any of the funding sources included within  
17 the definition of Base Funding Minimum, the unqualified  
18 portion of the Base Funding Minimum shall be transferred  
19 to one or more appropriate Organizational Units as  
20 determined by the State Superintendent based on the prior  
21 year ASE of the Organizational Units.

22 (8.5) If a school district withdraws from a special  
23 education cooperative, the portion of the Base Funding  
24 Minimum that is attributable to the school district may be  
25 redistributed to the school district upon withdrawal. The  
26 school district and the cooperative must include the

1 amount of the Base Funding Minimum that is to be  
2 reapportioned in their withdrawal agreement and notify the  
3 State Board of the change with a copy of the agreement upon  
4 withdrawal.

5 (9) The Minimum Funding Level is intended to establish  
6 a target for State funding that will keep pace with  
7 inflation and continue to advance equity through the  
8 Evidence-Based Funding formula. The target for State  
9 funding of New Property Tax Relief Pool Funds is  
10 \$50,000,000 for State fiscal year 2019 and subsequent  
11 State fiscal years. The Minimum Funding Level is equal to  
12 \$350,000,000. In addition to any New State Funds, no more  
13 than \$50,000,000 New Property Tax Relief Pool Funds may be  
14 counted toward the Minimum Funding Level. If the sum of  
15 New State Funds and applicable New Property Tax Relief  
16 Pool Funds are less than the Minimum Funding Level, than  
17 funding for tiers shall be reduced in the following  
18 manner:

19 (A) First, Tier 4 funding shall be reduced by an  
20 amount equal to the difference between the Minimum  
21 Funding Level and New State Funds until such time as  
22 Tier 4 funding is exhausted.

23 (B) Next, Tier 3 funding shall be reduced by an  
24 amount equal to the difference between the Minimum  
25 Funding Level and New State Funds and the reduction in  
26 Tier 4 funding until such time as Tier 3 funding is

1 exhausted.

2 (C) Next, Tier 2 funding shall be reduced by an  
3 amount equal to the difference between the Minimum  
4 Funding Level and New State Funds and the reduction in  
5 Tier 4 and Tier 3.

6 (D) Finally, Tier 1 funding shall be reduced by an  
7 amount equal to the difference between the Minimum  
8 Funding level and New State Funds and the reduction in  
9 Tier 2, 3, and 4 funding. In addition, the Allocation  
10 Rate for Tier 1 shall be reduced to a percentage equal  
11 to the Tier 1 Allocation Rate set by paragraph (4) of  
12 this subsection (g), multiplied by the result of New  
13 State Funds divided by the Minimum Funding Level.

14 (9.5) For State fiscal year 2019 and subsequent State  
15 fiscal years, if New State Funds exceed \$300,000,000, then  
16 any amount in excess of \$300,000,000 shall be dedicated  
17 for purposes of Section 2-3.170 of this Code up to a  
18 maximum of \$50,000,000.

19 (10) In the event of a decrease in the amount of the  
20 appropriation for this Section in any fiscal year after  
21 implementation of this Section, the Organizational Units  
22 receiving Tier 1 and Tier 2 funding, as determined under  
23 paragraph (3) of this subsection (g), shall be held  
24 harmless by establishing a Base Funding Guarantee equal to  
25 the per pupil kindergarten through grade 12 funding  
26 received in accordance with this Section in the prior

1 fiscal year. Reductions shall be made to the Base Funding  
2 Minimum of Organizational Units in Tier 3 and Tier 4 on a  
3 per pupil basis equivalent to the total number of the ASE  
4 in Tier 3-funded and Tier 4-funded Organizational Units  
5 divided by the total reduction in State funding. The Base  
6 Funding Minimum as reduced shall continue to be applied to  
7 Tier 3 and Tier 4 Organizational Units and adjusted by the  
8 relative formula when increases in appropriations for this  
9 Section resume. In no event may State funding reductions  
10 to Organizational Units in Tier 3 or Tier 4 exceed an  
11 amount that would be less than the Base Funding Minimum  
12 established in the first year of implementation of this  
13 Section. If additional reductions are required, all school  
14 districts shall receive a reduction by a per pupil amount  
15 equal to the aggregate additional appropriation reduction  
16 divided by the total ASE of all Organizational Units.

17 (11) The State Superintendent shall make minor  
18 adjustments to the distribution formula set forth in this  
19 subsection (g) to account for the rounding of percentages  
20 to the nearest tenth of a percentage and dollar amounts to  
21 the nearest whole dollar.

22 (h) State Superintendent administration of funding and  
23 district submission requirements.

24 (1) The State Superintendent shall, in accordance with  
25 appropriations made by the General Assembly, meet the  
26 funding obligations created under this Section.

1           (2) The State Superintendent shall calculate the  
2 Adequacy Target for each Organizational Unit and Net State  
3 Contribution Target for each Organizational Unit under  
4 this Section. No Evidence-Based Funding shall be  
5 distributed within an Organizational Unit without the  
6 approval of the unit's school board.

7           (3) Annually, the State Superintendent shall calculate  
8 and report to each Organizational Unit the unit's  
9 aggregate financial adequacy amount, which shall be the  
10 sum of the Adequacy Target for each Organizational Unit.  
11 The State Superintendent shall calculate and report  
12 separately for each Organizational Unit the unit's total  
13 State funds allocated for its students with disabilities.  
14 The State Superintendent shall calculate and report  
15 separately for each Organizational Unit the amount of  
16 funding and applicable FTE calculated for each Essential  
17 Element of the unit's Adequacy Target.

18           (4) Annually, the State Superintendent shall calculate  
19 and report to each Organizational Unit the amount the unit  
20 must expend on special education and bilingual education  
21 and computer technology and equipment for Organizational  
22 Units assigned to Tier 1 or Tier 2 that received an  
23 additional \$285.50 per student computer technology and  
24 equipment investment grant to their Adequacy Target  
25 pursuant to the unit's Base Funding Minimum, Special  
26 Education Allocation, Bilingual Education Allocation, and

1 computer technology and equipment investment allocation.

2 (5) Moneys distributed under this Section shall be  
3 calculated on a school year basis, but paid on a fiscal  
4 year basis, with payments beginning in August and  
5 extending through June. Unless otherwise provided, the  
6 moneys appropriated for each fiscal year shall be  
7 distributed in 22 equal payments at least 2 times monthly  
8 to each Organizational Unit. If moneys appropriated for  
9 any fiscal year are distributed other than monthly, the  
10 distribution shall be on the same basis for each  
11 Organizational Unit.

12 (6) Any school district that fails, for any given  
13 school year, to maintain school as required by law or to  
14 maintain a recognized school is not eligible to receive  
15 Evidence-Based Funding. In case of non-recognition of one  
16 or more attendance centers in a school district otherwise  
17 operating recognized schools, the claim of the district  
18 shall be reduced in the proportion that the enrollment in  
19 the attendance center or centers bears to the enrollment  
20 of the school district. "Recognized school" means any  
21 public school that meets the standards for recognition by  
22 the State Board. A school district or attendance center  
23 not having recognition status at the end of a school term  
24 is entitled to receive State aid payments due upon a legal  
25 claim that was filed while it was recognized.

26 (7) School district claims filed under this Section

1 are subject to Sections 18-9 and 18-12 of this Code,  
2 except as otherwise provided in this Section.

3 (8) Each fiscal year, the State Superintendent shall  
4 calculate for each Organizational Unit an amount of its  
5 Base Funding Minimum and Evidence-Based Funding that shall  
6 be deemed attributable to the provision of special  
7 educational facilities and services, as defined in Section  
8 14-1.08 of this Code, in a manner that ensures compliance  
9 with maintenance of State financial support requirements  
10 under the federal Individuals with Disabilities Education  
11 Act. An Organizational Unit must use such funds only for  
12 the provision of special educational facilities and  
13 services, as defined in Section 14-1.08 of this Code, and  
14 must comply with any expenditure verification procedures  
15 adopted by the State Board.

16 (9) All Organizational Units in this State must submit  
17 annual spending plans by the end of September of each year  
18 to the State Board as part of the annual budget process,  
19 which shall describe how each Organizational Unit will  
20 utilize the Base Funding Minimum and Evidence-Based  
21 Funding it receives from this State under this Section  
22 with specific identification of the intended utilization  
23 of Low-Income, English learner, and special education  
24 resources. Additionally, the annual spending plans of each  
25 Organizational Unit shall describe how the Organizational  
26 Unit expects to achieve student growth and how the

1 Organizational Unit will achieve State education goals, as  
2 defined by the State Board. The State Superintendent may,  
3 from time to time, identify additional requisites for  
4 Organizational Units to satisfy when compiling the annual  
5 spending plans required under this subsection (h). The  
6 format and scope of annual spending plans shall be  
7 developed by the State Superintendent and the State Board  
8 of Education. School districts that serve students under  
9 Article 14C of this Code shall continue to submit  
10 information as required under Section 14C-12 of this Code.

11 (10) No later than January 1, 2018, the State  
12 Superintendent shall develop a 5-year strategic plan for  
13 all Organizational Units to help in planning for adequacy  
14 funding under this Section. The State Superintendent shall  
15 submit the plan to the Governor and the General Assembly,  
16 as provided in Section 3.1 of the General Assembly  
17 Organization Act. The plan shall include recommendations  
18 for:

19 (A) a framework for collaborative, professional,  
20 innovative, and 21st century learning environments  
21 using the Evidence-Based Funding model;

22 (B) ways to prepare and support this State's  
23 educators for successful instructional careers;

24 (C) application and enhancement of the current  
25 financial accountability measures, the approved State  
26 plan to comply with the federal Every Student Succeeds

1 Act, and the Illinois Balanced Accountability Measures  
2 in relation to student growth and elements of the  
3 Evidence-Based Funding model; and

4 (D) implementation of an effective school adequacy  
5 funding system based on projected and recommended  
6 funding levels from the General Assembly.

7 (11) On an annual basis, the State Superintendent must  
8 recalibrate all of the following per pupil elements of the  
9 Adequacy Target and applied to the formulas, based on the  
10 study of average expenses and as reported in the most  
11 recent annual financial report:

12 (A) Gifted under subparagraph (M) of paragraph (2)  
13 of subsection (b).

14 (B) Instructional materials under subparagraph (O)  
15 of paragraph (2) of subsection (b).

16 (C) Assessment under subparagraph (P) of paragraph  
17 (2) of subsection (b).

18 (D) Student activities under subparagraph (R) of  
19 paragraph (2) of subsection (b).

20 (E) Maintenance and operations under subparagraph  
21 (S) of paragraph (2) of subsection (b).

22 (F) Central office under subparagraph (T) of  
23 paragraph (2) of subsection (b).

24 (i) Professional Review Panel.

25 (1) A Professional Review Panel is created to study  
26 and review topics related to the implementation and effect

1 of Evidence-Based Funding, as assigned by a joint  
2 resolution or Public Act of the General Assembly or a  
3 motion passed by the State Board of Education. The Panel  
4 must provide recommendations to and serve the Governor,  
5 the General Assembly, and the State Board. The State  
6 Superintendent or his or her designee must serve as a  
7 voting member and chairperson of the Panel. The State  
8 Superintendent must appoint a vice chairperson from the  
9 membership of the Panel. The Panel must advance  
10 recommendations based on a three-fifths majority vote of  
11 Panel members present and voting. A minority opinion may  
12 also accompany any recommendation of the Panel. The Panel  
13 shall be appointed by the State Superintendent, except as  
14 otherwise provided in paragraph (2) of this subsection (i)  
15 and include the following members:

16 (A) Two appointees that represent district  
17 superintendents, recommended by a statewide  
18 organization that represents district superintendents.

19 (B) Two appointees that represent school boards,  
20 recommended by a statewide organization that  
21 represents school boards.

22 (C) Two appointees from districts that represent  
23 school business officials, recommended by a statewide  
24 organization that represents school business  
25 officials.

26 (D) Two appointees that represent school

1 principals, recommended by a statewide organization  
2 that represents school principals.

3 (E) Two appointees that represent teachers,  
4 recommended by a statewide organization that  
5 represents teachers.

6 (F) Two appointees that represent teachers,  
7 recommended by another statewide organization that  
8 represents teachers.

9 (G) Two appointees that represent regional  
10 superintendents of schools, recommended by  
11 organizations that represent regional superintendents.

12 (H) Two independent experts selected solely by the  
13 State Superintendent.

14 (I) Two independent experts recommended by public  
15 universities in this State.

16 (J) One member recommended by a statewide  
17 organization that represents parents.

18 (K) Two representatives recommended by collective  
19 impact organizations that represent major metropolitan  
20 areas or geographic areas in Illinois.

21 (L) One member from a statewide organization  
22 focused on research-based education policy to support  
23 a school system that prepares all students for  
24 college, a career, and democratic citizenship.

25 (M) One representative from a school district  
26 organized under Article 34 of this Code.

1           The State Superintendent shall ensure that the  
2 membership of the Panel includes representatives from  
3 school districts and communities reflecting the  
4 geographic, socio-economic, racial, and ethnic diversity  
5 of this State. The State Superintendent shall additionally  
6 ensure that the membership of the Panel includes  
7 representatives with expertise in bilingual education and  
8 special education. Staff from the State Board shall staff  
9 the Panel.

10           (2) In addition to those Panel members appointed by  
11 the State Superintendent, 4 members of the General  
12 Assembly shall be appointed as follows: one member of the  
13 House of Representatives appointed by the Speaker of the  
14 House of Representatives, one member of the Senate  
15 appointed by the President of the Senate, one member of  
16 the House of Representatives appointed by the Minority  
17 Leader of the House of Representatives, and one member of  
18 the Senate appointed by the Minority Leader of the Senate.  
19 There shall be one additional member appointed by the  
20 Governor. All members appointed by legislative leaders or  
21 the Governor shall be non-voting, ex officio members.

22           (3) The Panel must study topics at the direction of  
23 the General Assembly or State Board of Education, as  
24 provided under paragraph (1). The Panel may also study the  
25 following topics at the direction of the chairperson:

26           (A) The format and scope of annual spending plans

1           referenced in paragraph (9) of subsection (h) of this  
2           Section.

3           (B) The Comparable Wage Index under this Section.

4           (C) Maintenance and operations, including capital  
5           maintenance and construction costs.

6           (D) "At-risk student" definition.

7           (E) Benefits.

8           (F) Technology.

9           (G) Local Capacity Target.

10          (H) Funding for Alternative Schools, Laboratory  
11          Schools, safe schools, and alternative learning  
12          opportunities programs.

13          (I) Funding for college and career acceleration  
14          strategies.

15          (J) Special education investments.

16          (K) Early childhood investments, in collaboration  
17          with the Illinois Early Learning Council.

18          (4) (Blank).

19          (5) Within 5 years after the implementation of this  
20          Section, and every 5 years thereafter, the Panel shall  
21          complete an evaluative study of the entire Evidence-Based  
22          Funding model, including an assessment of whether or not  
23          the formula is achieving State goals. The Panel shall  
24          report to the State Board, the General Assembly, and the  
25          Governor on the findings of the study.

26          (6) (Blank).

1           (7) To ensure that (i) the Adequacy Target calculation  
2           under subsection (b) accurately reflects the needs of  
3           students living in poverty or attending schools located in  
4           areas of high poverty, (ii) racial equity within the  
5           Evidence-Based Funding formula is explicitly explored and  
6           advanced, and (iii) the funding goals of the formula  
7           distribution system established under this Section are  
8           sufficient to provide adequate funding for every student  
9           and to fully fund every school in this State, the Panel  
10          shall review the Essential Elements under paragraph (2) of  
11          subsection (b). The Panel shall consider all of the  
12          following in its review:

13                 (A) The financial ability of school districts to  
14                 provide instruction in a foreign language to every  
15                 student and whether an additional Essential Element  
16                 should be added to the formula to ensure that every  
17                 student has access to instruction in a foreign  
18                 language.

19                 (B) The adult-to-student ratio for each Essential  
20                 Element in which a ratio is identified. The Panel  
21                 shall consider whether the ratio accurately reflects  
22                 the staffing needed to support students living in  
23                 poverty or who have traumatic backgrounds.

24                 (C) Changes to the Essential Elements that may be  
25                 required to better promote racial equity and eliminate  
26                 structural racism within schools.

1 (D) The impact of investing \$350,000,000 in  
2 additional funds each year under this Section and an  
3 estimate of when the school system will become fully  
4 funded under this level of appropriation.

5 (E) Provide an overview of alternative funding  
6 structures that would enable the State to become fully  
7 funded at an earlier date.

8 (F) The potential to increase efficiency and to  
9 find cost savings within the school system to expedite  
10 the journey to a fully funded system.

11 (G) The appropriate levels for reenrolling and  
12 graduating high-risk high school students who have  
13 been previously out of school. These outcomes shall  
14 include enrollment, attendance, skill gains, credit  
15 gains, graduation or promotion to the next grade  
16 level, and the transition to college, training, or  
17 employment, with an emphasis on progressively  
18 increasing the overall attendance.

19 (H) The evidence-based or research-based practices  
20 that are shown to reduce the gaps and disparities  
21 experienced by African American students in academic  
22 achievement and educational performance, including  
23 practices that have been shown to reduce disparities  
24 ~~parities~~ in disciplinary rates, drop-out rates,  
25 graduation rates, college matriculation rates, and  
26 college completion rates.

1           On or before December 31, 2021, the Panel shall report  
2           to the State Board, the General Assembly, and the Governor  
3           on the findings of its review. This paragraph (7) is  
4           inoperative on and after July 1, 2022.

5           (j) References. Beginning July 1, 2017, references in  
6           other laws to general State aid funds or calculations under  
7           Section 18-8.05 of this Code (now repealed) shall be deemed to  
8           be references to evidence-based model formula funds or  
9           calculations under this Section.

10          (Source: P.A. 101-10, eff. 6-5-19; 101-17, eff. 6-14-19;  
11          101-643, eff. 6-18-20; 101-654, eff. 3-8-21; 102-33, eff.  
12          6-25-21; 102-197, eff. 7-30-21; 102-558, eff. 8-20-21; revised  
13          10-12-21.)

14          Section 5-78. The School Construction Law is amended by  
15          adding Section 5-500 as follows:

16               (105 ILCS 230/5-500 new)

17               Sec. 5-500. Emergency funding eligibility.

18               (a) The State Board of Education shall classify  
19               destruction or disrepair of a public school as an emergency  
20               that is eligible for emergency funding if the public school  
21               (i) does not otherwise meet the minimum enrollment  
22               requirements to be eligible for emergency funding, (ii) has a  
23               majority-minority student population, and (iii) is located  
24               within a municipality with a population of less than 5,000

1 outside of Cook County and the destruction or disrepair  
2 occurred during the time in which proclamations issued by the  
3 Governor during the 2019-2020, 2020-2021, and 2021-2022 school  
4 years declaring a disaster due to a public health emergency  
5 pursuant to Section 7 of the Illinois Emergency Management  
6 Agency Act were in effect.

7 (b) Notwithstanding any other provisions of law to the  
8 contrary, any school district that receives funding pursuant  
9 to subsection (a) is exempt from providing local matching  
10 funds.

11 Section 5-80. The Board of Higher Education Act is amended  
12 by adding Section 9.41 as follows:

13 (110 ILCS 205/9.41 new)

14 Sec. 9.41. Board of Higher Education State Contracts and  
15 Grants Fund; creation. The Board of Higher Education State  
16 Contracts and Grants Fund is created as a special fund in the  
17 State treasury. The Board shall deposit into the Fund moneys  
18 received from grants, awards, or other financial activities  
19 from state or local government agencies, and, where  
20 appropriate, other funds made available through contracts with  
21 state or local government agencies. Moneys in the Fund may be  
22 used by the Board, subject to appropriation, for grants,  
23 awards, contracts, and other purposes in accordance with this  
24 Act.

1 Section 5-82. The Public Community College Act is amended  
2 by adding Section 2-12.2 as follows:

3 (110 ILCS 805/2-12.2 new)

4 Sec. 2-12.2. Pipeline for the Advancement of the  
5 Healthcare Workforce. The State Board shall develop a funding  
6 formula to distribute funds for the Illinois Pipeline for the  
7 Advancement of the Healthcare (PATH) Workforce Program, a  
8 program that is hereby established and designed to create,  
9 support, and expand opportunities of individuals enrolled at a  
10 public community college in a healthcare pathway, to obtain  
11 credentials, certificates, and degrees that allow them to  
12 enter into or advance their careers in the healthcare  
13 industry. The State Board shall adopt rules as necessary to  
14 implement the funding formula and distribute the funds to  
15 Illinois community colleges.

16 Section 5-85. The Higher Education Student Assistance Act  
17 is amended by changing Sections 35, 38, and 77 as follows:

18 (110 ILCS 947/35)

19 Sec. 35. Monetary award program.

20 (a) The Commission shall, each year, receive and consider  
21 applications for grant assistance under this Section. Subject  
22 to a separate appropriation for such purposes, an applicant is

1 eligible for a grant under this Section when the Commission  
2 finds that the applicant:

3 (1) is a resident of this State and a citizen or  
4 permanent resident of the United States; ~~and~~

5 (2) is enrolled or has been accepted for enrollment in  
6 a qualified institution for the purpose of obtaining a  
7 degree, certificate, or other credential offered by the  
8 institution, as applicable; and

9 (3) in the absence of grant assistance, will be  
10 deterred by financial considerations from completing an  
11 educational program at the qualified institution of his or  
12 her choice.

13 (b) The Commission shall award renewals only upon the  
14 student's application and upon the Commission's finding that  
15 the applicant:

16 (1) has remained a student in good standing;

17 (2) remains a resident of this State; and

18 (3) is in a financial situation that continues to  
19 warrant assistance.

20 (c) All grants shall be applicable only to tuition and  
21 necessary fee costs. The Commission shall determine the grant  
22 amount for each student, which shall not exceed the smallest  
23 of the following amounts:

24 (1) subject to appropriation, \$5,468 for fiscal year  
25 2009, \$5,968 for fiscal year 2010, ~~and~~ \$6,468 for fiscal  
26 year 2011 and each fiscal year thereafter through fiscal

1       year 2022, and \$8,508 for fiscal year 2023 and each fiscal  
2       year thereafter, or such lesser amount as the Commission  
3       finds to be available, during an academic year;

4               (2) the amount which equals 2 semesters or 3 quarters  
5       tuition and other necessary fees required generally by the  
6       institution of all full-time undergraduate students; or

7               (3) such amount as the Commission finds to be  
8       appropriate in view of the applicant's financial  
9       resources.

10       Subject to appropriation, the maximum grant amount for  
11       students not subject to subdivision (1) of this subsection (c)  
12       must be increased by the same percentage as any increase made  
13       by law to the maximum grant amount under subdivision (1) of  
14       this subsection (c).

15       "Tuition and other necessary fees" as used in this Section  
16       include the customary charge for instruction and use of  
17       facilities in general, and the additional fixed fees charged  
18       for specified purposes, which are required generally of  
19       nongrant recipients for each academic period for which the  
20       grant applicant actually enrolls, but do not include fees  
21       payable only once or breakage fees and other contingent  
22       deposits which are refundable in whole or in part. The  
23       Commission may prescribe, by rule not inconsistent with this  
24       Section, detailed provisions concerning the computation of  
25       tuition and other necessary fees.

26               (d) No applicant, including those presently receiving

1 scholarship assistance under this Act, is eligible for  
2 monetary award program consideration under this Act after  
3 receiving a baccalaureate degree or the equivalent of 135  
4 semester credit hours of award payments.

5 (d-5) In this subsection (d-5), "renewing applicant" means  
6 a student attending an institution of higher learning who  
7 received a Monetary Award Program grant during the prior  
8 academic year. Beginning with the processing of applications  
9 for the 2020-2021 academic year, the Commission shall annually  
10 publish a priority deadline date for renewing applicants.  
11 Subject to appropriation, a renewing applicant who files by  
12 the published priority deadline date shall receive a grant if  
13 he or she continues to meet the eligibility requirements under  
14 this Section. A renewing applicant's failure to apply by the  
15 priority deadline date established under this subsection (d-5)  
16 shall not disqualify him or her from receiving a grant if  
17 sufficient funding is available to provide awards after that  
18 date.

19 (e) The Commission, in determining the number of grants to  
20 be offered, shall take into consideration past experience with  
21 the rate of grant funds unclaimed by recipients. The  
22 Commission shall notify applicants that grant assistance is  
23 contingent upon the availability of appropriated funds.

24 (e-5) The General Assembly finds and declares that it is  
25 an important purpose of the Monetary Award Program to  
26 facilitate access to college both for students who pursue

1 postsecondary education immediately following high school and  
2 for those who pursue postsecondary education later in life,  
3 particularly Illinoisans who are dislocated workers with  
4 financial need and who are seeking to improve their economic  
5 position through education. For the 2015-2016 and 2016-2017  
6 academic years, the Commission shall give additional and  
7 specific consideration to the needs of dislocated workers with  
8 the intent of allowing applicants who are dislocated workers  
9 an opportunity to secure financial assistance even if applying  
10 later than the general pool of applicants. The Commission's  
11 consideration shall include, in determining the number of  
12 grants to be offered, an estimate of the resources needed to  
13 serve dislocated workers who apply after the Commission  
14 initially suspends award announcements for the upcoming  
15 regular academic year, but prior to the beginning of that  
16 academic year. For the purposes of this subsection (e-5), a  
17 dislocated worker is defined as in the federal Workforce  
18 Innovation and Opportunity Act.

19 (f) (Blank).

20 (g) The Commission shall determine the eligibility of and  
21 make grants to applicants enrolled at qualified for-profit  
22 institutions in accordance with the criteria set forth in this  
23 Section. The eligibility of applicants enrolled at such  
24 for-profit institutions shall be limited as follows:

25 (1) Beginning with the academic year 1997, only to  
26 eligible first-time freshmen and first-time transfer

1 students who have attained an associate degree.

2 (2) Beginning with the academic year 1998, only to  
3 eligible freshmen students, transfer students who have  
4 attained an associate degree, and students who receive a  
5 grant under paragraph (1) for the academic year 1997 and  
6 whose grants are being renewed for the academic year 1998.

7 (3) Beginning with the academic year 1999, to all  
8 eligible students.

9 (h) The Commission may award a grant to an eligible  
10 applicant enrolled at an Illinois public institution of higher  
11 learning in a program that will culminate in the award of an  
12 occupational or career and technical certificate as that term  
13 is defined in 23 Ill. Adm. Code 1501.301.

14 (i) The Commission may adopt rules to implement this  
15 Section.

16 (Source: P.A. 100-477, eff. 9-8-17; 100-621, eff. 7-20-18;  
17 100-823, eff. 8-13-18; 101-81, eff. 7-12-19.)

18 (110 ILCS 947/38)

19 Sec. 38. Monetary award program accountability. The  
20 Illinois Student Assistance Commission is directed to assess  
21 the educational persistence of monetary award program  
22 recipients. An assessment under this Section shall include an  
23 analysis of such factors as undergraduate educational goals,  
24 chosen field of study, retention rates, and expected time to  
25 complete a degree. The assessment also shall include an

1 analysis of the academic success of monetary award program  
2 recipients through a review of measures that are typically  
3 associated with academic success, such as grade point average,  
4 satisfactory academic progress, and credit hours earned. Each  
5 analysis should take into consideration student class level,  
6 dependency types, and the type of higher education institution  
7 at which each monetary award program recipient is enrolled.  
8 The Illinois Community College Board and the Illinois Board of  
9 Higher Education are authorized and directed to share data  
10 with the Commission as needed to allow completion of the  
11 assessment. The Commission shall report its findings to the  
12 General Assembly and the Board of Higher Education by February  
13 1, 1999 and at least every 2 years thereafter.

14 (Source: P.A. 90-486, eff. 8-17-97; 90-488, eff. 8-17-97.)

15 (110 ILCS 947/77)

16 Sec. 77. Illinois Student Assistance Commission Contracts  
17 and Grants Fund.

18 (a) The Illinois Student Assistance Commission Contracts  
19 and Grants Fund is created as a special fund in the State  
20 treasury. All gifts, grants, or donations of money received by  
21 the Commission must be deposited into this Fund and, where  
22 appropriate, other funds made available through contracts with  
23 governmental, public, and private agencies or persons may also  
24 be deposited into this Fund.

25 (b) Moneys in the Fund may be used by the Commission,

1 subject to appropriation, for support of the Commission's  
2 student and borrower assistance outreach, research, and  
3 training activities.

4 (Source: P.A. 92-597, eff. 7-1-02.)

5 Section 5-88. The Nursing Education Scholarship Law is  
6 amended by changing Sections 3, 5, 6.5, and 7 and by adding  
7 Sections 3.1 and 9.1 as follows:

8 (110 ILCS 975/3) (from Ch. 144, par. 2753)

9 Sec. 3. Definitions. The following terms, whenever used or  
10 referred to, have the following meanings except where the  
11 context clearly indicates otherwise:

12 (1) "Board" means the Board of Higher Education created by  
13 the Board of Higher Education Act.

14 (2) "Department" means the Illinois Department of Public  
15 Health.

16 (3) "Approved institution" means a public community  
17 college, private junior college, hospital-based diploma in  
18 nursing program, or public or private college or university  
19 with a pre-licensure nursing education program located in this  
20 State that has approval by the Department of Financial and  
21 Professional Regulation for an associate degree in nursing  
22 program, associate degree in applied sciences in nursing  
23 program, hospital-based diploma in nursing program,  
24 baccalaureate degree in nursing program, graduate degree in

1 nursing program, or certificate in a practical nursing program  
2 or a post-licensure nursing education program approved by the  
3 Board of Higher Education or any successor agency with similar  
4 authority.

5 (4) "Baccalaureate degree in nursing program" means a  
6 program offered by an approved institution and leading to a  
7 bachelor of science degree in nursing.

8 (5) "Enrollment" means the establishment and maintenance  
9 of an individual's status as a student in an approved  
10 institution, regardless of the terms used at the institution  
11 to describe such status.

12 (6) "Academic year" means the period of time from  
13 September 1 of one year through August 31 of the next year or  
14 as otherwise defined by the academic institution.

15 (7) "Associate degree in nursing program or hospital-based  
16 diploma in nursing program" means a program offered by an  
17 approved institution and leading to an associate degree in  
18 nursing, associate degree in applied sciences in nursing, or  
19 hospital-based diploma in nursing.

20 (8) "Graduate degree in nursing program" means a program  
21 offered by an approved institution and leading to a master of  
22 science degree in nursing or a doctorate of philosophy or  
23 doctorate of nursing degree in nursing.

24 (9) "Director" means the Director of the Illinois  
25 Department of Public Health.

26 (10) "Accepted for admission" means a student has

1 completed the requirements for entry into an associate degree  
2 in nursing program, associate degree in applied sciences in  
3 nursing program, hospital-based diploma in nursing program,  
4 baccalaureate degree in nursing program, graduate degree in  
5 nursing program, or certificate in practical nursing program  
6 at an approved institution, as documented by the institution.

7 (11) "Fees" means those mandatory charges, in addition to  
8 tuition, that all enrolled students must pay, including  
9 required course or lab fees.

10 (12) "Full-time student" means a student enrolled for at  
11 least 12 hours per term or as otherwise determined by the  
12 academic institution.

13 (13) "Law" means the Nursing Education Scholarship Law.

14 (14) "Nursing employment obligation" means employment in  
15 this State as a registered professional nurse, licensed  
16 practical nurse, or advanced practice registered nurse in  
17 direct patient care for at least one year for each year of  
18 scholarship assistance received through the Nursing Education  
19 Scholarship Program.

20 (15) "Part-time student" means a person who is enrolled  
21 for at least one-third of the number of hours required per term  
22 by a school for its full-time students.

23 (16) "Practical nursing program" means a program offered  
24 by an approved institution leading to a certificate in  
25 practical nursing.

26 (17) "Registered professional nurse" means a person who is

1 currently licensed as a registered professional nurse by the  
2 Department of Professional Regulation under the Nurse Practice  
3 Act.

4 (18) "Licensed practical nurse" means a person who is  
5 currently licensed as a licensed practical nurse by the  
6 Department of Professional Regulation under the Nurse Practice  
7 Act.

8 (19) "School term" means an academic term, such as a  
9 semester, quarter, trimester, or number of clock hours, as  
10 defined by an approved institution.

11 (20) "Student in good standing" means a student  
12 maintaining a cumulative grade point average equivalent to at  
13 least the academic grade of a "C".

14 (21) "Total and permanent disability" means a physical or  
15 mental impairment, disease, or loss of a permanent nature that  
16 prevents nursing employment with or without reasonable  
17 accommodation. Proof of disability shall be a declaration from  
18 the social security administration, Illinois Workers'  
19 Compensation Commission, Department of Defense, or an insurer  
20 authorized to transact business in Illinois who is providing  
21 disability insurance coverage to a contractor.

22 (22) "Tuition" means the established charges of an  
23 institution of higher learning for instruction at that  
24 institution.

25 (23) "Nurse educator" means a person who is currently  
26 licensed as a registered nurse by the Department of

1 Professional Regulation under the Nurse Practice Act, who has  
2 a graduate degree in nursing, and who is employed by an  
3 approved academic institution to educate registered nursing  
4 students, licensed practical nursing students, and registered  
5 nurses pursuing graduate degrees.

6 (24) "Nurse educator employment obligation" means  
7 employment in this State as a nurse educator for at least 2  
8 years for each year of scholarship assistance received under  
9 Section 6.5 of this Law.

10 (25) "Commission" means the Illinois Student Assistance  
11 Commission.

12 Rulemaking authority to implement the provisions of this  
13 Act ~~Public Act 96-805, if any,~~ is conditioned on the rules  
14 being adopted in accordance with all provisions of the  
15 Illinois Administrative Procedure Act and all rules and  
16 procedures of the Joint Committee on Administrative Rules; any  
17 purported rule not so adopted, for whatever reason, is  
18 unauthorized.

19 (Source: P.A. 100-183, eff. 8-18-17; 100-513, eff. 1-1-18;  
20 100-863, eff. 8-14-18.)

21 (110 ILCS 975/3.1 new)

22 Sec. 3.1. Approved institutions. An approved institution  
23 must maintain compliance with all applicable State and federal  
24 laws. An approved institution is not eligible for other  
25 programs administered by the Commission and is not required to

1 meet the definition of "institution of higher learning",  
2 "qualified institution", or "institution" as defined in  
3 Section 10 of the Higher Education Student Assistance Act. The  
4 Commission may establish by rule additional requirements for  
5 approved institutions.

6 (110 ILCS 975/5) (from Ch. 144, par. 2755)

7 Sec. 5. Nursing education scholarships. Beginning with the  
8 fall term of the 2004-2005 academic year, the Department, in  
9 accordance with rules and regulations promulgated by it for  
10 this program, shall provide scholarships to individuals  
11 selected from among those applicants who qualify for  
12 consideration by showing:

13 (1) that he or she has been a resident of this State  
14 for at least one year prior to application, and is a  
15 citizen or a lawful permanent resident alien of the United  
16 States;

17 (2) that he or she is enrolled in or accepted for  
18 admission to an associate degree in nursing program,  
19 hospital-based diploma in nursing program, baccalaureate  
20 degree in nursing program, graduate degree in nursing  
21 program, or practical nursing program at an approved  
22 institution; and

23 (3) that he or she agrees to meet the nursing  
24 employment obligation.

25 If in any year the number of qualified applicants exceeds

1 the number of scholarships to be awarded, the Department  
2 shall, in consultation with the Illinois Nursing Workforce  
3 Center Advisory Board, consider the following factors in  
4 granting priority in awarding scholarships:

5 (A) Financial need, as shown on a standardized  
6 financial needs assessment form used by an approved  
7 institution, of students who will pursue their  
8 education on a full-time or close to full-time basis  
9 and who already have a certificate in practical  
10 nursing, a diploma in nursing, or an associate degree  
11 in nursing and are pursuing a higher degree.

12 (B) A student's status as a registered nurse who  
13 is pursuing a graduate degree in nursing to pursue  
14 employment in an approved institution that educates  
15 licensed practical nurses and that educates registered  
16 nurses in undergraduate and graduate nursing programs.

17 (C) A student's merit, as shown through his or her  
18 grade point average, class rank, and other academic  
19 and extracurricular activities. The Department may add  
20 to and further define these merit criteria by rule.

21 Unless otherwise indicated, scholarships shall be awarded  
22 to recipients at approved institutions for a period of up to 2  
23 years if the recipient is enrolled in an associate degree in  
24 nursing program, up to 3 years if the recipient is enrolled in  
25 a hospital-based diploma in nursing program, up to 4 years if  
26 the recipient is enrolled in a baccalaureate degree in nursing

1 program, up to 5 years if the recipient is enrolled in a  
2 graduate degree in nursing program, and up to one year if the  
3 recipient is enrolled in a certificate in practical nursing  
4 program. At least 40% of the scholarships awarded shall be for  
5 recipients who are pursuing baccalaureate degrees in nursing,  
6 30% of the scholarships awarded shall be for recipients who  
7 are pursuing associate degrees in nursing or a diploma in  
8 nursing, 10% of the scholarships awarded shall be for  
9 recipients who are pursuing a certificate in practical  
10 nursing, and 20% of the scholarships awarded shall be for  
11 recipients who are pursuing a graduate degree in nursing.

12 ~~During Beginning with the fall term of the 2021-2022~~  
13 ~~academic year and continuing through the 2024-2025 academic~~  
14 ~~year,~~ subject to appropriation from the Hospital Licensure  
15 Fund, in addition to any other funds available to the  
16 Department for such scholarships, the Department may award a  
17 total of \$500,000 ~~annually~~ in scholarships under this Section.  
18 (Source: P.A. 102-641, eff. 8-27-21.)

19 (110 ILCS 975/6.5)

20 Sec. 6.5. Nurse educator scholarships.

21 (a) Beginning with the fall term of the 2009-2010 academic  
22 year, the Department shall provide scholarships to individuals  
23 selected from among those applicants who qualify for  
24 consideration by showing the following:

25 (1) that he or she has been a resident of this State

1 for at least one year prior to application and is a citizen  
2 or a lawful permanent resident alien of the United States;

3 (2) that he or she is enrolled in or accepted for  
4 admission to a graduate degree in nursing program at an  
5 approved institution; and

6 (3) that he or she agrees to meet the nurse educator  
7 employment obligation.

8 (b) If in any year the number of qualified applicants  
9 exceeds the number of scholarships to be awarded under this  
10 Section, the Department shall, in consultation with the  
11 Illinois Nursing Workforce Center Advisory Board, consider the  
12 following factors in granting priority in awarding  
13 scholarships:

14 (1) Financial need, as shown on a standardized  
15 financial needs assessment form used by an approved  
16 institution, of students who will pursue their education  
17 on a full-time or close to full-time basis and who already  
18 have a diploma in nursing and are pursuing a higher  
19 degree.

20 (2) A student's status as a registered nurse who is  
21 pursuing a graduate degree in nursing to pursue employment  
22 in an approved institution that educates licensed  
23 practical nurses and that educates registered nurses in  
24 undergraduate and graduate nursing programs.

25 (3) A student's merit, as shown through his or her  
26 grade point average, class rank, experience as a nurse,

1 including supervisory experience, experience as a nurse in  
2 the United States military, and other academic and  
3 extracurricular activities.

4 (c) Unless otherwise indicated, scholarships under this  
5 Section shall be awarded to recipients at approved  
6 institutions for a period of up to 3 years.

7 (d) Within 12 months after graduation from a graduate  
8 degree in nursing program for nurse educators, any recipient  
9 who accepted a scholarship under this Section shall begin  
10 meeting the required nurse educator employment obligation. In  
11 order to defer his or her continuous employment obligation, a  
12 recipient must request the deferment in writing from the  
13 Department. A recipient shall receive a deferment if he or she  
14 notifies the Department, within 30 days after enlisting, that  
15 he or she is spending up to 4 years in military service. A  
16 recipient shall receive a deferment if he or she notifies the  
17 Department, within 30 days after enrolling, that he or she is  
18 enrolled in an academic program leading to a graduate degree  
19 in nursing. The recipient must begin meeting the required  
20 nurse educator employment obligation no later than 6 months  
21 after the end of the deferment or deferments.

22 Any person who fails to fulfill the nurse educator  
23 employment obligation shall pay to the Department an amount  
24 equal to the amount of scholarship funds received per year for  
25 each unfulfilled year of the nurse educator employment  
26 obligation, together with interest at 7% per year on the

1 unpaid balance. Payment must begin within 6 months following  
2 the date of the occurrence initiating the repayment. All  
3 repayments must be completed within 6 years from the date of  
4 the occurrence initiating the repayment. However, this  
5 repayment obligation may be deferred and re-evaluated every 6  
6 months when the failure to fulfill the nurse educator  
7 employment obligation results from involuntarily leaving the  
8 profession due to a decrease in the number of nurses employed  
9 in this State or when the failure to fulfill the nurse educator  
10 employment obligation results from total and permanent  
11 disability. The repayment obligation shall be excused if the  
12 failure to fulfill the nurse educator employment obligation  
13 results from the death or adjudication as incompetent of the  
14 person holding the scholarship. No claim for repayment may be  
15 filed against the estate of such a decedent or incompetent.

16 The Department may allow a nurse educator employment  
17 obligation fulfillment alternative if the nurse educator  
18 scholarship recipient is unsuccessful in finding work as a  
19 nurse educator. The Department shall maintain a database of  
20 all available nurse educator positions in this State.

21 (e) Each person applying for a scholarship under this  
22 Section must be provided with a copy of this Section at the  
23 time of application for the benefits of this scholarship.

24 (f) Rulemaking authority to implement this ~~amendatory~~ Act  
25 ~~of the 96th General Assembly, if any,~~ is conditioned on the  
26 rules being adopted in accordance with all provisions of the

1 Illinois Administrative Procedure Act and all rules and  
2 procedures of the Joint Committee on Administrative Rules; any  
3 purported rule not so adopted, for whatever reason, is  
4 unauthorized.

5 (Source: P.A. 100-513, eff. 1-1-18.)

6 (110 ILCS 975/7) (from Ch. 144, par. 2757)

7 Sec. 7. Amount of scholarships. To determine a scholarship  
8 amount, the Department shall consider tuition and fee charges  
9 at community colleges and universities statewide and projected  
10 living expenses. ~~Using information provided annually by the~~  
11 ~~Illinois Student Assistance Commission,~~ 75% of the weighted  
12 tuition and fees charged by community colleges in Illinois  
13 shall be added to the uniform living allowance reported in the  
14 weighted Monetary Award Program (MAP) budget to determine the  
15 full-time scholarship amount for students pursuing an  
16 associate degree or diploma in nursing at an Illinois  
17 community college. Scholarship amounts for students pursuing  
18 associate, baccalaureate, or graduate degrees in nursing at a  
19 college or university shall include 75% of the weighted  
20 tuition and fees charged by public universities in Illinois  
21 plus the uniform living allowance reported in the weighted MAP  
22 budget. Scholarship amounts for students in practical nursing  
23 programs shall include 75% of the average of tuition charges  
24 at all practical nursing programs plus the uniform living  
25 allowance reported in the weighted MAP budget. The Department

1 may provide that scholarships shall be on a quarterly or  
2 semi-annual basis and shall be contingent upon the student's  
3 diligently pursuing nursing studies and being a student in  
4 good standing. Scholarship awards may be provided to part-time  
5 students; the amount shall be determined by applying the  
6 proportion represented by the part-time enrollment to  
7 full-time enrollment ratio to the average per-term scholarship  
8 amount for a student in the same nursing degree category.

9 (Source: P.A. 92-43, eff. 1-1-02; 93-879, eff. 1-1-05.)

10 (110 ILCS 975/9.1 new)

11 Sec. 9.1. Transfer of functions from the Department to the  
12 Commission.

13 (a) On July 1, 2022, or as soon thereafter as practical,  
14 all functions performed by the Department under this Act,  
15 together with all of the powers, duties, rights, and  
16 responsibilities of the Department relating to those  
17 functions, are transferred from the Department to the  
18 Commission.

19 (1) The Department and the Commission shall cooperate  
20 to ensure that the transfer of functions is completed as  
21 soon as practical.

22 (2) To the extent necessary or prudent to select  
23 scholarship recipients and award scholarships pursuant to  
24 this Act, following the application cycle which begins on  
25 March 1, 2022, the Department and the Commission may enter

1 into interagency agreements pursuant to Section 3 of the  
2 Intergovernmental Cooperation Act to ensure scholarships  
3 are awarded for the 2022-2023 academic year.

4 (b) Neither the functions transferred under this Section,  
5 nor any powers, duties, rights, and responsibilities relating  
6 to those functions, are altered or changed by this amendatory  
7 Act of the 102nd General Assembly, except that all such  
8 functions, powers, duties, rights, and responsibilities shall  
9 be performed or exercised by the Commission as of July 1, 2022.

10 (c) All books, records, papers, documents, contracts, and  
11 pending business pertaining to the functions transferred under  
12 this Section, including but not limited to material in  
13 electronic or magnetic format and necessary computer hardware  
14 and software, shall be transferred to the Commission. The  
15 transfer of that information shall not, however, violate any  
16 applicable confidentiality constraints.

17 (d) Whenever reports or notices are required to be made or  
18 given or papers or documents furnished or served by any person  
19 to or upon the Department in connection with any of the  
20 functions transferred under this Section, the same shall be  
21 made, given, furnished, or served in the same manner to or upon  
22 the Commission.

23 The Department shall transfer to the Commission any such  
24 reports, notices, papers, or documents received by the  
25 Department after July 1, 2022. The Department and the  
26 Commission shall cooperate to ensure that the transfer of any

1 such reports, notices, papers, or documents is completed as  
2 soon as is practical.

3 (e) This Section shall not affect any act done, ratified,  
4 or canceled, or any right occurring or established, or any  
5 action or proceeding had or commenced in an administrative,  
6 civil, or criminal case, regarding the functions of the  
7 Department before July 1, 2022; such actions may be  
8 prosecuted, defended, or continued by the Department.

9 (f) Any rules of the Department that (1) relate to the  
10 functions transferred under this Section, (2) that are in full  
11 force on July 1, 2022, and (3) that have been duly adopted by  
12 the Department, shall become the rules of the Commission. This  
13 Section shall not affect the legality of any such rules in the  
14 Illinois Administrative Code. Any proposed rules filed with  
15 the Secretary of State by the Department that are pending in  
16 the rulemaking process on July 1, 2022, and that pertain to the  
17 functions transferred, shall be deemed to have been filed by  
18 the Commission. As soon as practicable after July 1, 2022, the  
19 Commission may revise and clarify the rules transferred to it  
20 under this Section and propose and adopt new rules that relate  
21 to the functions transferred in this Section.

22 (g) The powers, duties, rights, and responsibilities  
23 relating to the functions transferred under this Section are  
24 vested in and shall be exercised by the Commission. Each act  
25 done in exercise of those powers, duties, rights, and  
26 responsibilities shall have the same legal effect as if done

1 by the Department or its divisions, officers, or employees.

2 (h) Whenever a provision of law, including, but not  
3 limited to, the provisions of this Act, refers to the  
4 Department in connection with its performance of a function  
5 that is transferred to the Commission under this Section, that  
6 provision shall be deemed to refer to the Commission on and  
7 after July 1, 2022.

8 Section 5-89. The Specialized Mental Health Rehabilitation  
9 Act of 2013 is amended by changing Sections 5-102 and 5-107 as  
10 follows:

11 (210 ILCS 49/5-102)

12 Sec. 5-102. Transition payments.

13 (a) In addition to payments already required by law, the  
14 Department of Healthcare and Family Services shall make  
15 payments to facilities licensed under this Act in the amount  
16 of \$29.43 per licensed bed, per day, for the period beginning  
17 June 1, 2014 and ending June 30, 2014.

18 (b) For the purpose of incentivizing reduced room  
19 occupancy and notwithstanding any provision of law to the  
20 contrary, the Medicaid rates for specialized mental health  
21 rehabilitation facilities effective on July 1, 2022 must be  
22 equal to the rates in effect for specialized mental health  
23 rehabilitation facilities on June 30, 2022, increased by 5.0%.  
24 This rate shall be in effect from July 1, 2022 through June 30,

1 2024. After June 30, 2024, this rate shall remain in effect  
2 only for any occupied bed that is in a room with no more than 2  
3 beds. The rate increase shall be effective for payment for  
4 services under both the fee-for-service and managed care  
5 medical assistance programs established under Article V of the  
6 Illinois Public Aid Code.

7 (Source: P.A. 98-651, eff. 6-16-14.)

8 (210 ILCS 49/5-107)

9 Sec. 5-107. Quality of life enhancement. Beginning on July  
10 1, 2019, for improving the quality of life and the quality of  
11 care, an additional payment shall be awarded to a facility for  
12 their single occupancy rooms. This payment shall be in  
13 addition to the rate for recovery and rehabilitation. The  
14 additional rate for single room occupancy shall be no less  
15 than \$10 per day, per single room occupancy. The Department of  
16 Healthcare and Family Services shall adjust payment to  
17 Medicaid managed care entities to cover these costs. Beginning  
18 July 1, 2022, for improving the quality of life and the quality  
19 of care, a payment of no less than \$5 per day, per single room  
20 occupancy shall be added to the existing \$10 additional per  
21 day, per single room occupancy rate for a total of at least \$15  
22 per day, per single room occupancy. Beginning July 1, 2022,  
23 for improving the quality of life and the quality of care, an  
24 additional payment shall be awarded to a facility for its  
25 dual-occupancy rooms. This payment shall be in addition to the

1 rate for recovery and rehabilitation. The additional rate for  
2 dual-occupancy rooms shall be no less than \$10 per day, per  
3 Medicaid-occupied bed, in each dual-occupancy room. The  
4 Department of Healthcare and Family Services shall adjust  
5 payment to Medicaid managed care entities to cover these  
6 costs. As used in this Section, "dual-occupancy room" means a  
7 room that contains 2 resident beds.

8 (Source: P.A. 101-10, eff. 6-5-19.)

9 Section 5-90. The Clinical Social Work and Social Work  
10 Practice Act is amended by adding Section 13.2 as follows:

11 (225 ILCS 20/13.2 new)

12 Sec. 13.2. Fee waivers. Notwithstanding any provision of  
13 law to the contrary, during State fiscal years 2022, 2023, and  
14 2024, the Department shall allow individuals a one-time waiver  
15 of fees imposed under subsection (a) of Section 11 or Section  
16 7, 9, 9A, 12.5, or 13 of this Act. No individual may benefit  
17 from such waiver more than once.

18 Section 5-91. The Medical Practice Act of 1987 is amended  
19 by adding Section 9.1 as follows:

20 (225 ILCS 60/9.1 new)

21 Sec. 9.1. Fee waivers. Notwithstanding any provision of  
22 law to the contrary, during State fiscal years 2022, 2023, and

1 2024, the Department shall allow individuals a one-time waiver  
2 of fees imposed under Section 9, 19, or 21 of this Act. No  
3 individual may benefit from such waiver more than once.

4 Section 5-92. The Nurse Practice Act is amended by adding  
5 Section 50-27 and by changing Section 70-50 as follows:

6 (225 ILCS 65/50-27 new)

7 Sec. 50-27. Fee waivers. Notwithstanding any provision of  
8 law to the contrary, during State fiscal years 2022, 2023, and  
9 2024, the Department shall allow individuals a one-time waiver  
10 of fees imposed under Section 50-26, 55-10, 55-11, 55-15,  
11 60-10, 60-11, 60-20, 65-5, 65-15, or 70-45 of this Act. No  
12 individual may benefit from such waiver more than once.

13 (225 ILCS 65/70-50) (was 225 ILCS 65/20-40)

14 (Section scheduled to be repealed on January 1, 2028)

15 Sec. 70-50. Fund.

16 (a) There is hereby created within the State Treasury the  
17 Nursing Dedicated and Professional Fund. The monies in the  
18 Fund may be used by and at the direction of the Department for  
19 the administration and enforcement of this Act, including, but  
20 not limited to:

21 (1) Distribution and publication of this Act and  
22 rules.

23 (2) Employment of secretarial, nursing,

1 administrative, enforcement, and other staff for the  
2 administration of this Act.

3 (b) Disposition of fees:

4 (1) \$5 of every licensure fee shall be placed in a fund  
5 for assistance to nurses enrolled in a diversionary  
6 program as approved by the Department.

7 (2) All of the fees, fines, and penalties collected  
8 pursuant to this Act shall be deposited in the Nursing  
9 Dedicated and Professional Fund.

10 (3) Each fiscal year, the moneys deposited in the  
11 Nursing Dedicated and Professional Fund shall be  
12 appropriated to the Department for expenses of the  
13 Department and the Board in the administration of this  
14 Act. All earnings received from investment of moneys in  
15 the Nursing Dedicated and Professional Fund shall be  
16 deposited in the Nursing Dedicated and Professional Fund  
17 and shall be used for the same purposes as fees deposited  
18 in the Fund.

19 (4) For fiscal years 2010 through 2022 ~~the fiscal year~~  
20 ~~beginning July 1, 2009 and for each fiscal year~~  
21 ~~thereafter~~, \$2,000,000 of the moneys deposited in the  
22 Nursing Dedicated and Professional Fund each year shall be  
23 set aside and appropriated to the Department of Public  
24 Health for nursing scholarships awarded pursuant to the  
25 Nursing Education Scholarship Law. For fiscal year 2023  
26 and for each fiscal year thereafter, \$4,000,000 of the

1 moneys deposited in the Nursing Dedicated and Professional  
2 Fund each year shall be set aside and appropriated to the  
3 Illinois Student Assistance Commission for nursing  
4 scholarships awarded pursuant to the Nursing Education  
5 Scholarship Law.

6 (5) Moneys in the Fund may be transferred to the  
7 Professions Indirect Cost Fund as authorized under Section  
8 2105-300 of the Department of Professional Regulation Law  
9 (20 ILCS 2105/2105-300).

10 (c) Moneys set aside for nursing scholarships awarded  
11 pursuant to the Nursing Education Scholarship Law as provided  
12 in item (4) of subsection (b) of this Section may not be  
13 transferred under Section 8h of the State Finance Act.

14 (Source: P.A. 100-513, eff. 1-1-18.)

15 Section 5-93. The Pharmacy Practice Act is amended by  
16 adding Section 27.1 as follows:

17 (225 ILCS 85/27.1 new)

18 Sec. 27.1. Fee waivers. Notwithstanding any provision of  
19 law to the contrary, during State fiscal years 2022, 2023, and  
20 2024, the Department shall allow individuals a one-time waiver  
21 of fees imposed under Section 7, 8, 9, 9.5, or 27 of this Act.  
22 No individual may benefit from such waiver more than once.

23 Section 5-94. The Physician Assistant Practice Act of 1987

1 is amended by adding Section 14.2 as follows:

2 (225 ILCS 95/14.2 new)

3 Sec. 14.2. Fee waivers. Notwithstanding any provision of  
4 law to the contrary, during State fiscal years 2022, 2023, and  
5 2024, the Department shall allow individuals a one-time waiver  
6 of fees imposed under Section 9, 14.1, 15, or 16 of this Act.  
7 No individual may benefit from such waiver more than once.

8 Section 5-96. The Liquor Control Act of 1934 is amended by  
9 changing Section 5-3 as follows:

10 (235 ILCS 5/5-3) (from Ch. 43, par. 118)

11 Sec. 5-3. License fees. Except as otherwise provided  
12 herein, at the time application is made to the State  
13 Commission for a license of any class, the applicant shall pay  
14 to the State Commission the fee hereinafter provided for the  
15 kind of license applied for.

16 The fee for licenses issued by the State Commission shall  
17 be as follows:

18	Online	Initial
19	renewal	license
20		or
21		non-online
22		renewal

23 For a manufacturer's license:

1	Class 1. Distiller .....	\$4,000	\$5,000
2	Class 2. Rectifier .....	4,000	5,000
3	Class 3. Brewer .....	1,200	1,500
4	Class 4. First-class Wine		
5	Manufacturer .....	1,200	1,500
6	Class 5. Second-class		
7	Wine Manufacturer.....	1,500	1,750
8	Class 6. First-class wine-maker....	1,200	1,500
9	Class 7. Second-class wine-maker ..	1,500	1,750
10	Class 8. Limited Wine		
11	Manufacturer .....	250	350
12	Class 9. Craft Distiller .....	2,000	2,500
13	Class 10. Class 1 Craft Distiller ..	50	75
14	Class 11. Class 2 Craft Distiller ..	75	100
15	Class 12. Class 1 Brewer .....	50	75
16	Class 13. Class 2 Brewer .....	75	100
17	Class 14. Class 3 Brewer .....	25	50
18	For a Brew Pub License .....	1,200	1,500
19	For a Distilling Pub License .....	1,200	1,500
20	For a caterer retailer's license ..	350	500
21	For a foreign importer's license ..	25	25
22	For an importing distributor's		
23	license.....	25	25
24	For a distributor's license		
25	(11,250,000 gallons		
26	or over) .....	1,450	2,200

1	For a distributor's license		
2	(over 4,500,000 gallons, but		
3	under 11,250,000 gallons) .....	950	1,450
4	For a distributor's license		
5	(4,500,000 gallons or under) ..	300	450
6	For a non-resident dealer's license		
7	(500,000 gallons or over)		
8	or with self-distribution		
9	privileges .....	1,200	1,500
10	For a non-resident dealer's license		
11	(under 500,000 gallons) .....	250	350
12	For a wine-maker's premises		
13	license.....	250	500
14	For a winery shipper's license		
15	(under 250,000 gallons) .....	200	350
16	For a winery shipper's license		
17	(250,000 or over, but		
18	under 500,000 gallons) .....	750	1,000
19	For a winery shipper's license		
20	(500,000 gallons or over) .....	1,200	1,500
21	For a wine-maker's premises		
22	license, second location .....	500	1,000
23	For a wine-maker's premises		
24	license, third location.....	500	1,000
25	For a retailer's license .....	600	750
26	For a special event retailer's		

1	license, (not-for-profit).....	25	25
2	For a beer showcase permit license,		
3	one day only .....	100	150
4	2 days or more .....	150	250
5	For a special use permit license,		
6	one day only .....	100	150
7	2 days or more .....	150	250
8	For a railroad license .....	100	150
9	For a boat license .....	500	1,000
10	For an airplane license, times the		
11	licensee's maximum number of		
12	aircraft in flight, serving		
13	liquor over the State at any		
14	given time, which either		
15	originate, terminate, or make		
16	an intermediate stop in		
17	the State.....	100	150
18	For a non-beverage user's license:		
19	Class 1.....	24	24
20	Class 2.....	60	60
21	Class 3.....	120	120
22	Class 4.....	240	240
23	Class 5.....	600	600
24	For a broker's license .....	750	1,000
25	For an auction liquor license .....	100	150
26	For a homebrewer special		

1	event permit .....	25	25
2	For a craft distiller		
3	tasting permit .....	25	25
4	For a BASSET trainer license .....	300	350
5	For a tasting representative		
6	license.....	200	300
7	For a brewer warehouse permit .....	25	25
8	For a craft distiller		
9	warehouse permit .....	25	25

10 Fees collected under this Section shall be paid into the  
 11 Dram Shop Fund. The State Commission shall waive license  
 12 renewal fees for those retailers' licenses that are designated  
 13 as "1A" by the State Commission and expire on or after July 1,  
 14 2022, and on or before June 30, 2023. One-half ~~On and after~~  
 15 July 1, 2003 and until June 30, 2016, of the funds received for  
 16 a retailer's license, in addition to the first \$175, an  
 17 additional \$75 shall be paid into the Dram Shop Fund, and \$250  
 18 shall be paid into the General Revenue Fund. On and after June  
 19 30, 2016, one-half of the funds received for a retailer's  
 20 license shall be paid into the Dram Shop Fund and one-half of  
 21 the funds received for a retailer's license shall be paid into  
 22 the General Revenue Fund. ~~Beginning June 30, 1990 and on June~~  
 23 ~~30 of each subsequent year through June 29, 2003, any balance~~  
 24 ~~over \$5,000,000 remaining in the Dram Shop Fund shall be~~  
 25 ~~credited to State liquor licensees and applied against their~~  
 26 ~~fees for State liquor licenses for the following year. The~~

~~amount credited to each licensee shall be a proportion of the balance in the Dram Fund that is the same as the proportion of the license fee paid by the licensee under this Section for the period in which the balance was accumulated to the aggregate fees paid by all licensees during that period.~~

No fee shall be paid for licenses issued by the State Commission to the following non-beverage users:

(a) Hospitals, sanitariums, or clinics when their use of alcoholic liquor is exclusively medicinal, mechanical or scientific.

(b) Universities, colleges of learning or schools when their use of alcoholic liquor is exclusively medicinal, mechanical or scientific.

(c) Laboratories when their use is exclusively for the purpose of scientific research.

(Source: P.A. 101-482, eff. 8-23-19; 101-615, eff. 12-20-19; 102-442, eff. 8-20-21; 102-558, eff. 8-20-21.)

Section 5-97. The Illinois Gambling Act is amended by changing Section 13 as follows:

(230 ILCS 10/13) (from Ch. 120, par. 2413)

Sec. 13. Wagering tax; rate; distribution.

(a) Until January 1, 1998, a tax is imposed on the adjusted gross receipts received from gambling games authorized under this Act at the rate of 20%.

1 (a-1) From January 1, 1998 until July 1, 2002, a privilege  
2 tax is imposed on persons engaged in the business of  
3 conducting riverboat gambling operations, based on the  
4 adjusted gross receipts received by a licensed owner from  
5 gambling games authorized under this Act at the following  
6 rates:

7 15% of annual adjusted gross receipts up to and  
8 including \$25,000,000;

9 20% of annual adjusted gross receipts in excess of  
10 \$25,000,000 but not exceeding \$50,000,000;

11 25% of annual adjusted gross receipts in excess of  
12 \$50,000,000 but not exceeding \$75,000,000;

13 30% of annual adjusted gross receipts in excess of  
14 \$75,000,000 but not exceeding \$100,000,000;

15 35% of annual adjusted gross receipts in excess of  
16 \$100,000,000.

17 (a-2) From July 1, 2002 until July 1, 2003, a privilege tax  
18 is imposed on persons engaged in the business of conducting  
19 riverboat gambling operations, other than licensed managers  
20 conducting riverboat gambling operations on behalf of the  
21 State, based on the adjusted gross receipts received by a  
22 licensed owner from gambling games authorized under this Act  
23 at the following rates:

24 15% of annual adjusted gross receipts up to and  
25 including \$25,000,000;

26 22.5% of annual adjusted gross receipts in excess of

1           \$25,000,000 but not exceeding \$50,000,000;  
2           27.5% of annual adjusted gross receipts in excess of  
3           \$50,000,000 but not exceeding \$75,000,000;  
4           32.5% of annual adjusted gross receipts in excess of  
5           \$75,000,000 but not exceeding \$100,000,000;  
6           37.5% of annual adjusted gross receipts in excess of  
7           \$100,000,000 but not exceeding \$150,000,000;  
8           45% of annual adjusted gross receipts in excess of  
9           \$150,000,000 but not exceeding \$200,000,000;  
10          50% of annual adjusted gross receipts in excess of  
11          \$200,000,000.

12          (a-3) Beginning July 1, 2003, a privilege tax is imposed  
13          on persons engaged in the business of conducting riverboat  
14          gambling operations, other than licensed managers conducting  
15          riverboat gambling operations on behalf of the State, based on  
16          the adjusted gross receipts received by a licensed owner from  
17          gambling games authorized under this Act at the following  
18          rates:

19                15% of annual adjusted gross receipts up to and  
20                including \$25,000,000;  
21                27.5% of annual adjusted gross receipts in excess of  
22                \$25,000,000 but not exceeding \$37,500,000;  
23                32.5% of annual adjusted gross receipts in excess of  
24                \$37,500,000 but not exceeding \$50,000,000;  
25                37.5% of annual adjusted gross receipts in excess of  
26                \$50,000,000 but not exceeding \$75,000,000;

1           45% of annual adjusted gross receipts in excess of  
2           \$75,000,000 but not exceeding \$100,000,000;

3           50% of annual adjusted gross receipts in excess of  
4           \$100,000,000 but not exceeding \$250,000,000;

5           70% of annual adjusted gross receipts in excess of  
6           \$250,000,000.

7           An amount equal to the amount of wagering taxes collected  
8           under this subsection (a-3) that are in addition to the amount  
9           of wagering taxes that would have been collected if the  
10          wagering tax rates under subsection (a-2) were in effect shall  
11          be paid into the Common School Fund.

12          The privilege tax imposed under this subsection (a-3)  
13          shall no longer be imposed beginning on the earlier of (i) July  
14          1, 2005; (ii) the first date after June 20, 2003 that riverboat  
15          gambling operations are conducted pursuant to a dormant  
16          license; or (iii) the first day that riverboat gambling  
17          operations are conducted under the authority of an owners  
18          license that is in addition to the 10 owners licenses  
19          initially authorized under this Act. For the purposes of this  
20          subsection (a-3), the term "dormant license" means an owners  
21          license that is authorized by this Act under which no  
22          riverboat gambling operations are being conducted on June 20,  
23          2003.

24          (a-4) Beginning on the first day on which the tax imposed  
25          under subsection (a-3) is no longer imposed and ending upon  
26          the imposition of the privilege tax under subsection (a-5) of

1 this Section, a privilege tax is imposed on persons engaged in  
2 the business of conducting gambling operations, other than  
3 licensed managers conducting riverboat gambling operations on  
4 behalf of the State, based on the adjusted gross receipts  
5 received by a licensed owner from gambling games authorized  
6 under this Act at the following rates:

7 15% of annual adjusted gross receipts up to and  
8 including \$25,000,000;

9 22.5% of annual adjusted gross receipts in excess of  
10 \$25,000,000 but not exceeding \$50,000,000;

11 27.5% of annual adjusted gross receipts in excess of  
12 \$50,000,000 but not exceeding \$75,000,000;

13 32.5% of annual adjusted gross receipts in excess of  
14 \$75,000,000 but not exceeding \$100,000,000;

15 37.5% of annual adjusted gross receipts in excess of  
16 \$100,000,000 but not exceeding \$150,000,000;

17 45% of annual adjusted gross receipts in excess of  
18 \$150,000,000 but not exceeding \$200,000,000;

19 50% of annual adjusted gross receipts in excess of  
20 \$200,000,000.

21 For the imposition of the privilege tax in this subsection  
22 (a-4), amounts paid pursuant to item (1) of subsection (b) of  
23 Section 56 of the Illinois Horse Racing Act of 1975 shall not  
24 be included in the determination of adjusted gross receipts.

25 (a-5)(1) Beginning on July 1, 2020, a privilege tax is  
26 imposed on persons engaged in the business of conducting

1 gambling operations, other than the owners licensee under  
2 paragraph (1) of subsection (e-5) of Section 7 and licensed  
3 managers conducting riverboat gambling operations on behalf of  
4 the State, based on the adjusted gross receipts received by  
5 such licensee from the gambling games authorized under this  
6 Act. The privilege tax for all gambling games other than table  
7 games, including, but not limited to, slot machines, video  
8 game of chance gambling, and electronic gambling games shall  
9 be at the following rates:

10 15% of annual adjusted gross receipts up to and  
11 including \$25,000,000;

12 22.5% of annual adjusted gross receipts in excess of  
13 \$25,000,000 but not exceeding \$50,000,000;

14 27.5% of annual adjusted gross receipts in excess of  
15 \$50,000,000 but not exceeding \$75,000,000;

16 32.5% of annual adjusted gross receipts in excess of  
17 \$75,000,000 but not exceeding \$100,000,000;

18 37.5% of annual adjusted gross receipts in excess of  
19 \$100,000,000 but not exceeding \$150,000,000;

20 45% of annual adjusted gross receipts in excess of  
21 \$150,000,000 but not exceeding \$200,000,000;

22 50% of annual adjusted gross receipts in excess of  
23 \$200,000,000.

24 The privilege tax for table games shall be at the  
25 following rates:

26 15% of annual adjusted gross receipts up to and

1 including \$25,000,000;

2 20% of annual adjusted gross receipts in excess of  
3 \$25,000,000.

4 For the imposition of the privilege tax in this subsection  
5 (a-5), amounts paid pursuant to item (1) of subsection (b) of  
6 Section 56 of the Illinois Horse Racing Act of 1975 shall not  
7 be included in the determination of adjusted gross receipts.

8 (2) Beginning on the first day that an owners licensee  
9 under paragraph (1) of subsection (e-5) of Section 7 conducts  
10 gambling operations, either in a temporary facility or a  
11 permanent facility, a privilege tax is imposed on persons  
12 engaged in the business of conducting gambling operations  
13 under paragraph (1) of subsection (e-5) of Section 7, other  
14 than licensed managers conducting riverboat gambling  
15 operations on behalf of the State, based on the adjusted gross  
16 receipts received by such licensee from the gambling games  
17 authorized under this Act. The privilege tax for all gambling  
18 games other than table games, including, but not limited to,  
19 slot machines, video game of chance gambling, and electronic  
20 gambling games shall be at the following rates:

21 12% of annual adjusted gross receipts up to and  
22 including \$25,000,000 to the State and 10.5% of annual  
23 adjusted gross receipts up to and including \$25,000,000 to  
24 the City of Chicago;

25 16% of annual adjusted gross receipts in excess of  
26 \$25,000,000 but not exceeding \$50,000,000 to the State and

1 14% of annual adjusted gross receipts in excess of  
2 \$25,000,000 but not exceeding \$50,000,000 to the City of  
3 Chicago;

4 20.1% of annual adjusted gross receipts in excess of  
5 \$50,000,000 but not exceeding \$75,000,000 to the State and  
6 17.4% of annual adjusted gross receipts in excess of  
7 \$50,000,000 but not exceeding \$75,000,000 to the City of  
8 Chicago;

9 21.4% of annual adjusted gross receipts in excess of  
10 \$75,000,000 but not exceeding \$100,000,000 to the State  
11 and 18.6% of annual adjusted gross receipts in excess of  
12 \$75,000,000 but not exceeding \$100,000,000 to the City of  
13 Chicago;

14 22.7% of annual adjusted gross receipts in excess of  
15 \$100,000,000 but not exceeding \$150,000,000 to the State  
16 and 19.8% of annual adjusted gross receipts in excess of  
17 \$100,000,000 but not exceeding \$150,000,000 to the City of  
18 Chicago;

19 24.1% of annual adjusted gross receipts in excess of  
20 \$150,000,000 but not exceeding \$225,000,000 to the State  
21 and 20.9% of annual adjusted gross receipts in excess of  
22 \$150,000,000 but not exceeding \$225,000,000 to the City of  
23 Chicago;

24 26.8% of annual adjusted gross receipts in excess of  
25 \$225,000,000 but not exceeding \$1,000,000,000 to the State  
26 and 23.2% of annual adjusted gross receipts in excess of

1           \$225,000,000 but not exceeding \$1,000,000,000 to the City  
2           of Chicago;

3           40% of annual adjusted gross receipts in excess of  
4           \$1,000,000,000 to the State and 34.7% of annual gross  
5           receipts in excess of \$1,000,000,000 to the City of  
6           Chicago.

7           The privilege tax for table games shall be at the  
8           following rates:

9           8.1% of annual adjusted gross receipts up to and  
10          including \$25,000,000 to the State and 6.9% of annual  
11          adjusted gross receipts up to and including \$25,000,000 to  
12          the City of Chicago;

13          10.7% of annual adjusted gross receipts in excess of  
14          \$25,000,000 but not exceeding \$75,000,000 to the State and  
15          9.3% of annual adjusted gross receipts in excess of  
16          \$25,000,000 but not exceeding \$75,000,000 to the City of  
17          Chicago;

18          11.2% of annual adjusted gross receipts in excess of  
19          \$75,000,000 but not exceeding \$175,000,000 to the State  
20          and 9.8% of annual adjusted gross receipts in excess of  
21          \$75,000,000 but not exceeding \$175,000,000 to the City of  
22          Chicago;

23          13.5% of annual adjusted gross receipts in excess of  
24          \$175,000,000 but not exceeding \$225,000,000 to the State  
25          and 11.5% of annual adjusted gross receipts in excess of  
26          \$175,000,000 but not exceeding \$225,000,000 to the City of

1 Chicago;

2 15.1% of annual adjusted gross receipts in excess of  
3 \$225,000,000 but not exceeding \$275,000,000 to the State  
4 and 12.9% of annual adjusted gross receipts in excess of  
5 \$225,000,000 but not exceeding \$275,000,000 to the City of  
6 Chicago;

7 16.2% of annual adjusted gross receipts in excess of  
8 \$275,000,000 but not exceeding \$375,000,000 to the State  
9 and 13.8% of annual adjusted gross receipts in excess of  
10 \$275,000,000 but not exceeding \$375,000,000 to the City of  
11 Chicago;

12 18.9% of annual adjusted gross receipts in excess of  
13 \$375,000,000 to the State and 16.1% of annual gross  
14 receipts in excess of \$375,000,000 to the City of Chicago.

15 For the imposition of the privilege tax in this subsection  
16 (a-5), amounts paid pursuant to item (1) of subsection (b) of  
17 Section 56 of the Illinois Horse Racing Act of 1975 shall not  
18 be included in the determination of adjusted gross receipts.

19 Notwithstanding the provisions of this subsection (a-5),  
20 for the first 10 years that the privilege tax is imposed under  
21 this subsection (a-5), the privilege tax shall be imposed on  
22 the modified annual adjusted gross receipts of a riverboat or  
23 casino conducting gambling operations in the City of East St.  
24 Louis, unless:

25 (1) the riverboat or casino fails to employ at least  
26 450 people, except no minimum employment shall be required

1 during 2020 and 2021 or during periods that the riverboat  
2 or casino is closed on orders of State officials for  
3 public health emergencies or other emergencies not caused  
4 by the riverboat or casino;

5 (2) the riverboat or casino fails to maintain  
6 operations in a manner consistent with this Act or is not a  
7 viable riverboat or casino subject to the approval of the  
8 Board; or

9 (3) the owners licensee is not an entity in which  
10 employees participate in an employee stock ownership plan  
11 or in which the owners licensee sponsors a 401(k)  
12 retirement plan and makes a matching employer contribution  
13 equal to at least one-quarter of the first 12% or one-half  
14 of the first 6% of each participating employee's  
15 contribution, not to exceed any limitations under federal  
16 laws and regulations.

17 As used in this subsection (a-5), "modified annual  
18 adjusted gross receipts" means:

19 (A) for calendar year 2020, the annual adjusted gross  
20 receipts for the current year minus the difference between  
21 an amount equal to the average annual adjusted gross  
22 receipts from a riverboat or casino conducting gambling  
23 operations in the City of East St. Louis for 2014, 2015,  
24 2016, 2017, and 2018 and the annual adjusted gross  
25 receipts for 2018;

26 (B) for calendar year 2021, the annual adjusted gross

1 receipts for the current year minus the difference between  
2 an amount equal to the average annual adjusted gross  
3 receipts from a riverboat or casino conducting gambling  
4 operations in the City of East St. Louis for 2014, 2015,  
5 2016, 2017, and 2018 and the annual adjusted gross  
6 receipts for 2019; and

7 (C) for calendar years 2022 through 2029, the annual  
8 adjusted gross receipts for the current year minus the  
9 difference between an amount equal to the average annual  
10 adjusted gross receipts from a riverboat or casino  
11 conducting gambling operations in the City of East St.  
12 Louis for 3 years preceding the current year and the  
13 annual adjusted gross receipts for the immediately  
14 preceding year.

15 (a-6) From June 28, 2019 (the effective date of Public Act  
16 101-31) until June 30, 2023, an owners licensee that conducted  
17 gambling operations prior to January 1, 2011 shall receive a  
18 dollar-for-dollar credit against the tax imposed under this  
19 Section for any renovation or construction costs paid by the  
20 owners licensee, but in no event shall the credit exceed  
21 \$2,000,000.

22 Additionally, from June 28, 2019 (the effective date of  
23 Public Act 101-31) until December 31, 2024 ~~2022~~, an owners  
24 licensee that (i) is located within 15 miles of the Missouri  
25 border, and (ii) has at least 3 riverboats, casinos, or their  
26 equivalent within a 45-mile radius, may be authorized to

1 relocate to a new location with the approval of both the unit  
2 of local government designated as the home dock and the Board,  
3 so long as the new location is within the same unit of local  
4 government and no more than 3 miles away from its original  
5 location. Such owners licensee shall receive a credit against  
6 the tax imposed under this Section equal to 8% of the total  
7 project costs, as approved by the Board, for any renovation or  
8 construction costs paid by the owners licensee for the  
9 construction of the new facility, provided that the new  
10 facility is operational by July 1, 2024 ~~2022~~. In determining  
11 whether or not to approve a relocation, the Board must  
12 consider the extent to which the relocation will diminish the  
13 gaming revenues received by other Illinois gaming facilities.

14 (a-7) Beginning in the initial adjustment year and through  
15 the final adjustment year, if the total obligation imposed  
16 pursuant to either subsection (a-5) or (a-6) will result in an  
17 owners licensee receiving less after-tax adjusted gross  
18 receipts than it received in calendar year 2018, then the  
19 total amount of privilege taxes that the owners licensee is  
20 required to pay for that calendar year shall be reduced to the  
21 extent necessary so that the after-tax adjusted gross receipts  
22 in that calendar year equals the after-tax adjusted gross  
23 receipts in calendar year 2018, but the privilege tax  
24 reduction shall not exceed the annual adjustment cap. If  
25 pursuant to this subsection (a-7), the total obligation  
26 imposed pursuant to either subsection (a-5) or (a-6) shall be

1 reduced, then the owners licensee shall not receive a refund  
2 from the State at the end of the subject calendar year but  
3 instead shall be able to apply that amount as a credit against  
4 any payments it owes to the State in the following calendar  
5 year to satisfy its total obligation under either subsection  
6 (a-5) or (a-6). The credit for the final adjustment year shall  
7 occur in the calendar year following the final adjustment  
8 year.

9 If an owners licensee that conducted gambling operations  
10 prior to January 1, 2019 expands its riverboat or casino,  
11 including, but not limited to, with respect to its gaming  
12 floor, additional non-gaming amenities such as restaurants,  
13 bars, and hotels and other additional facilities, and incurs  
14 construction and other costs related to such expansion from  
15 June 28, 2019 (the effective date of Public Act 101-31) until  
16 June 28, 2024 (the 5th anniversary of the effective date of  
17 Public Act 101-31), then for each \$15,000,000 spent for any  
18 such construction or other costs related to expansion paid by  
19 the owners licensee, the final adjustment year shall be  
20 extended by one year and the annual adjustment cap shall  
21 increase by 0.2% of adjusted gross receipts during each  
22 calendar year until and including the final adjustment year.  
23 No further modifications to the final adjustment year or  
24 annual adjustment cap shall be made after \$75,000,000 is  
25 incurred in construction or other costs related to expansion  
26 so that the final adjustment year shall not extend beyond the

1 9th calendar year after the initial adjustment year, not  
2 including the initial adjustment year, and the annual  
3 adjustment cap shall not exceed 4% of adjusted gross receipts  
4 in a particular calendar year. Construction and other costs  
5 related to expansion shall include all project related costs,  
6 including, but not limited to, all hard and soft costs,  
7 financing costs, on or off-site ground, road or utility work,  
8 cost of gaming equipment and all other personal property,  
9 initial fees assessed for each incremental gaming position,  
10 and the cost of incremental land acquired for such expansion.  
11 Soft costs shall include, but not be limited to, legal fees,  
12 architect, engineering and design costs, other consultant  
13 costs, insurance cost, permitting costs, and pre-opening costs  
14 related to the expansion, including, but not limited to, any  
15 of the following: marketing, real estate taxes, personnel,  
16 training, travel and out-of-pocket expenses, supply,  
17 inventory, and other costs, and any other project related soft  
18 costs.

19 To be eligible for the tax credits in subsection (a-6),  
20 all construction contracts shall include a requirement that  
21 the contractor enter into a project labor agreement with the  
22 building and construction trades council with geographic  
23 jurisdiction of the location of the proposed gaming facility.

24 Notwithstanding any other provision of this subsection  
25 (a-7), this subsection (a-7) does not apply to an owners  
26 licensee unless such owners licensee spends at least

1 \$15,000,000 on construction and other costs related to its  
2 expansion, excluding the initial fees assessed for each  
3 incremental gaming position.

4 This subsection (a-7) does not apply to owners licensees  
5 authorized pursuant to subsection (e-5) of Section 7 of this  
6 Act.

7 For purposes of this subsection (a-7):

8 "Building and construction trades council" means any  
9 organization representing multiple construction entities that  
10 are monitoring or attentive to compliance with public or  
11 workers' safety laws, wage and hour requirements, or other  
12 statutory requirements or that are making or maintaining  
13 collective bargaining agreements.

14 "Initial adjustment year" means the year commencing on  
15 January 1 of the calendar year immediately following the  
16 earlier of the following:

17 (1) the commencement of gambling operations, either in  
18 a temporary or permanent facility, with respect to the  
19 owners license authorized under paragraph (1) of  
20 subsection (e-5) of Section 7 of this Act; or

21 (2) June 28, 2021 (24 months after the effective date  
22 of Public Act 101-31);

23 provided the initial adjustment year shall not commence  
24 earlier than June 28, 2020 (12 months after the effective date  
25 of Public Act 101-31).

26 "Final adjustment year" means the 2nd calendar year after

1 the initial adjustment year, not including the initial  
2 adjustment year, and as may be extended further as described  
3 in this subsection (a-7).

4 "Annual adjustment cap" means 3% of adjusted gross  
5 receipts in a particular calendar year, and as may be  
6 increased further as otherwise described in this subsection  
7 (a-7).

8 (a-8) Riverboat gambling operations conducted by a  
9 licensed manager on behalf of the State are not subject to the  
10 tax imposed under this Section.

11 (a-9) Beginning on January 1, 2020, the calculation of  
12 gross receipts or adjusted gross receipts, for the purposes of  
13 this Section, for a riverboat, a casino, or an organization  
14 gaming facility shall not include the dollar amount of  
15 non-cashable vouchers, coupons, and electronic promotions  
16 redeemed by wagerers upon the riverboat, in the casino, or in  
17 the organization gaming facility up to and including an amount  
18 not to exceed 20% of a riverboat's, a casino's, or an  
19 organization gaming facility's adjusted gross receipts.

20 The Illinois Gaming Board shall submit to the General  
21 Assembly a comprehensive report no later than March 31, 2023  
22 detailing, at a minimum, the effect of removing non-cashable  
23 vouchers, coupons, and electronic promotions from this  
24 calculation on net gaming revenues to the State in calendar  
25 years 2020 through 2022, the increase or reduction in wagerers  
26 as a result of removing non-cashable vouchers, coupons, and

1 electronic promotions from this calculation, the effect of the  
2 tax rates in subsection (a-5) on net gaming revenues to this  
3 State, and proposed modifications to the calculation.

4 (a-10) The taxes imposed by this Section shall be paid by  
5 the licensed owner or the organization gaming licensee to the  
6 Board not later than 5:00 o'clock p.m. of the day after the day  
7 when the wagers were made.

8 (a-15) If the privilege tax imposed under subsection (a-3)  
9 is no longer imposed pursuant to item (i) of the last paragraph  
10 of subsection (a-3), then by June 15 of each year, each owners  
11 licensee, other than an owners licensee that admitted  
12 1,000,000 persons or fewer in calendar year 2004, must, in  
13 addition to the payment of all amounts otherwise due under  
14 this Section, pay to the Board a reconciliation payment in the  
15 amount, if any, by which the licensed owner's base amount  
16 exceeds the amount of net privilege tax paid by the licensed  
17 owner to the Board in the then current State fiscal year. A  
18 licensed owner's net privilege tax obligation due for the  
19 balance of the State fiscal year shall be reduced up to the  
20 total of the amount paid by the licensed owner in its June 15  
21 reconciliation payment. The obligation imposed by this  
22 subsection (a-15) is binding on any person, firm, corporation,  
23 or other entity that acquires an ownership interest in any  
24 such owners license. The obligation imposed under this  
25 subsection (a-15) terminates on the earliest of: (i) July 1,  
26 2007, (ii) the first day after August 23, 2005 (the effective

1 date of Public Act 94-673) that riverboat gambling operations  
2 are conducted pursuant to a dormant license, (iii) the first  
3 day that riverboat gambling operations are conducted under the  
4 authority of an owners license that is in addition to the 10  
5 owners licenses initially authorized under this Act, or (iv)  
6 the first day that a licensee under the Illinois Horse Racing  
7 Act of 1975 conducts gaming operations with slot machines or  
8 other electronic gaming devices. The Board must reduce the  
9 obligation imposed under this subsection (a-15) by an amount  
10 the Board deems reasonable for any of the following reasons:  
11 (A) an act or acts of God, (B) an act of bioterrorism or  
12 terrorism or a bioterrorism or terrorism threat that was  
13 investigated by a law enforcement agency, or (C) a condition  
14 beyond the control of the owners licensee that does not result  
15 from any act or omission by the owners licensee or any of its  
16 agents and that poses a hazardous threat to the health and  
17 safety of patrons. If an owners licensee pays an amount in  
18 excess of its liability under this Section, the Board shall  
19 apply the overpayment to future payments required under this  
20 Section.

21 For purposes of this subsection (a-15):

22 "Act of God" means an incident caused by the operation of  
23 an extraordinary force that cannot be foreseen, that cannot be  
24 avoided by the exercise of due care, and for which no person  
25 can be held liable.

26 "Base amount" means the following:

- 1 For a riverboat in Alton, \$31,000,000.  
2 For a riverboat in East Peoria, \$43,000,000.  
3 For the Empress riverboat in Joliet, \$86,000,000.  
4 For a riverboat in Metropolis, \$45,000,000.  
5 For the Harrah's riverboat in Joliet, \$114,000,000.  
6 For a riverboat in Aurora, \$86,000,000.  
7 For a riverboat in East St. Louis, \$48,500,000.  
8 For a riverboat in Elgin, \$198,000,000.

9 "Dormant license" has the meaning ascribed to it in  
10 subsection (a-3).

11 "Net privilege tax" means all privilege taxes paid by a  
12 licensed owner to the Board under this Section, less all  
13 payments made from the State Gaming Fund pursuant to  
14 subsection (b) of this Section.

15 The changes made to this subsection (a-15) by Public Act  
16 94-839 are intended to restate and clarify the intent of  
17 Public Act 94-673 with respect to the amount of the payments  
18 required to be made under this subsection by an owners  
19 licensee to the Board.

20 (b) From the tax revenue from riverboat or casino gambling  
21 deposited in the State Gaming Fund under this Section, an  
22 amount equal to 5% of adjusted gross receipts generated by a  
23 riverboat or a casino, other than a riverboat or casino  
24 designated in paragraph (1), (3), or (4) of subsection (e-5)  
25 of Section 7, shall be paid monthly, subject to appropriation  
26 by the General Assembly, to the unit of local government in

1 which the casino is located or that is designated as the home  
2 dock of the riverboat. Notwithstanding anything to the  
3 contrary, beginning on the first day that an owners licensee  
4 under paragraph (1), (2), (3), (4), (5), or (6) of subsection  
5 (e-5) of Section 7 conducts gambling operations, either in a  
6 temporary facility or a permanent facility, and for 2 years  
7 thereafter, a unit of local government designated as the home  
8 dock of a riverboat whose license was issued before January 1,  
9 2019, other than a riverboat conducting gambling operations in  
10 the City of East St. Louis, shall not receive less under this  
11 subsection (b) than the amount the unit of local government  
12 received under this subsection (b) in calendar year 2018.  
13 Notwithstanding anything to the contrary and because the City  
14 of East St. Louis is a financially distressed city, beginning  
15 on the first day that an owners licensee under paragraph (1),  
16 (2), (3), (4), (5), or (6) of subsection (e-5) of Section 7  
17 conducts gambling operations, either in a temporary facility  
18 or a permanent facility, and for 10 years thereafter, a unit of  
19 local government designated as the home dock of a riverboat  
20 conducting gambling operations in the City of East St. Louis  
21 shall not receive less under this subsection (b) than the  
22 amount the unit of local government received under this  
23 subsection (b) in calendar year 2018.

24 From the tax revenue deposited in the State Gaming Fund  
25 pursuant to riverboat or casino gambling operations conducted  
26 by a licensed manager on behalf of the State, an amount equal

1 to 5% of adjusted gross receipts generated pursuant to those  
2 riverboat or casino gambling operations shall be paid monthly,  
3 subject to appropriation by the General Assembly, to the unit  
4 of local government that is designated as the home dock of the  
5 riverboat upon which those riverboat gambling operations are  
6 conducted or in which the casino is located.

7 From the tax revenue from riverboat or casino gambling  
8 deposited in the State Gaming Fund under this Section, an  
9 amount equal to 5% of the adjusted gross receipts generated by  
10 a riverboat designated in paragraph (3) of subsection (e-5) of  
11 Section 7 shall be divided and remitted monthly, subject to  
12 appropriation, as follows: 70% to Waukegan, 10% to Park City,  
13 15% to North Chicago, and 5% to Lake County.

14 From the tax revenue from riverboat or casino gambling  
15 deposited in the State Gaming Fund under this Section, an  
16 amount equal to 5% of the adjusted gross receipts generated by  
17 a riverboat designated in paragraph (4) of subsection (e-5) of  
18 Section 7 shall be remitted monthly, subject to appropriation,  
19 as follows: 70% to the City of Rockford, 5% to the City of  
20 Loves Park, 5% to the Village of Machesney, and 20% to  
21 Winnebago County.

22 From the tax revenue from riverboat or casino gambling  
23 deposited in the State Gaming Fund under this Section, an  
24 amount equal to 5% of the adjusted gross receipts generated by  
25 a riverboat designated in paragraph (5) of subsection (e-5) of  
26 Section 7 shall be remitted monthly, subject to appropriation,

1 as follows: 2% to the unit of local government in which the  
2 riverboat or casino is located, and 3% shall be distributed:  
3 (A) in accordance with a regional capital development plan  
4 entered into by the following communities: Village of Beecher,  
5 City of Blue Island, Village of Burnham, City of Calumet City,  
6 Village of Calumet Park, City of Chicago Heights, City of  
7 Country Club Hills, Village of Crestwood, Village of Crete,  
8 Village of Dixmoor, Village of Dolton, Village of East Hazel  
9 Crest, Village of Flossmoor, Village of Ford Heights, Village  
10 of Glenwood, City of Harvey, Village of Hazel Crest, Village  
11 of Homewood, Village of Lansing, Village of Lynwood, City of  
12 Markham, Village of Matteson, Village of Midlothian, Village  
13 of Monee, City of Oak Forest, Village of Olympia Fields,  
14 Village of Orland Hills, Village of Orland Park, City of Palos  
15 Heights, Village of Park Forest, Village of Phoenix, Village  
16 of Posen, Village of Richton Park, Village of Riverdale,  
17 Village of Robbins, Village of Sauk Village, Village of South  
18 Chicago Heights, Village of South Holland, Village of Steger,  
19 Village of Thornton, Village of Tinley Park, Village of  
20 University Park, and Village of Worth; or (B) if no regional  
21 capital development plan exists, equally among the communities  
22 listed in item (A) to be used for capital expenditures or  
23 public pension payments, or both.

24 Units of local government may refund any portion of the  
25 payment that they receive pursuant to this subsection (b) to  
26 the riverboat or casino.

1 (b-4) Beginning on the first day the licensee under  
2 paragraph (5) of subsection (e-5) of Section 7 conducts  
3 gambling operations, either in a temporary facility or a  
4 permanent facility, and ending on July 31, 2042, from the tax  
5 revenue deposited in the State Gaming Fund under this Section,  
6 \$5,000,000 shall be paid annually, subject to appropriation,  
7 to the host municipality of that owners licensee of a license  
8 issued or re-issued pursuant to Section 7.1 of this Act before  
9 January 1, 2012. Payments received by the host municipality  
10 pursuant to this subsection (b-4) may not be shared with any  
11 other unit of local government.

12 (b-5) Beginning on June 28, 2019 (the effective date of  
13 Public Act 101-31), from the tax revenue deposited in the  
14 State Gaming Fund under this Section, an amount equal to 3% of  
15 adjusted gross receipts generated by each organization gaming  
16 facility located outside Madison County shall be paid monthly,  
17 subject to appropriation by the General Assembly, to a  
18 municipality other than the Village of Stickney in which each  
19 organization gaming facility is located or, if the  
20 organization gaming facility is not located within a  
21 municipality, to the county in which the organization gaming  
22 facility is located, except as otherwise provided in this  
23 Section. From the tax revenue deposited in the State Gaming  
24 Fund under this Section, an amount equal to 3% of adjusted  
25 gross receipts generated by an organization gaming facility  
26 located in the Village of Stickney shall be paid monthly,

1 subject to appropriation by the General Assembly, as follows:  
2 25% to the Village of Stickney, 5% to the City of Berwyn, 50%  
3 to the Town of Cicero, and 20% to the Stickney Public Health  
4 District.

5 From the tax revenue deposited in the State Gaming Fund  
6 under this Section, an amount equal to 5% of adjusted gross  
7 receipts generated by an organization gaming facility located  
8 in the City of Collinsville shall be paid monthly, subject to  
9 appropriation by the General Assembly, as follows: 30% to the  
10 City of Alton, 30% to the City of East St. Louis, and 40% to  
11 the City of Collinsville.

12 Municipalities and counties may refund any portion of the  
13 payment that they receive pursuant to this subsection (b-5) to  
14 the organization gaming facility.

15 (b-6) Beginning on June 28, 2019 (the effective date of  
16 Public Act 101-31), from the tax revenue deposited in the  
17 State Gaming Fund under this Section, an amount equal to 2% of  
18 adjusted gross receipts generated by an organization gaming  
19 facility located outside Madison County shall be paid monthly,  
20 subject to appropriation by the General Assembly, to the  
21 county in which the organization gaming facility is located  
22 for the purposes of its criminal justice system or health care  
23 system.

24 Counties may refund any portion of the payment that they  
25 receive pursuant to this subsection (b-6) to the organization  
26 gaming facility.

1 (b-7) From the tax revenue from the organization gaming  
2 licensee located in one of the following townships of Cook  
3 County: Bloom, Bremen, Calumet, Orland, Rich, Thornton, or  
4 Worth, an amount equal to 5% of the adjusted gross receipts  
5 generated by that organization gaming licensee shall be  
6 remitted monthly, subject to appropriation, as follows: 2% to  
7 the unit of local government in which the organization gaming  
8 licensee is located, and 3% shall be distributed: (A) in  
9 accordance with a regional capital development plan entered  
10 into by the following communities: Village of Beecher, City of  
11 Blue Island, Village of Burnham, City of Calumet City, Village  
12 of Calumet Park, City of Chicago Heights, City of Country Club  
13 Hills, Village of Crestwood, Village of Crete, Village of  
14 Dixmoor, Village of Dolton, Village of East Hazel Crest,  
15 Village of Flossmoor, Village of Ford Heights, Village of  
16 Glenwood, City of Harvey, Village of Hazel Crest, Village of  
17 Homewood, Village of Lansing, Village of Lynwood, City of  
18 Markham, Village of Matteson, Village of Midlothian, Village  
19 of Monee, City of Oak Forest, Village of Olympia Fields,  
20 Village of Orland Hills, Village of Orland Park, City of Palos  
21 Heights, Village of Park Forest, Village of Phoenix, Village  
22 of Posen, Village of Richton Park, Village of Riverdale,  
23 Village of Robbins, Village of Sauk Village, Village of South  
24 Chicago Heights, Village of South Holland, Village of Steger,  
25 Village of Thornton, Village of Tinley Park, Village of  
26 University Park, and Village of Worth; or (B) if no regional

1 capital development plan exists, equally among the communities  
2 listed in item (A) to be used for capital expenditures or  
3 public pension payments, or both.

4 (b-8) In lieu of the payments under subsection (b) of this  
5 Section, from the tax revenue deposited in the State Gaming  
6 Fund pursuant to riverboat or casino gambling operations  
7 conducted by an owners licensee under paragraph (1) of  
8 subsection (e-5) of Section 7, an amount equal to the tax  
9 revenue generated from the privilege tax imposed by paragraph  
10 (2) of subsection (a-5) that is to be paid to the City of  
11 Chicago shall be paid monthly, subject to appropriation by the  
12 General Assembly, as follows: (1) an amount equal to 0.5% of  
13 the annual adjusted gross receipts generated by the owners  
14 licensee under paragraph (1) of subsection (e-5) of Section 7  
15 to the home rule county in which the owners licensee is located  
16 for the purpose of enhancing the county's criminal justice  
17 system; and (2) the balance to the City of Chicago and shall be  
18 expended or obligated by the City of Chicago for pension  
19 payments in accordance with Public Act 99-506.

20 (c) Appropriations, as approved by the General Assembly,  
21 may be made from the State Gaming Fund to the Board (i) for the  
22 administration and enforcement of this Act and the Video  
23 Gaming Act, (ii) for distribution to the Illinois State Police  
24 and to the Department of Revenue for the enforcement of this  
25 Act and the Video Gaming Act, and (iii) to the Department of  
26 Human Services for the administration of programs to treat

1 problem gambling, including problem gambling from sports  
2 wagering. The Board's annual appropriations request must  
3 separately state its funding needs for the regulation of  
4 gaming authorized under Section 7.7, riverboat gaming, casino  
5 gaming, video gaming, and sports wagering.

6 (c-2) An amount equal to 2% of the adjusted gross receipts  
7 generated by an organization gaming facility located within a  
8 home rule county with a population of over 3,000,000  
9 inhabitants shall be paid, subject to appropriation from the  
10 General Assembly, from the State Gaming Fund to the home rule  
11 county in which the organization gaming licensee is located  
12 for the purpose of enhancing the county's criminal justice  
13 system.

14 (c-3) Appropriations, as approved by the General Assembly,  
15 may be made from the tax revenue deposited into the State  
16 Gaming Fund from organization gaming licensees pursuant to  
17 this Section for the administration and enforcement of this  
18 Act.

19 (c-4) After payments required under subsections (b),  
20 (b-5), (b-6), (b-7), (c), (c-2), and (c-3) have been made from  
21 the tax revenue from organization gaming licensees deposited  
22 into the State Gaming Fund under this Section, all remaining  
23 amounts from organization gaming licensees shall be  
24 transferred into the Capital Projects Fund.

25 (c-5) (Blank).

26 (c-10) Each year the General Assembly shall appropriate

1 from the General Revenue Fund to the Education Assistance Fund  
2 an amount equal to the amount paid into the Horse Racing Equity  
3 Fund pursuant to subsection (c-5) in the prior calendar year.

4 (c-15) After the payments required under subsections (b),  
5 (c), and (c-5) have been made, an amount equal to 2% of the  
6 adjusted gross receipts of (1) an owners licensee that  
7 relocates pursuant to Section 11.2, (2) an owners licensee  
8 conducting riverboat gambling operations pursuant to an owners  
9 license that is initially issued after June 25, 1999, or (3)  
10 the first riverboat gambling operations conducted by a  
11 licensed manager on behalf of the State under Section 7.3,  
12 whichever comes first, shall be paid, subject to appropriation  
13 from the General Assembly, from the State Gaming Fund to each  
14 home rule county with a population of over 3,000,000  
15 inhabitants for the purpose of enhancing the county's criminal  
16 justice system.

17 (c-20) Each year the General Assembly shall appropriate  
18 from the General Revenue Fund to the Education Assistance Fund  
19 an amount equal to the amount paid to each home rule county  
20 with a population of over 3,000,000 inhabitants pursuant to  
21 subsection (c-15) in the prior calendar year.

22 (c-21) After the payments required under subsections (b),  
23 (b-4), (b-5), (b-6), (b-7), (b-8), (c), (c-3), and (c-4) have  
24 been made, an amount equal to 0.5% of the adjusted gross  
25 receipts generated by the owners licensee under paragraph (1)  
26 of subsection (e-5) of Section 7 shall be paid monthly,

1 subject to appropriation from the General Assembly, from the  
2 State Gaming Fund to the home rule county in which the owners  
3 licensee is located for the purpose of enhancing the county's  
4 criminal justice system.

5 (c-22) After the payments required under subsections (b),  
6 (b-4), (b-5), (b-6), (b-7), (b-8), (c), (c-3), (c-4), and  
7 (c-21) have been made, an amount equal to 2% of the adjusted  
8 gross receipts generated by the owners licensee under  
9 paragraph (5) of subsection (e-5) of Section 7 shall be paid,  
10 subject to appropriation from the General Assembly, from the  
11 State Gaming Fund to the home rule county in which the owners  
12 licensee is located for the purpose of enhancing the county's  
13 criminal justice system.

14 (c-25) From July 1, 2013 and each July 1 thereafter  
15 through July 1, 2019, \$1,600,000 shall be transferred from the  
16 State Gaming Fund to the Chicago State University Education  
17 Improvement Fund.

18 On July 1, 2020 and each July 1 thereafter, \$3,000,000  
19 shall be transferred from the State Gaming Fund to the Chicago  
20 State University Education Improvement Fund.

21 (c-30) On July 1, 2013 or as soon as possible thereafter,  
22 \$92,000,000 shall be transferred from the State Gaming Fund to  
23 the School Infrastructure Fund and \$23,000,000 shall be  
24 transferred from the State Gaming Fund to the Horse Racing  
25 Equity Fund.

26 (c-35) Beginning on July 1, 2013, in addition to any

1 amount transferred under subsection (c-30) of this Section,  
2 \$5,530,000 shall be transferred monthly from the State Gaming  
3 Fund to the School Infrastructure Fund.

4 (d) From time to time, through June 30, 2021, the Board  
5 shall transfer the remainder of the funds generated by this  
6 Act into the Education Assistance Fund.

7 (d-5) Beginning on July 1, 2021, on the last day of each  
8 month, or as soon thereafter as possible, after all the  
9 required expenditures, distributions, and transfers have been  
10 made from the State Gaming Fund for the month pursuant to  
11 subsections (b) through (c-35), at the direction of the Board,  
12 the Comptroller shall direct and the Treasurer shall transfer  
13 \$22,500,000, along with any deficiencies in such amounts from  
14 prior months in the same fiscal year, from the State Gaming  
15 Fund to the Education Assistance Fund; then, at the direction  
16 of the Board, the Comptroller shall direct and the Treasurer  
17 shall transfer the remainder of the funds generated by this  
18 Act, if any, from the State Gaming Fund to the Capital Projects  
19 Fund.

20 (e) Nothing in this Act shall prohibit the unit of local  
21 government designated as the home dock of the riverboat from  
22 entering into agreements with other units of local government  
23 in this State or in other states to share its portion of the  
24 tax revenue.

25 (f) To the extent practicable, the Board shall administer  
26 and collect the wagering taxes imposed by this Section in a

1 manner consistent with the provisions of Sections 4, 5, 5a,  
2 5b, 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9, and 10 of  
3 the Retailers' Occupation Tax Act and Section 3-7 of the  
4 Uniform Penalty and Interest Act.

5 (Source: P.A. 101-31, Article 25, Section 25-910, eff.  
6 6-28-19; 101-31, Article 35, Section 35-55, eff. 6-28-19;  
7 101-648, eff. 6-30-20; 102-16, eff. 6-17-21; 102-538, eff.  
8 8-20-21; 102-689, eff. 12-17-21.)

9 Section 5-98. The Illinois Public Aid Code is amended by  
10 changing Sections 5-5.01a and 5-5.7a and by adding Sections  
11 5-5.7b and 12-4.56 as follows:

12 (305 ILCS 5/5-5.01a)

13 Sec. 5-5.01a. Supportive living facilities program.

14 (a) The Department shall establish and provide oversight  
15 for a program of supportive living facilities that seek to  
16 promote resident independence, dignity, respect, and  
17 well-being in the most cost-effective manner.

18 A supportive living facility is (i) a free-standing  
19 facility or (ii) a distinct physical and operational entity  
20 within a mixed-use building that meets the criteria  
21 established in subsection (d). A supportive living facility  
22 integrates housing with health, personal care, and supportive  
23 services and is a designated setting that offers residents  
24 their own separate, private, and distinct living units.

1 Sites for the operation of the program shall be selected  
2 by the Department based upon criteria that may include the  
3 need for services in a geographic area, the availability of  
4 funding, and the site's ability to meet the standards.

5 (b) Beginning July 1, 2014, subject to federal approval,  
6 the Medicaid rates for supportive living facilities shall be  
7 equal to the supportive living facility Medicaid rate  
8 effective on June 30, 2014 increased by 8.85%. Once the  
9 assessment imposed at Article V-G of this Code is determined  
10 to be a permissible tax under Title XIX of the Social Security  
11 Act, the Department shall increase the Medicaid rates for  
12 supportive living facilities effective on July 1, 2014 by  
13 9.09%. The Department shall apply this increase retroactively  
14 to coincide with the imposition of the assessment in Article  
15 V-G of this Code in accordance with the approval for federal  
16 financial participation by the Centers for Medicare and  
17 Medicaid Services.

18 The Medicaid rates for supportive living facilities  
19 effective on July 1, 2017 must be equal to the rates in effect  
20 for supportive living facilities on June 30, 2017 increased by  
21 2.8%.

22 The Medicaid rates for supportive living facilities  
23 effective on July 1, 2018 must be equal to the rates in effect  
24 for supportive living facilities on June 30, 2018.

25 Subject to federal approval, the Medicaid rates for  
26 supportive living services on and after July 1, 2019 must be at

1 least 54.3% of the average total nursing facility services per  
2 diem for the geographic areas defined by the Department while  
3 maintaining the rate differential for dementia care and must  
4 be updated whenever the total nursing facility service per  
5 diems are updated. Beginning July 1, 2022, upon the  
6 implementation of the Patient Driven Payment Model, Medicaid  
7 rates for supportive living services must be at least 54.3% of  
8 the average total nursing services per diem rate for the  
9 geographic areas. For purposes of this provision, the average  
10 total nursing services per diem rate shall include all add-ons  
11 for nursing facilities for the geographic area provided for in  
12 Section 5-5.2. The rate differential for dementia care must be  
13 maintained in these rates and the rates shall be updated  
14 whenever nursing facility per diem rates are updated.

15 (c) The Department may adopt rules to implement this  
16 Section. Rules that establish or modify the services,  
17 standards, and conditions for participation in the program  
18 shall be adopted by the Department in consultation with the  
19 Department on Aging, the Department of Rehabilitation  
20 Services, and the Department of Mental Health and  
21 Developmental Disabilities (or their successor agencies).

22 (d) Subject to federal approval by the Centers for  
23 Medicare and Medicaid Services, the Department shall accept  
24 for consideration of certification under the program any  
25 application for a site or building where distinct parts of the  
26 site or building are designated for purposes other than the

1 provision of supportive living services, but only if:

2 (1) those distinct parts of the site or building are  
3 not designated for the purpose of providing assisted  
4 living services as required under the Assisted Living and  
5 Shared Housing Act;

6 (2) those distinct parts of the site or building are  
7 completely separate from the part of the building used for  
8 the provision of supportive living program services,  
9 including separate entrances;

10 (3) those distinct parts of the site or building do  
11 not share any common spaces with the part of the building  
12 used for the provision of supportive living program  
13 services; and

14 (4) those distinct parts of the site or building do  
15 not share staffing with the part of the building used for  
16 the provision of supportive living program services.

17 (e) Facilities or distinct parts of facilities which are  
18 selected as supportive living facilities and are in good  
19 standing with the Department's rules are exempt from the  
20 provisions of the Nursing Home Care Act and the Illinois  
21 Health Facilities Planning Act.

22 (f) Section 9817 of the American Rescue Plan Act of 2021  
23 (Public Law 117-2) authorizes a 10% enhanced federal medical  
24 assistance percentage for supportive living services for a  
25 12-month period from April 1, 2021 through March 31, 2022.  
26 Subject to federal approval, including the approval of any

1 necessary waiver amendments or other federally required  
2 documents or assurances, for a 12-month period the Department  
3 must pay a supplemental \$26 per diem rate to all supportive  
4 living facilities with the additional federal financial  
5 participation funds that result from the enhanced federal  
6 medical assistance percentage from April 1, 2021 through March  
7 31, 2022. The Department may issue parameters around how the  
8 supplemental payment should be spent, including quality  
9 improvement activities. The Department may alter the form,  
10 methods, or timeframes concerning the supplemental per diem  
11 rate to comply with any subsequent changes to federal law,  
12 changes made by guidance issued by the federal Centers for  
13 Medicare and Medicaid Services, or other changes necessary to  
14 receive the enhanced federal medical assistance percentage.

15 (Source: P.A. 101-10, eff. 6-5-19; 102-43, eff. 7-6-21.)

16 (305 ILCS 5/5-5.7a)

17 Sec. 5-5.7a. Pandemic related stability payments for  
18 health care providers. Notwithstanding other provisions of  
19 law, and in accordance with the Illinois Emergency Management  
20 Agency, the Department of Healthcare and Family Services shall  
21 develop a process to distribute pandemic related stability  
22 payments, from federal sources dedicated for such purposes, to  
23 health care providers that are providing care to recipients  
24 under the Medical Assistance Program. For provider types  
25 serving residents who are recipients of medical assistance

1 under this Code and are funded by other State agencies, the  
2 Department will coordinate the distribution process of the  
3 pandemic related stability payments. Federal sources dedicated  
4 to pandemic related payments include, but are not limited to,  
5 funds distributed to the State of Illinois from the  
6 Coronavirus Relief Fund pursuant to the Coronavirus Aid,  
7 Relief, and Economic Security Act ("CARES Act") and from the  
8 Coronavirus State Fiscal Recovery Fund pursuant to Section  
9 9901 of the American Rescue Plan Act of 2021, that are  
10 appropriated to the Department during Fiscal Years 2020, 2021,  
11 and 2022 for purposes permitted by those federal laws and  
12 related federal guidance.

13 (1) Pandemic related stability payments for these  
14 providers shall be separate and apart from any rate  
15 methodology otherwise defined in this Code to the extent  
16 permitted in accordance with Section 5001 of the CARES Act  
17 and Section 9901 of the American Rescue Plan Act of 2021  
18 and any related federal guidance.

19 (2) Payments made from moneys received from the  
20 Coronavirus Relief Fund shall be used exclusively for  
21 expenses incurred by the providers that are eligible for  
22 reimbursement from the Coronavirus Relief Fund in  
23 accordance with Section 5001 of the CARES Act and related  
24 federal guidance. Payments made from moneys received from  
25 the Coronavirus State Fiscal Recovery Fund shall be used  
26 exclusively for purposes permitted by Section 9901 of the

1 American Rescue Plan Act of 2021 and related federal  
2 guidance.

3 (3) All providers receiving pandemic related stability  
4 payments shall attest in a format to be created by the  
5 Department and be able to demonstrate that their expenses  
6 are pandemic related, were not part of their annual  
7 budgets established before March 1, 2020, ~~and are directly~~  
8 ~~associated with health care needs.~~

9 (4) Pandemic related stability payments will be  
10 distributed based on a schedule and framework to be  
11 established by the Department with recognition of the  
12 pandemic related acuity of the situation for each  
13 provider, taking into account the factors including, but  
14 not limited to, the following:

15 (A) the impact of the pandemic on patients served,  
16 impact on staff, and shortages of the personal  
17 protective equipment necessary for infection control  
18 efforts for all providers;

19 (B) COVID-19 positivity rates among staff, or  
20 patients, or both;

21 (C) pandemic related workforce challenges and  
22 costs associated with temporary wage increases  
23 associated with pandemic related hazard pay programs,  
24 or costs associated with which providers do not have  
25 enough staff to adequately provide care and protection  
26 to the residents and other staff;

1 (D) providers with significant reductions in  
2 utilization that result in corresponding reductions in  
3 revenue as a result of the pandemic, including, but  
4 not limited to, the cancellation or postponement of  
5 elective procedures and visits;

6 (E) pandemic related payments received directly by  
7 the providers through other federal resources;

8 (F) current efforts to respond to and provide  
9 services to communities disproportionately impacted by  
10 the COVID-19 public health emergency, including  
11 low-income and socially vulnerable communities that  
12 have seen the most severe health impacts and  
13 exacerbated health inequities along racial, ethnic,  
14 and socioeconomic lines; and

15 (G) provider needs for capital improvements to  
16 existing facilities, including upgrades to HVAC and  
17 ventilation systems and capital improvements for  
18 enhancing infection control or reducing crowding,  
19 which may include bed-buybacks.

20 (5) Pandemic related stability payments made from  
21 moneys received from the Coronavirus Relief Fund will be  
22 distributed to providers based on a methodology to be  
23 administered by the Department with amounts determined by  
24 a calculation of total federal pandemic related funds  
25 appropriated by the Illinois General Assembly for this  
26 purpose. Providers receiving the pandemic related

1 stability payments will attest to their increased costs,  
2 declining revenues, and receipt of additional pandemic  
3 related funds directly from the federal government.

4 (6) Of the payments provided for by this Section made  
5 from moneys received from the Coronavirus Relief Fund, a  
6 minimum of 30% shall be allotted for health care providers  
7 that serve the ZIP codes located in the most  
8 disproportionately impacted areas of Illinois, based on  
9 positive COVID-19 cases based on data collected by the  
10 Department of Public Health and provided to the Department  
11 of Healthcare and Family Services.

12 (7) From funds appropriated, directly or indirectly,  
13 from moneys received by the State from the Coronavirus  
14 State Fiscal Recovery Fund for Fiscal Years 2021 and 2022,  
15 the Department shall expend such funds only for purposes  
16 permitted by Section 9901 of the American Rescue Plan Act  
17 of 2021 and related federal guidance. Such expenditures  
18 may include, but are not limited to: payments to providers  
19 for costs incurred due to the COVID-19 public health  
20 emergency; unreimbursed costs for testing and treatment of  
21 uninsured Illinois residents; costs of COVID-19 mitigation  
22 and prevention; medical expenses related to aftercare or  
23 extended care for COVID-19 patients with longer term  
24 symptoms and effects; costs of behavioral health care;  
25 costs of public health and safety staff; and expenditures  
26 permitted in order to address (i) disparities in public

1 health outcomes, (ii) nursing and other essential health  
2 care workforce investments, (iii) exacerbation of  
3 pre-existing disparities, and (iv) promoting healthy  
4 childhood environments.

5 (8) From funds appropriated, directly or indirectly,  
6 from moneys received by the State from the Coronavirus  
7 State Fiscal Recovery Fund for Fiscal Years 2022 and 2023,  
8 the Department shall establish a program for making  
9 payments to long term care service providers and  
10 facilities, for purposes related to financial support for  
11 workers in the long term care industry, but only as  
12 permitted by either the CARES Act or Section 9901 of the  
13 American Rescue Plan Act of 2021 and related federal  
14 guidance, including, but not limited to the following:  
15 monthly amounts of \$25,000,000 per month for July 2021,  
16 August 2021, and September 2021 where at least 50% of the  
17 funds in July shall be passed directly to front line  
18 workers and an additional 12.5% more in each of the next 2  
19 months; financial support programs for providers enhancing  
20 direct care staff recruitment efforts through the payment  
21 of education expenses; and financial support programs for  
22 providers offering enhanced and expanded training for all  
23 levels of the long term care healthcare workforce to  
24 achieve better patient outcomes, such as training on  
25 infection control, proper personal protective equipment,  
26 best practices in quality of care, and culturally

1 competent patient communications. The Department shall  
2 have the authority to audit and potentially recoup funds  
3 not utilized as outlined and attested.

4 (8.5) From funds appropriated, directly or indirectly,  
5 from moneys received by the State from the Coronavirus  
6 State Fiscal Recovery Fund, the Department shall establish  
7 a grant program to provide premium pay to front line  
8 workers at facilities licensed by the Department of Public  
9 Health under the Nursing Home Care Act as skilled nursing  
10 facilities or intermediate care facilities.

11 (A) Awards pursuant to this program shall comply  
12 with the requirements of Section 9901 of the American  
13 Rescue Plan Act of 2021 and all related federal  
14 guidance. Awards shall be scaled based on a process  
15 determined by the Department. The amount awarded to  
16 each recipient shall not exceed \$3.17 per nursing  
17 hour. Awards shall be for eligible expenditures  
18 incurred no earlier than May 1, 2022 and no later than  
19 June 30, 2023.

20 (B) Financial assistance under this paragraph  
21 (8.5) shall be expended only for premium pay for  
22 eligible workers, which must be in addition to any  
23 wages or remuneration the eligible worker has already  
24 received and shall be subject to the other  
25 requirements and limitations set forth in the American  
26 Rescue Plan Act of 2021 and related federal guidance.

1           (C) Upon receipt of funds, recipients shall  
2           distribute funds such that eligible workers receive an  
3           amount up to \$13 per hour but no more than \$25,000 for  
4           the duration of the program. Recipients shall provide  
5           a written certification to the Department  
6           acknowledging compliance with this paragraph.

7           (D) No portion of these funds shall be spent on  
8           volunteer or temporary staff, and these funds shall  
9           not be used to make retroactive premium payments  
10           before the effective date of this amendatory Act of  
11           the 102nd General Assembly.

12           (E) The Department shall require each recipient  
13           under this paragraph to submit appropriate  
14           documentation acknowledging compliance with State and  
15           federal law. For purposes of this paragraph, "eligible  
16           worker" means a permanent staff member, regardless of  
17           union affiliation, of a facility licensed by the  
18           Department of Public Health under the Nursing Home  
19           Care Act as a skilled nursing facility or intermediate  
20           care facility engaged in "essential work", as defined  
21           by Section 9901 of the American Rescue Plan Act of 2021  
22           and related federal guidance, and (1) whose total pay  
23           is below 150% of the average annual wage for all  
24           occupations in the worker's county of residence, as  
25           defined by the Bureau of Labor Statistics Occupational  
26           Employment and Wage Statistics, or (2) is not exempt

1           from the federal Fair Labor Standards Act overtime  
2           provisions.

3           (9) From funds appropriated, directly or indirectly,  
4           from moneys received by the State from the Coronavirus  
5           State Fiscal Recovery Fund for Fiscal Years 2022 through  
6           2024 the Department shall establish programs ~~a program~~ for  
7           making payments to facilities licensed under the Nursing  
8           Home Care Act and facilities licensed under the  
9           Specialized Mental Health Rehabilitation Act of 2013. To  
10          the extent permitted by Section 9901 of the American  
11          Rescue Plan Act of 2021 and related federal guidance, the  
12          programs ~~program~~ shall provide:

13                (A) Payments ~~provide payments~~ for making permanent  
14                improvements to resident rooms in order to improve  
15                resident outcomes and infection control. Funds may be  
16                used to reduce bed capacity and room occupancy. To be  
17                eligible for funding, a facility must submit an  
18                application to the Department as prescribed by the  
19                Department and as published on its website. A facility  
20                may need to receive approval from the Health  
21                Facilities and Services Review Board for the permanent  
22                improvements or the removal of the beds before it can  
23                receive payment under this paragraph.

24                (B) Payments to reimburse facilities licensed by  
25                the Department of Public Health under the Nursing Home  
26                Care Act as skilled nursing facilities or intermediate

1 care facilities for eligible expenses related to the  
2 public health impacts of the COVID-19 public health  
3 emergency, including, but not limited to, costs  
4 related to COVID-19 testing for residents, COVID-19  
5 prevention and treatment equipment, medical supplies,  
6 and personal protective equipment.

7 (i) Awards made pursuant to this program shall  
8 comply with the requirements of Section 9901 of  
9 the American Rescue Plan Act of 2021 and all  
10 related federal guidance. The amount awarded to  
11 each recipient shall not exceed \$1.71 per nursing  
12 hour. Permissible expenditures must be made no  
13 earlier than May 1, 2022 and no later than June 30,  
14 2023.

15 (ii) Financial assistance pursuant to this  
16 paragraph shall not be expended for premium pay.

17 (iii) The Department shall require each  
18 recipient under this paragraph to submit  
19 appropriate documentation acknowledging  
20 compliance with State and federal law.

21 (Source: P.A. 101-636, eff. 6-10-20; 102-16, eff. 6-17-21;  
22 102-687, eff. 12-17-21.)

23 (305 ILCS 5/5-5.7b new)

24 Sec. 5-5.7b. Pandemic related stability payments to  
25 ambulance service providers in response to COVID-19.

1 (a) Definitions. As used in this Section:

2 "Ambulance Services Industry" means the industry that is  
3 comprised of "Qualifying Ground Ambulance Service Providers",  
4 as defined in this Section.

5 "Qualifying Ground Ambulance Service Provider" means a  
6 "vehicle service provider," as that term is defined in Section  
7 3.85 of the Emergency Medical Services (EMS) Systems Act,  
8 which operates licensed ambulances for the purpose of  
9 providing emergency, non-emergency ambulance services, or both  
10 emergency and non-emergency ambulance services. The term  
11 "Qualifying Ground Ambulance Service Provider" is limited to  
12 ambulance and EMS agencies that are privately held and  
13 nonprofit organizations headquartered within the State and  
14 licensed by the Department of Public Health as of March 12,  
15 2020.

16 "Eligible worker" means a staff member of a Qualifying  
17 Ground Ambulance Service Provider engaged in "essential work",  
18 as defined by Section 9901 of the ARPA and related federal  
19 guidance, and (1) whose total pay is below 150% of the average  
20 annual wage for all occupations in the worker's county of  
21 residence, as defined by the BLS Occupational Employment and  
22 Wage Statistics or (2) is not exempt from the federal Fair  
23 Labor Standards Act overtime provisions.

24 (b) Purpose. The Department may receive federal funds  
25 under the authority of legislation passed in response to the  
26 Coronavirus epidemic, including, but not limited to, the

1 American Rescue Plan Act of 2021, P.L. 117-2 (the "ARPA").  
2 Upon receipt or availability of such State or federal funds,  
3 and subject to appropriations for their use, the Department  
4 shall establish and administer programs for purposes allowable  
5 under Section 9901 of the ARPA to provide financial assistance  
6 to Qualifying Ground Ambulance Service Providers for premium  
7 pay for eligible workers, to provide reimbursement for  
8 eligible expenditures, and to provide support following the  
9 negative economic impact of the COVID-19 public health  
10 emergency on the Ambulance Services Industry. Financial  
11 assistance may include, but is not limited to, grants, expense  
12 reimbursements, or subsidies.

13 (c) Non-Emergency Service Certification. To be eligible  
14 for funding under this Section, a Qualifying Ground Ambulance  
15 Service Provider that provides non-emergency services to  
16 institutional residents must certify that it will provide  
17 non-emergency ambulance services to individuals enrolled in  
18 the State's Medical Assistance Program and residing in  
19 non-institutional settings for at least one year following the  
20 receipt of funding pursuant to this amendatory Act of the  
21 102nd General Assembly. The provider shall maintain the  
22 certification in its records. The provider shall also maintain  
23 documentation of all non-emergency ambulance services for the  
24 period covered by the certification. The provider shall  
25 produce the certification and supporting documentation upon  
26 demand by the Department or its representative. Failure to

1 comply shall result in recovery of any payments made by the  
2 Department.

3 (d) Premium Pay Initiative. Subject to paragraph (c) of  
4 this Section, the Department shall establish a Premium Pay  
5 Initiative to distribute awards to each Qualifying Ground  
6 Ambulance Service Provider for the purpose of providing  
7 premium pay to eligible workers.

8 (1) Financial assistance pursuant to this paragraph  
9 (d) shall be scaled based on a process determined by the  
10 Department. The amount awarded to each Qualifying Ground  
11 Ambulance Service Provider shall be up to \$13 per hour for  
12 each eligible worker employed.

13 (2) The financial assistance awarded shall only be  
14 expended for premium pay for eligible workers, which must  
15 be in addition to any wages or remuneration the eligible  
16 worker has already received and shall be subject to the  
17 other requirements and limitations set forth in the ARPA  
18 and related federal guidance.

19 (3) Upon receipt of funds, the Qualifying Ground  
20 Ambulance Service Provider shall distribute funds such  
21 that an eligible worker receives an amount up to \$13 per  
22 hour but no more than \$25,000 for the duration of the  
23 program. The Qualifying Ground Ambulance Service Provider  
24 shall provide a written certification to the Department  
25 acknowledging compliance with this paragraph (d).

26 (4) No portion of these funds shall be spent on

1 volunteer staff.

2 (5) These funds shall not be used to make retroactive  
3 premium payments prior to the effective date of this  
4 amendatory Act of the 102nd General Assembly.

5 (6) The Department shall require each Qualifying  
6 Ground Ambulance Service Provider that receives funds  
7 under this paragraph (d) to submit appropriate  
8 documentation acknowledging compliance with State and  
9 federal law on an annual basis.

10 (e) COVID-19 Response Support Initiative. Subject to  
11 paragraph (c) of this Section and based on an application  
12 filed by a Qualifying Ground Ambulance Service Provider, the  
13 Department shall establish the Ground Ambulance COVID-19  
14 Response Support Initiative. The purpose of the award shall be  
15 to reimburse Qualifying Ground Ambulance Service Providers for  
16 eligible expenses under Section 9901 of the ARPA related to  
17 the public health impacts of the COVID-19 public health  
18 emergency, including but not limited to costs related to  
19 COVID-19 testing for patients, COVID-19 prevention and  
20 treatment equipment, medical supplies, personal protective  
21 equipment, and other emergency medical response treatments.

22 (1) The award shall be for eligible expenditures  
23 incurred no earlier than May 1, 2022 and no later than June  
24 30, 2023.

25 (2) Funds awarded under this paragraph (e) shall not  
26 be expended for premium pay to eligible workers.

1           (3) The Department shall require each Qualifying  
2           Ground Ambulance Service Provider that receives funds  
3           under this paragraph (e) to submit appropriate  
4           documentation acknowledging compliance with State and  
5           federal law on an annual basis.

6           (f) Ambulance Industry Recovery Program. If the Department  
7           designates the Ambulance Services Industry as an "impacted  
8           industry", as defined by the ARPA and related federal  
9           guidance, the Department shall establish the Ambulance  
10           Industry Recovery Grant Program, to provide aid to Qualifying  
11           Ground Ambulance Service Providers that experienced staffing  
12           losses due to the COVID-19 public health emergency.

13           (1) Funds awarded under this paragraph (f) shall not  
14           be expended for premium pay to eligible workers.

15           (2) Each Qualifying Ground Ambulance Service Provider  
16           that receives funds under this paragraph (f) shall comply  
17           with paragraph (c) of this Section.

18           (3) The Department shall require each Qualifying  
19           Ground Ambulance Service Provider that receives funds  
20           under this paragraph (f) to submit appropriate  
21           documentation acknowledging compliance with State and  
22           federal law on an annual basis.

23           (305 ILCS 5/12-4.56 new)

24           Sec. 12-4.56. Managed Primary Care Demonstration Project.  
25           The Department shall establish and implement a Managed Primary

1 Care Demonstration Project to provide primary care services  
2 that are focused on preventive rather than curative care to  
3 persons who reside in underserved communities that lack  
4 accessible health and medical services. The demonstration  
5 project shall operate for a 5-year period and provide  
6 supplemental services to medical assistance recipients. The  
7 Department shall contract with a health care organization  
8 through a competitive process that is capable of providing  
9 patient-centered, prevention-focused services, that may  
10 include, but are not limited to, the following:

11 (1) Patient navigators to manage patient care.

12 (2) Patient-tailored preventive health care plans.

13 (3) Administrative personal health care consultants  
14 for home health maintenance between medical office visits.

15 (4) Clinical personal health care consultants for  
16 telehealth (health information and advice) and wellness  
17 initiatives.

18 (5) A patient portal.

19 (6) An online virtual health hub that provides  
20 patients with access to wellness, self-guided education,  
21 health seminars, a video library, and additional health  
22 and wellness resources.

23 (7) Community health and human services centers to  
24 engage, educate, and empower patients to get involved in  
25 their own self-care.

26 (8) Mobile preventive health stations and kiosks to

1 bring services to underserved communities that are health  
2 or medical deserts.

3 (9) Call centers to interact with medical homes and  
4 facilitate service offerings.

5 A request for proposals for the demonstration project  
6 shall be issued by December 31, 2022.

7 Section 5-100. The Energy Assistance Act is amended by  
8 changing Sections 3, 6, and 13 as follows:

9 (305 ILCS 20/3) (from Ch. 111 2/3, par. 1403)

10 Sec. 3. Definitions. As used in this Act, unless the  
11 context otherwise requires:

12 The ~~(a) the~~ terms defined in Sections 3-101 through 3-121  
13 of the Public Utilities Act have the meanings ascribed to them  
14 in that Act.†

15 ~~(b)~~ "Department" means the Department of Commerce and  
16 Economic Opportunity.†

17 "Energy conservation measure" means any measure installed  
18 in a dwelling that reduces energy consumption.

19 "Energy ~~(c) "energy~~ provider" means any utility, municipal  
20 utility, cooperative utility, or any other corporation or  
21 individual which provides winter energy services.†

22 "Healthy home measure" means any measure that is intended  
23 to keep a dwelling dry, clean, safe, well ventilated, pest  
24 free, contaminant free, maintained, or thermally controlled.

1       "Home improvement measure" means any measure that is  
2 intended to make a dwelling weatherization-ready by  
3 alleviating deferrals from weatherization activities or  
4 allowing for the addition of renewable energy retrofits, or  
5 both.

6       "Measure" means the installation of any equipment, device,  
7 or material in a dwelling.

8       "Renewable energy retrofit" means any retrofit required  
9 for the use of energy from a solar photovoltaic, solar  
10 thermal, wind, or geothermal energy system.

11       "Winter" ~~(d) "winter"~~ means the period from November 1 of  
12 any year through April 30 of the following year.

13       (Source: P.A. 95-331, eff. 8-21-07; 96-33, eff. 7-10-09;  
14 96-154, eff. 1-1-10.)

15       (305 ILCS 20/6) (from Ch. 111 2/3, par. 1406)

16       Sec. 6. Eligibility, conditions of participation, and  
17 energy assistance.

18       (a) Any person who is a resident of the State of Illinois  
19 and whose household income is not greater than an amount  
20 determined annually by the Department, in consultation with  
21 the Policy Advisory Council, may apply for assistance pursuant  
22 to this Act in accordance with regulations promulgated by the  
23 Department. In setting the annual eligibility level, the  
24 Department shall consider the amount of available funding and  
25 may not set a limit higher than 150% of the federal nonfarm

1 poverty level as established by the federal Office of  
2 Management and Budget or 60% of the State median income for the  
3 current State fiscal year as established by the U.S.  
4 Department of Health and Human Services; except that for the  
5 period from the effective date of this amendatory Act of the  
6 101st General Assembly through June 30, 2021, the Department  
7 may establish limits not higher than 200% of that poverty  
8 level. The Department, in consultation with the Policy  
9 Advisory Council, may adjust the percentage of poverty level  
10 annually in accordance with federal guidelines and based on  
11 funding availability.

12 (b) Applicants who qualify for assistance pursuant to  
13 subsection (a) of this Section shall, subject to appropriation  
14 from the General Assembly and subject to availability of funds  
15 to the Department, receive energy assistance as provided by  
16 this Act. The Department, upon receipt of monies authorized  
17 pursuant to this Act for energy assistance, shall commit funds  
18 for each qualified applicant in an amount determined by the  
19 Department. In determining the amounts of assistance to be  
20 provided to or on behalf of a qualified applicant, the  
21 Department shall ensure that the highest amounts of assistance  
22 go to households with the greatest energy costs in relation to  
23 household income. The Department shall include factors such as  
24 energy costs, household size, household income, and region of  
25 the State when determining individual household benefits. In  
26 setting assistance levels, the Department shall attempt to

1 provide assistance to approximately the same number of  
2 households who participated in the 1991 Residential Energy  
3 Assistance Partnership Program. Such assistance levels shall  
4 be adjusted annually on the basis of funding availability and  
5 energy costs. In promulgating rules for the administration of  
6 this Section the Department shall assure that a minimum of 1/3  
7 of funds available for benefits to eligible households with  
8 the lowest incomes and that elderly households, households  
9 with children under the age of 6 years old, and households with  
10 persons with disabilities are offered a priority application  
11 period.

12 (c) If the applicant is not a customer of record of an  
13 energy provider for energy services or an applicant for such  
14 service, such applicant shall receive a direct energy  
15 assistance payment in an amount established by the Department  
16 for all such applicants under this Act; provided, however,  
17 that such an applicant must have rental expenses for housing  
18 greater than 30% of household income.

19 (c-1) This subsection shall apply only in cases where: (1)  
20 the applicant is not a customer of record of an energy provider  
21 because energy services are provided by the owner of the unit  
22 as a portion of the rent; (2) the applicant resides in housing  
23 subsidized or developed with funds provided under the Rental  
24 Housing Support Program Act or under a similar locally funded  
25 rent subsidy program, or is the voucher holder who resides in a  
26 rental unit within the State of Illinois and whose monthly

1 rent is subsidized by the tenant-based Housing Choice Voucher  
2 Program under Section 8 of the U.S. Housing Act of 1937; and  
3 (3) the rental expenses for housing are no more than 30% of  
4 household income. In such cases, the household may apply for  
5 an energy assistance payment under this Act and the owner of  
6 the housing unit shall cooperate with the applicant by  
7 providing documentation of the energy costs for that unit. Any  
8 compensation paid to the energy provider who supplied energy  
9 services to the household shall be paid on behalf of the owner  
10 of the housing unit providing energy services to the  
11 household. The Department shall report annually to the General  
12 Assembly on the number of households receiving energy  
13 assistance under this subsection and the cost of such  
14 assistance. The provisions of this subsection (c-1), other  
15 than this sentence, are inoperative after August 31, 2012.

16 (d) If the applicant is a customer of an energy provider,  
17 such applicant shall receive energy assistance in an amount  
18 established by the Department for all such applicants under  
19 this Act, such amount to be paid by the Department to the  
20 energy provider supplying winter energy service to such  
21 applicant. Such applicant shall:

22 (i) make all reasonable efforts to apply to any other  
23 appropriate source of public energy assistance; and

24 (ii) sign a waiver permitting the Department to  
25 receive income information from any public or private  
26 agency providing income or energy assistance and from any

1 employer, whether public or private.

2 (e) Any qualified applicant pursuant to this Section may  
3 receive or have paid on such applicant's behalf an emergency  
4 assistance payment to enable such applicant to obtain access  
5 to winter energy services. Any such payments shall be made in  
6 accordance with regulations of the Department.

7 (f) The Department may, if sufficient funds are available,  
8 provide additional benefits to certain qualified applicants:

9 (i) for the reduction of past due amounts owed to  
10 energy providers; ~~and~~

11 (ii) to assist the household in responding to  
12 excessively high summer temperatures or energy costs.  
13 Households containing elderly members, children, a person  
14 with a disability, or a person with a medical need for  
15 conditioned air shall receive priority for receipt of such  
16 benefits; ~~and-~~

17 (iii) for the installation of energy conservation  
18 measures, health and safety measures, healthy home  
19 measures, home improvement measures to help alleviate  
20 deferrals from weatherization activities, and renewable  
21 energy retrofits.

22 (Source: P.A. 101-636, eff. 6-10-20; 102-16, eff. 6-17-21;  
23 102-176, eff. 6-1-22.)

24 (305 ILCS 20/13)

25 (Section scheduled to be repealed on January 1, 2025)

1           Sec. 13. Supplemental Low-Income Energy Assistance Fund.

2           (a) The Supplemental Low-Income Energy Assistance Fund is  
3 hereby created as a special fund in the State Treasury. The  
4 Supplemental Low-Income Energy Assistance Fund is authorized  
5 to receive moneys from voluntary donations from individuals,  
6 foundations, corporations, and other sources, moneys received  
7 pursuant to Section 17, and, by statutory deposit, the moneys  
8 collected pursuant to this Section. The Fund is also  
9 authorized to receive voluntary donations from individuals,  
10 foundations, corporations, and other sources. Subject to  
11 appropriation, the Department shall use moneys from the  
12 Supplemental Low-Income Energy Assistance Fund for: (i)  
13 payments to electric or gas public utilities, municipal  
14 electric or gas utilities, and electric cooperatives on behalf  
15 of their customers who are participants in the program  
16 authorized by Sections 4 and 18 of this Act; ~~(ii),~~ ~~for~~ the  
17 provision of weatherization services, including, but not  
18 limited to, the installation of energy conservation measures,  
19 health and safety measures, healthy home measures, home  
20 improvement measures to alleviate the deferrals of certain  
21 projects, including, but not limited to, roofs and foundation  
22 repairs, and renewable energy retrofits; and (iii) ~~for~~  
23 administration of the Supplemental Low-Income Energy  
24 Assistance Fund. All other deposits outside of the Energy  
25 Assistance Charge as set forth in subsection (b) are not  
26 subject to the percentage restrictions related to

1 administrative and weatherization expenses provided in this  
2 subsection. The yearly expenditures for weatherization may not  
3 exceed 10% of the amount collected during the year pursuant to  
4 this Section, except when unspent funds from the Supplemental  
5 Low-Income Energy Assistance Fund are reallocated from a  
6 previous year; any unspent balance of the 10% weatherization  
7 allowance may be utilized for weatherization expenses in the  
8 year they are reallocated. The yearly administrative expenses  
9 of the Supplemental Low-Income Energy Assistance Fund may not  
10 exceed 13% of the amount collected during that year pursuant  
11 to this Section, except when unspent funds from the  
12 Supplemental Low-Income Energy Assistance Fund are reallocated  
13 from a previous year; any unspent balance of the 13%  
14 administrative allowance may be utilized for administrative  
15 expenses in the year they are reallocated. Of the 13%  
16 administrative allowance, no less than 8% shall be provided to  
17 Local Administrative Agencies for administrative expenses.

18 (b) Notwithstanding the provisions of Section 16-111 of  
19 the Public Utilities Act but subject to subsection (k) of this  
20 Section, each public utility, electric cooperative, as defined  
21 in Section 3.4 of the Electric Supplier Act, and municipal  
22 utility, as referenced in Section 3-105 of the Public  
23 Utilities Act, that is engaged in the delivery of electricity  
24 or the distribution of natural gas within the State of  
25 Illinois shall, effective January 1, 2021, assess each of its  
26 customer accounts a monthly Energy Assistance Charge for the

1 Supplemental Low-Income Energy Assistance Fund. The delivering  
2 public utility, municipal electric or gas utility, or electric  
3 or gas cooperative for a self-assessing purchaser remains  
4 subject to the collection of the fee imposed by this Section.  
5 The monthly charge shall be as follows:

6 (1) Base Energy Assistance Charge per month on each  
7 account for residential electrical service;

8 (2) Base Energy Assistance Charge per month on each  
9 account for residential gas service;

10 (3) Ten times the Base Energy Assistance Charge per  
11 month on each account for non-residential electric service  
12 which had less than 10 megawatts of peak demand during the  
13 previous calendar year;

14 (4) Ten times the Base Energy Assistance Charge per  
15 month on each account for non-residential gas service  
16 which had distributed to it less than 4,000,000 therms of  
17 gas during the previous calendar year;

18 (5) Three hundred and seventy-five times the Base  
19 Energy Assistance Charge per month on each account for  
20 non-residential electric service which had 10 megawatts or  
21 greater of peak demand during the previous calendar year;  
22 and

23 (6) Three hundred and seventy-five times the Base  
24 Energy Assistance Charge per month on each account for  
25 non-residential gas service which had 4,000,000 or more  
26 therms of gas distributed to it during the previous

1 calendar year.

2 The Base Energy Assistance Charge shall be \$0.48 per month  
3 for the calendar year beginning January 1, 2022 and shall  
4 increase by \$0.16 per month for any calendar year, provided no  
5 less than 80% of the previous State fiscal year's available  
6 Supplemental Low-Income Energy Assistance Fund funding was  
7 exhausted. The maximum Base Energy Assistance Charge shall not  
8 exceed \$0.96 per month for any calendar year.

9 The incremental change to such charges imposed by Public  
10 Act 99-933 and this amendatory Act of the 102nd General  
11 Assembly shall not (i) be used for any purpose other than to  
12 directly assist customers and (ii) be applicable to utilities  
13 serving less than 100,000 customers in Illinois on January 1,  
14 2021. The incremental change to such charges imposed by this  
15 amendatory Act of the 102nd General Assembly are intended to  
16 increase utilization of the Percentage of Income Payment Plan  
17 (PIPP or PIP Plan) and shall be applied such that PIP Plan  
18 enrollment is at least doubled, as compared to 2020  
19 enrollment, by 2024.

20 In addition, electric and gas utilities have committed,  
21 and shall contribute, a one-time payment of \$22 million to the  
22 Fund, within 10 days after the effective date of the tariffs  
23 established pursuant to Sections 16-111.8 and 19-145 of the  
24 Public Utilities Act to be used for the Department's cost of  
25 implementing the programs described in Section 18 of this  
26 amendatory Act of the 96th General Assembly, the Arrearage

1 Reduction Program described in Section 18, and the programs  
2 described in Section 8-105 of the Public Utilities Act. If a  
3 utility elects not to file a rider within 90 days after the  
4 effective date of this amendatory Act of the 96th General  
5 Assembly, then the contribution from such utility shall be  
6 made no later than February 1, 2010.

7 (c) For purposes of this Section:

8 (1) "residential electric service" means electric  
9 utility service for household purposes delivered to a  
10 dwelling of 2 or fewer units which is billed under a  
11 residential rate, or electric utility service for  
12 household purposes delivered to a dwelling unit or units  
13 which is billed under a residential rate and is registered  
14 by a separate meter for each dwelling unit;

15 (2) "residential gas service" means gas utility  
16 service for household purposes distributed to a dwelling  
17 of 2 or fewer units which is billed under a residential  
18 rate, or gas utility service for household purposes  
19 distributed to a dwelling unit or units which is billed  
20 under a residential rate and is registered by a separate  
21 meter for each dwelling unit;

22 (3) "non-residential electric service" means electric  
23 utility service which is not residential electric service;  
24 and

25 (4) "non-residential gas service" means gas utility  
26 service which is not residential gas service.

1           (d) Within 30 days after the effective date of this  
2 amendatory Act of the 96th General Assembly, each public  
3 utility engaged in the delivery of electricity or the  
4 distribution of natural gas shall file with the Illinois  
5 Commerce Commission tariffs incorporating the Energy  
6 Assistance Charge in other charges stated in such tariffs,  
7 which shall become effective no later than the beginning of  
8 the first billing cycle following such filing.

9           (e) The Energy Assistance Charge assessed by electric and  
10 gas public utilities shall be considered a charge for public  
11 utility service.

12           (f) By the 20th day of the month following the month in  
13 which the charges imposed by the Section were collected, each  
14 public utility, municipal utility, and electric cooperative  
15 shall remit to the Department of Revenue all moneys received  
16 as payment of the Energy Assistance Charge on a return  
17 prescribed and furnished by the Department of Revenue showing  
18 such information as the Department of Revenue may reasonably  
19 require; provided, however, that a utility offering an  
20 Arrearage Reduction Program or Supplemental Arrearage  
21 Reduction Program pursuant to Section 18 of this Act shall be  
22 entitled to net those amounts necessary to fund and recover  
23 the costs of such Programs as authorized by that Section that  
24 is no more than the incremental change in such Energy  
25 Assistance Charge authorized by Public Act 96-33. If a  
26 customer makes a partial payment, a public utility, municipal

1 utility, or electric cooperative may elect either: (i) to  
2 apply such partial payments first to amounts owed to the  
3 utility or cooperative for its services and then to payment  
4 for the Energy Assistance Charge or (ii) to apply such partial  
5 payments on a pro-rata basis between amounts owed to the  
6 utility or cooperative for its services and to payment for the  
7 Energy Assistance Charge.

8 If any payment provided for in this Section exceeds the  
9 distributor's liabilities under this Act, as shown on an  
10 original return, the Department may authorize the distributor  
11 to credit such excess payment against liability subsequently  
12 to be remitted to the Department under this Act, in accordance  
13 with reasonable rules adopted by the Department. If the  
14 Department subsequently determines that all or any part of the  
15 credit taken was not actually due to the distributor, the  
16 distributor's discount shall be reduced by an amount equal to  
17 the difference between the discount as applied to the credit  
18 taken and that actually due, and that distributor shall be  
19 liable for penalties and interest on such difference.

20 (g) The Department of Revenue shall deposit into the  
21 Supplemental Low-Income Energy Assistance Fund all moneys  
22 remitted to it in accordance with subsection (f) of this  
23 Section. The utilities shall coordinate with the Department to  
24 establish an equitable and practical methodology for  
25 implementing this subsection (g) beginning with the 2010  
26 program year.

1           (h) On or before December 31, 2002, the Department shall  
2 prepare a report for the General Assembly on the expenditure  
3 of funds appropriated from the Low-Income Energy Assistance  
4 Block Grant Fund for the program authorized under Section 4 of  
5 this Act.

6           (i) The Department of Revenue may establish such rules as  
7 it deems necessary to implement this Section.

8           (j) The Department of Commerce and Economic Opportunity  
9 may establish such rules as it deems necessary to implement  
10 this Section.

11           (k) The charges imposed by this Section shall only apply  
12 to customers of municipal electric or gas utilities and  
13 electric or gas cooperatives if the municipal electric or gas  
14 utility or electric or gas cooperative makes an affirmative  
15 decision to impose the charge. If a municipal electric or gas  
16 utility or an electric cooperative makes an affirmative  
17 decision to impose the charge provided by this Section, the  
18 municipal electric or gas utility or electric cooperative  
19 shall inform the Department of Revenue in writing of such  
20 decision when it begins to impose the charge. If a municipal  
21 electric or gas utility or electric or gas cooperative does  
22 not assess this charge, the Department may not use funds from  
23 the Supplemental Low-Income Energy Assistance Fund to provide  
24 benefits to its customers under the program authorized by  
25 Section 4 of this Act.

26           In its use of federal funds under this Act, the Department

1 may not cause a disproportionate share of those federal funds  
2 to benefit customers of systems which do not assess the charge  
3 provided by this Section.

4 This Section is repealed on January 1, 2025 unless renewed  
5 by action of the General Assembly.

6 (Source: P.A. 102-16, eff. 6-17-21; 102-176, eff. 6-1-22;  
7 102-671, eff. 11-30-21; 102-673, eff. 11-30-21.)

8 Section 5-105. The Environmental Protection Act is amended  
9 by changing Sections 22.15 and 57.11 as follows:

10 (415 ILCS 5/22.15) (from Ch. 111 1/2, par. 1022.15)

11 Sec. 22.15. Solid Waste Management Fund; fees.

12 (a) There is hereby created within the State Treasury a  
13 special fund to be known as the Solid Waste Management Fund, to  
14 be constituted from the fees collected by the State pursuant  
15 to this Section, from repayments of loans made from the Fund  
16 for solid waste projects, from registration fees collected  
17 pursuant to the Consumer Electronics Recycling Act, and from  
18 amounts transferred into the Fund pursuant to Public Act  
19 100-433. Moneys received by either the Agency or the  
20 Department of Commerce and Economic Opportunity in repayment  
21 of loans made pursuant to the Illinois Solid Waste Management  
22 Act shall be deposited into the General Revenue Fund.

23 (b) The Agency shall assess and collect a fee in the amount  
24 set forth herein from the owner or operator of each sanitary

1 landfill permitted or required to be permitted by the Agency  
2 to dispose of solid waste if the sanitary landfill is located  
3 off the site where such waste was produced and if such sanitary  
4 landfill is owned, controlled, and operated by a person other  
5 than the generator of such waste. The Agency shall deposit all  
6 fees collected into the Solid Waste Management Fund. If a site  
7 is contiguous to one or more landfills owned or operated by the  
8 same person, the volumes permanently disposed of by each  
9 landfill shall be combined for purposes of determining the fee  
10 under this subsection. Beginning on July 1, 2018, and on the  
11 first day of each month thereafter during fiscal years 2019  
12 through 2023 ~~2022~~, the State Comptroller shall direct and  
13 State Treasurer shall transfer an amount equal to 1/12 of  
14 \$5,000,000 per fiscal year from the Solid Waste Management  
15 Fund to the General Revenue Fund.

16 (1) If more than 150,000 cubic yards of non-hazardous  
17 solid waste is permanently disposed of at a site in a  
18 calendar year, the owner or operator shall either pay a  
19 fee of 95 cents per cubic yard or, alternatively, the  
20 owner or operator may weigh the quantity of the solid  
21 waste permanently disposed of with a device for which  
22 certification has been obtained under the Weights and  
23 Measures Act and pay a fee of \$2.00 per ton of solid waste  
24 permanently disposed of. In no case shall the fee  
25 collected or paid by the owner or operator under this  
26 paragraph exceed \$1.55 per cubic yard or \$3.27 per ton.

1           (2) If more than 100,000 cubic yards but not more than  
2           150,000 cubic yards of non-hazardous waste is permanently  
3           disposed of at a site in a calendar year, the owner or  
4           operator shall pay a fee of \$52,630.

5           (3) If more than 50,000 cubic yards but not more than  
6           100,000 cubic yards of non-hazardous solid waste is  
7           permanently disposed of at a site in a calendar year, the  
8           owner or operator shall pay a fee of \$23,790.

9           (4) If more than 10,000 cubic yards but not more than  
10          50,000 cubic yards of non-hazardous solid waste is  
11          permanently disposed of at a site in a calendar year, the  
12          owner or operator shall pay a fee of \$7,260.

13          (5) If not more than 10,000 cubic yards of  
14          non-hazardous solid waste is permanently disposed of at a  
15          site in a calendar year, the owner or operator shall pay a  
16          fee of \$1050.

17          (c) (Blank).

18          (d) The Agency shall establish rules relating to the  
19          collection of the fees authorized by this Section. Such rules  
20          shall include, but not be limited to:

21                 (1) necessary records identifying the quantities of  
22                 solid waste received or disposed;

23                 (2) the form and submission of reports to accompany  
24                 the payment of fees to the Agency;

25                 (3) the time and manner of payment of fees to the  
26                 Agency, which payments shall not be more often than

1           quarterly; and

2                   (4) procedures setting forth criteria establishing  
3           when an owner or operator may measure by weight or volume  
4           during any given quarter or other fee payment period.

5           (e) Pursuant to appropriation, all monies in the Solid  
6           Waste Management Fund shall be used by the Agency for the  
7           purposes set forth in this Section and in the Illinois Solid  
8           Waste Management Act, including for the costs of fee  
9           collection and administration, and for the administration of  
10          (1) the Consumer Electronics Recycling Act and (2) until  
11          January 1, 2020, the Electronic Products Recycling and Reuse  
12          Act.

13          (f) The Agency is authorized to enter into such agreements  
14          and to promulgate such rules as are necessary to carry out its  
15          duties under this Section and the Illinois Solid Waste  
16          Management Act.

17          (g) On the first day of January, April, July, and October  
18          of each year, beginning on July 1, 1996, the State Comptroller  
19          and Treasurer shall transfer \$500,000 from the Solid Waste  
20          Management Fund to the Hazardous Waste Fund. Moneys  
21          transferred under this subsection (g) shall be used only for  
22          the purposes set forth in item (1) of subsection (d) of Section  
23          22.2.

24          (h) The Agency is authorized to provide financial  
25          assistance to units of local government for the performance of  
26          inspecting, investigating and enforcement activities pursuant

1 to Section 4(r) at nonhazardous solid waste disposal sites.

2 (i) The Agency is authorized to conduct household waste  
3 collection and disposal programs.

4 (j) A unit of local government, as defined in the Local  
5 Solid Waste Disposal Act, in which a solid waste disposal  
6 facility is located may establish a fee, tax, or surcharge  
7 with regard to the permanent disposal of solid waste. All  
8 fees, taxes, and surcharges collected under this subsection  
9 shall be utilized for solid waste management purposes,  
10 including long-term monitoring and maintenance of landfills,  
11 planning, implementation, inspection, enforcement and other  
12 activities consistent with the Solid Waste Management Act and  
13 the Local Solid Waste Disposal Act, or for any other  
14 environment-related purpose, including, but not limited to, an  
15 environment-related public works project, but not for the  
16 construction of a new pollution control facility other than a  
17 household hazardous waste facility. However, the total fee,  
18 tax or surcharge imposed by all units of local government  
19 under this subsection (j) upon the solid waste disposal  
20 facility shall not exceed:

21 (1) 60¢ per cubic yard if more than 150,000 cubic  
22 yards of non-hazardous solid waste is permanently disposed  
23 of at the site in a calendar year, unless the owner or  
24 operator weighs the quantity of the solid waste received  
25 with a device for which certification has been obtained  
26 under the Weights and Measures Act, in which case the fee

1 shall not exceed \$1.27 per ton of solid waste permanently  
2 disposed of.

3 (2) \$33,350 if more than 100,000 cubic yards, but not  
4 more than 150,000 cubic yards, of non-hazardous waste is  
5 permanently disposed of at the site in a calendar year.

6 (3) \$15,500 if more than 50,000 cubic yards, but not  
7 more than 100,000 cubic yards, of non-hazardous solid  
8 waste is permanently disposed of at the site in a calendar  
9 year.

10 (4) \$4,650 if more than 10,000 cubic yards, but not  
11 more than 50,000 cubic yards, of non-hazardous solid waste  
12 is permanently disposed of at the site in a calendar year.

13 (5) \$650 if not more than 10,000 cubic yards of  
14 non-hazardous solid waste is permanently disposed of at  
15 the site in a calendar year.

16 The corporate authorities of the unit of local government  
17 may use proceeds from the fee, tax, or surcharge to reimburse a  
18 highway commissioner whose road district lies wholly or  
19 partially within the corporate limits of the unit of local  
20 government for expenses incurred in the removal of  
21 nonhazardous, nonfluid municipal waste that has been dumped on  
22 public property in violation of a State law or local  
23 ordinance.

24 For the disposal of solid waste from general construction  
25 or demolition debris recovery facilities as defined in  
26 subsection (a-1) of Section 3.160, the total fee, tax, or

1 surcharge imposed by all units of local government under this  
2 subsection (j) upon the solid waste disposal facility shall  
3 not exceed 50% of the applicable amount set forth above. A unit  
4 of local government, as defined in the Local Solid Waste  
5 Disposal Act, in which a general construction or demolition  
6 debris recovery facility is located may establish a fee, tax,  
7 or surcharge on the general construction or demolition debris  
8 recovery facility with regard to the permanent disposal of  
9 solid waste by the general construction or demolition debris  
10 recovery facility at a solid waste disposal facility, provided  
11 that such fee, tax, or surcharge shall not exceed 50% of the  
12 applicable amount set forth above, based on the total amount  
13 of solid waste transported from the general construction or  
14 demolition debris recovery facility for disposal at solid  
15 waste disposal facilities, and the unit of local government  
16 and fee shall be subject to all other requirements of this  
17 subsection (j).

18 A county or Municipal Joint Action Agency that imposes a  
19 fee, tax, or surcharge under this subsection may use the  
20 proceeds thereof to reimburse a municipality that lies wholly  
21 or partially within its boundaries for expenses incurred in  
22 the removal of nonhazardous, nonfluid municipal waste that has  
23 been dumped on public property in violation of a State law or  
24 local ordinance.

25 If the fees are to be used to conduct a local sanitary  
26 landfill inspection or enforcement program, the unit of local

1 government must enter into a written delegation agreement with  
2 the Agency pursuant to subsection (r) of Section 4. The unit of  
3 local government and the Agency shall enter into such a  
4 written delegation agreement within 60 days after the  
5 establishment of such fees. At least annually, the Agency  
6 shall conduct an audit of the expenditures made by units of  
7 local government from the funds granted by the Agency to the  
8 units of local government for purposes of local sanitary  
9 landfill inspection and enforcement programs, to ensure that  
10 the funds have been expended for the prescribed purposes under  
11 the grant.

12 The fees, taxes or surcharges collected under this  
13 subsection (j) shall be placed by the unit of local government  
14 in a separate fund, and the interest received on the moneys in  
15 the fund shall be credited to the fund. The monies in the fund  
16 may be accumulated over a period of years to be expended in  
17 accordance with this subsection.

18 A unit of local government, as defined in the Local Solid  
19 Waste Disposal Act, shall prepare and post on its website, in  
20 April of each year, a report that details spending plans for  
21 monies collected in accordance with this subsection. The  
22 report will at a minimum include the following:

23 (1) The total monies collected pursuant to this  
24 subsection.

25 (2) The most current balance of monies collected  
26 pursuant to this subsection.

1           (3) An itemized accounting of all monies expended for  
2 the previous year pursuant to this subsection.

3           (4) An estimation of monies to be collected for the  
4 following 3 years pursuant to this subsection.

5           (5) A narrative detailing the general direction and  
6 scope of future expenditures for one, 2 and 3 years.

7           The exemptions granted under Sections 22.16 and 22.16a,  
8 and under subsection (k) of this Section, shall be applicable  
9 to any fee, tax or surcharge imposed under this subsection  
10 (j); except that the fee, tax or surcharge authorized to be  
11 imposed under this subsection (j) may be made applicable by a  
12 unit of local government to the permanent disposal of solid  
13 waste after December 31, 1986, under any contract lawfully  
14 executed before June 1, 1986 under which more than 150,000  
15 cubic yards (or 50,000 tons) of solid waste is to be  
16 permanently disposed of, even though the waste is exempt from  
17 the fee imposed by the State under subsection (b) of this  
18 Section pursuant to an exemption granted under Section 22.16.

19           (k) In accordance with the findings and purposes of the  
20 Illinois Solid Waste Management Act, beginning January 1, 1989  
21 the fee under subsection (b) and the fee, tax or surcharge  
22 under subsection (j) shall not apply to:

23           (1) waste which is hazardous waste;

24           (2) waste which is pollution control waste;

25           (3) waste from recycling, reclamation or reuse  
26 processes which have been approved by the Agency as being

1 designed to remove any contaminant from wastes so as to  
2 render such wastes reusable, provided that the process  
3 renders at least 50% of the waste reusable; the exemption  
4 set forth in this paragraph (3) of this subsection (k)  
5 shall not apply to general construction or demolition  
6 debris recovery facilities as defined in subsection (a-1)  
7 of Section 3.160;

8 (4) non-hazardous solid waste that is received at a  
9 sanitary landfill and composted or recycled through a  
10 process permitted by the Agency; or

11 (5) any landfill which is permitted by the Agency to  
12 receive only demolition or construction debris or  
13 landscape waste.

14 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;  
15 102-16, eff. 6-17-21; 102-310, eff. 8-6-21; 102-444, eff.  
16 8-20-21; revised 9-28-21.)

17 (415 ILCS 5/57.11)

18 Sec. 57.11. Underground Storage Tank Fund; creation.

19 (a) There is hereby created in the State Treasury a  
20 special fund to be known as the Underground Storage Tank Fund.  
21 There shall be deposited into the Underground Storage Tank  
22 Fund all moneys received by the Office of the State Fire  
23 Marshal as fees for underground storage tanks under Sections 4  
24 and 5 of the Gasoline Storage Act, fees pursuant to the Motor  
25 Fuel Tax Law, and beginning July 1, 2013, payments pursuant to

1 the Use Tax Act, the Service Use Tax Act, the Service  
2 Occupation Tax Act, and the Retailers' Occupation Tax Act. All  
3 amounts held in the Underground Storage Tank Fund shall be  
4 invested at interest by the State Treasurer. All income earned  
5 from the investments shall be deposited into the Underground  
6 Storage Tank Fund no less frequently than quarterly. In  
7 addition to any other transfers that may be provided for by  
8 law, beginning on July 1, 2018 and on the first day of each  
9 month thereafter during fiscal years 2019 through 2023 ~~2022~~  
10 only, the State Comptroller shall direct and the State  
11 Treasurer shall transfer an amount equal to 1/12 of  
12 \$10,000,000 from the Underground Storage Tank Fund to the  
13 General Revenue Fund. Moneys in the Underground Storage Tank  
14 Fund, pursuant to appropriation, may be used by the Agency and  
15 the Office of the State Fire Marshal for the following  
16 purposes:

17 (1) To take action authorized under Section 57.12 to  
18 recover costs under Section 57.12.

19 (2) To assist in the reduction and mitigation of  
20 damage caused by leaks from underground storage tanks,  
21 including but not limited to, providing alternative water  
22 supplies to persons whose drinking water has become  
23 contaminated as a result of those leaks.

24 (3) To be used as a matching amount towards federal  
25 assistance relative to the release of petroleum from  
26 underground storage tanks.

1           (4) For the costs of administering activities of the  
2 Agency and the Office of the State Fire Marshal relative  
3 to the Underground Storage Tank Fund.

4           (5) For payment of costs of corrective action incurred  
5 by and indemnification to operators of underground storage  
6 tanks as provided in this Title.

7           (6) For a total of 2 demonstration projects in amounts  
8 in excess of a \$10,000 deductible charge designed to  
9 assess the viability of corrective action projects at  
10 sites which have experienced contamination from petroleum  
11 releases. Such demonstration projects shall be conducted  
12 in accordance with the provision of this Title.

13           (7) Subject to appropriation, moneys in the  
14 Underground Storage Tank Fund may also be used by the  
15 Department of Revenue for the costs of administering its  
16 activities relative to the Fund and for refunds provided  
17 for in Section 13a.8 of the Motor Fuel Tax Law Act.

18           (b) Moneys in the Underground Storage Tank Fund may,  
19 pursuant to appropriation, be used by the Office of the State  
20 Fire Marshal or the Agency to take whatever emergency action  
21 is necessary or appropriate to assure that the public health  
22 or safety is not threatened whenever there is a release or  
23 substantial threat of a release of petroleum from an  
24 underground storage tank and for the costs of administering  
25 its activities relative to the Underground Storage Tank Fund.

26           (c) Beginning July 1, 1993, the Governor shall certify to

1 the State Comptroller and State Treasurer the monthly amount  
2 necessary to pay debt service on State obligations issued  
3 pursuant to Section 6 of the General Obligation Bond Act. On  
4 the last day of each month, the Comptroller shall order  
5 transferred and the Treasurer shall transfer from the  
6 Underground Storage Tank Fund to the General Obligation Bond  
7 Retirement and Interest Fund the amount certified by the  
8 Governor, plus any cumulative deficiency in those transfers  
9 for prior months.

10 (d) Except as provided in subsection (c) of this Section,  
11 the Underground Storage Tank Fund is not subject to  
12 administrative charges authorized under Section 8h of the  
13 State Finance Act that would in any way transfer any funds from  
14 the Underground Storage Tank Fund into any other fund of the  
15 State.

16 (e) Each fiscal year, subject to appropriation, the Agency  
17 may commit up to \$10,000,000 of the moneys in the Underground  
18 Storage Tank Fund to the payment of corrective action costs  
19 for legacy sites that meet one or more of the following  
20 criteria as a result of the underground storage tank release:  
21 (i) the presence of free product, (ii) contamination within a  
22 regulated recharge area, a wellhead protection area, or the  
23 setback zone of a potable water supply well, (iii)  
24 contamination extending beyond the boundaries of the site  
25 where the release occurred, or (iv) such other criteria as may  
26 be adopted in Agency rules.

1           (1) Fund moneys committed under this subsection (e)  
2 shall be held in the Fund for payment of the corrective  
3 action costs for which the moneys were committed.

4           (2) The Agency may adopt rules governing the  
5 commitment of Fund moneys under this subsection (e).

6           (3) This subsection (e) does not limit the use of Fund  
7 moneys at legacy sites as otherwise provided under this  
8 Title.

9           (4) For the purposes of this subsection (e), the term  
10 "legacy site" means a site for which (i) an underground  
11 storage tank release was reported prior to January 1,  
12 2005, (ii) the owner or operator has been determined  
13 eligible to receive payment from the Fund for corrective  
14 action costs, and (iii) the Agency did not receive any  
15 applications for payment prior to January 1, 2010.

16           (f) Beginning July 1, 2013, if the amounts deposited into  
17 the Fund from moneys received by the Office of the State Fire  
18 Marshal as fees for underground storage tanks under Sections 4  
19 and 5 of the Gasoline Storage Act and as fees pursuant to the  
20 Motor Fuel Tax Law during a State fiscal year are sufficient to  
21 pay all claims for payment by the fund received during that  
22 State fiscal year, then the amount of any payments into the  
23 fund pursuant to the Use Tax Act, the Service Use Tax Act, the  
24 Service Occupation Tax Act, and the Retailers' Occupation Tax  
25 Act during that State fiscal year shall be deposited as  
26 follows: 75% thereof shall be paid into the State treasury and

1 25% shall be reserved in a special account and used only for  
2 the transfer to the Common School Fund as part of the monthly  
3 transfer from the General Revenue Fund in accordance with  
4 Section 8a of the State Finance Act.

5 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;  
6 102-16, eff. 6-17-21.)

7 Section 5-106. The Open Space Lands Acquisition and  
8 Development Act is amended by changing Section 3 as follows:

9 (525 ILCS 35/3) (from Ch. 85, par. 2103)

10 Sec. 3. From appropriations made from the Capital  
11 Development Fund, Build Illinois Bond Fund or other available  
12 or designated funds for such purposes, the Department shall  
13 make grants to local governments as financial assistance for  
14 the capital development and improvement of park, recreation or  
15 conservation areas, marinas and shorelines, including planning  
16 and engineering costs, and for the acquisition of open space  
17 lands, including acquisition of easements and other property  
18 interests less than fee simple ownership if the Department  
19 determines that such property interests are sufficient to  
20 carry out the purposes of this Act, subject to the conditions  
21 and limitations set forth in this Act.

22 No more than 10% of the amount so appropriated for any  
23 fiscal year may be committed or expended on any one project  
24 described in an application under this Act.

1       Except for grants awarded from new appropriations in  
2 fiscal year 2023, any ~~Any~~ grant under this Act to a local  
3 government shall be conditioned upon the state providing  
4 assistance on a 50/50 matching basis for the acquisition of  
5 open space lands and for capital development and improvement  
6 proposals. However, a local government defined as "distressed"  
7 under criteria adopted by the Department through  
8 administrative rule shall be eligible for assistance up to 90%  
9 for the acquisition of open space lands and for capital  
10 development and improvement proposals, provided that no more  
11 than 10% of the amount appropriated under this Act in any  
12 fiscal year is made available as grants to distressed local  
13 governments. For grants awarded from new appropriations in  
14 fiscal year 2023 only, a local government defined as  
15 "distressed" is eligible for assistance up to 100% for the  
16 acquisition of open space lands and for capital development  
17 and improvement proposals. The Department may make more than  
18 10% of the amount appropriated in fiscal year 2023 available  
19 as grants to distressed local governments.

20       An advance payment of a minimum of 50% of any grant made to  
21 a unit of local government under this Act must be paid to the  
22 unit of local government at the time the Department awards the  
23 grant. A unit of local government may opt out of the advanced  
24 payment option at the time of the award of the grant. The  
25 remainder of the grant shall be distributed to the local  
26 government quarterly on a reimbursement basis. The Department

1 shall consider an applicant's request for an extension to a  
2 grant under this Act if (i) the advanced payment is expended or  
3 legally obligated within the 2 years required by Section 5 of  
4 the Illinois Grant Funds Recovery Act or (ii) no advanced  
5 payment was made.

6 (Source: P.A. 102-200, eff. 7-30-21.)

7 Section 5-107. The Illinois Vehicle Code is amended by  
8 changing Section 3-659 and 6-206.1 as follows:

9 (625 ILCS 5/3-659)

10 Sec. 3-659. Pan Hellenic license plates.

11 (a) The Secretary, upon receipt of all applicable fees and  
12 applications made in the form prescribed by the Secretary, may  
13 issue special registration plates designated as Pan Hellenic  
14 license plates. The special plates issued under this Section  
15 shall be affixed only to passenger vehicles of the first  
16 division or motor vehicles of the second division weighing not  
17 more than 8,000 pounds. Plates issued under this Section shall  
18 expire according to the multi-year procedure established by  
19 Section 3-414.1 of this Code.

20 (b) The design and color of the special plates shall be  
21 wholly within the discretion of the Secretary, except that an  
22 emblem of a Pan Hellenic eligible member shall be on the plate.  
23 Appropriate documentation, as determined by the Secretary,  
24 shall accompany each application. The Secretary may, in his or

1 her discretion, allow the plates to be issued as vanity or  
2 personalized plates in accordance with Section 3-405.1 of this  
3 Code. The plates are not required to designate "Land of  
4 Lincoln" as prescribed in subsection (b) of Section 3-412 of  
5 this Code. The Secretary, in his or her discretion, may  
6 prescribe rules governing the requirements and approval of the  
7 special plates.

8 (c) An applicant for the special plate shall be charged a  
9 \$40 fee for original issuance in addition to the appropriate  
10 registration fee. Of this fee, \$25 shall be deposited into the  
11 Illinois Pan Hellenic Trust Fund and \$15 shall be deposited  
12 into the Secretary of State Special License Plate Fund, to be  
13 used by the Secretary to help defray the administrative  
14 processing costs. For each registration renewal period, a \$27  
15 fee, in addition to the appropriate registration fee, shall be  
16 charged. Of this fee, \$25 shall be deposited into the Illinois  
17 Pan Hellenic Trust Fund and \$2 shall be deposited into the  
18 Secretary of State Special License Plate Fund.

19 (d) The Illinois Pan Hellenic Trust Fund is created as a  
20 special fund in the State Treasury. The State Treasurer shall  
21 create separate accounts within the Illinois Pan Hellenic  
22 Trust Fund for each eligible member for which Pan Hellenic  
23 license plates have been issued. Moneys in the Illinois Pan  
24 Hellenic Trust Fund shall be allocated to each account in  
25 proportion to the number of plates sold in regard to each  
26 fraternity or sorority. All moneys in the Illinois Pan

1 Hellenic Trust Fund shall be distributed, subject to  
2 appropriation by the General Assembly and distribution by the  
3 Secretary, as grants to the Illinois Alpha Kappa Alpha  
4 Charitable Foundation, Illinois Delta Sigma Theta Charitable  
5 Foundation, Illinois Zeta Phi Beta Charitable Foundation,  
6 Illinois Sigma Gamma Rho Charitable Foundation, Alpha Illinois  
7 Leadership Foundation ~~Illinois Alpha Phi Alpha Charitable~~  
8 ~~Foundation~~, Illinois Omega Psi Phi Charitable Foundation,  
9 Illinois Kappa Alpha Psi Charitable Foundation, Illinois Phi  
10 Beta Sigma Charitable Foundation, or Illinois Iota Phi Theta  
11 Charitable Foundation for charitable purposes sponsored by the  
12 African-American fraternity or sorority.

13 (Source: P.A. 97-409, eff. 1-1-12.)

14 (625 ILCS 5/6-206.1) (from Ch. 95 1/2, par. 6-206.1)  
15 Sec. 6-206.1. Monitoring Device Driving Permit.  
16 Declaration of Policy. It is hereby declared a policy of the  
17 State of Illinois that the driver who is impaired by alcohol,  
18 other drug or drugs, or intoxicating compound or compounds is  
19 a threat to the public safety and welfare. Therefore, to  
20 provide a deterrent to such practice, a statutory summary  
21 driver's license suspension is appropriate. It is also  
22 recognized that driving is a privilege and therefore, that the  
23 granting of driving privileges, in a manner consistent with  
24 public safety, is warranted during the period of suspension in  
25 the form of a monitoring device driving permit. A person who

1 drives and fails to comply with the requirements of the  
2 monitoring device driving permit commits a violation of  
3 Section 6-303 of this Code.

4 The following procedures shall apply whenever a first  
5 offender, as defined in Section 11-500 of this Code, is  
6 arrested for any offense as defined in Section 11-501 or a  
7 similar provision of a local ordinance and is subject to the  
8 provisions of Section 11-501.1:

9 (a) Upon mailing of the notice of suspension of driving  
10 privileges as provided in subsection (h) of Section 11-501.1  
11 of this Code, the Secretary shall also send written notice  
12 informing the person that he or she will be issued a monitoring  
13 device driving permit (MDDP). The notice shall include, at  
14 minimum, information summarizing the procedure to be followed  
15 for issuance of the MDDP, installation of the breath alcohol  
16 ignition installation device (BAIID), as provided in this  
17 Section, exemption from BAIID installation requirements, and  
18 procedures to be followed by those seeking indigent status, as  
19 provided in this Section. The notice shall also include  
20 information summarizing the procedure to be followed if the  
21 person wishes to decline issuance of the MDDP. A copy of the  
22 notice shall also be sent to the court of venue together with  
23 the notice of suspension of driving privileges, as provided in  
24 subsection (h) of Section 11-501. However, a MDDP shall not be  
25 issued if the Secretary finds that:

26 (1) the offender's driver's license is otherwise

1           invalid;

2           (2) death or great bodily harm to another resulted  
3           from the arrest for Section 11-501;

4           (3) the offender has been previously convicted of  
5           reckless homicide or aggravated driving under the  
6           influence involving death; or

7           (4) the offender is less than 18 years of age.

8           Any offender participating in the MDDP program must pay  
9           the Secretary a MDDP Administration Fee in an amount not to  
10          exceed \$30 per month, to be deposited into the Monitoring  
11          Device Driving Permit Administration Fee Fund. The Secretary  
12          shall establish by rule the amount and the procedures, terms,  
13          and conditions relating to these fees. The offender must have  
14          an ignition interlock device installed within 14 days of the  
15          date the Secretary issues the MDDP. The ignition interlock  
16          device provider must notify the Secretary, in a manner and  
17          form prescribed by the Secretary, of the installation. If the  
18          Secretary does not receive notice of installation, the  
19          Secretary shall cancel the MDDP.

20          Upon receipt of the notice, as provided in paragraph (a)  
21          of this Section, the person may file a petition to decline  
22          issuance of the MDDP with the court of venue. The court shall  
23          admonish the offender of all consequences of declining  
24          issuance of the MDDP including, but not limited to, the  
25          enhanced penalties for driving while suspended. After being so  
26          admonished, the offender shall be permitted, in writing, to

1 execute a notice declining issuance of the MDDP. This notice  
2 shall be filed with the court and forwarded by the clerk of the  
3 court to the Secretary. The offender may, at any time  
4 thereafter, apply to the Secretary for issuance of a MDDP.

5 (a-1) A person issued a MDDP may drive for any purpose and  
6 at any time, subject to the rules adopted by the Secretary  
7 under subsection (g). The person must, at his or her own  
8 expense, drive only vehicles equipped with an ignition  
9 interlock device as defined in Section 1-129.1, but in no  
10 event shall such person drive a commercial motor vehicle.

11 (a-2) Persons who are issued a MDDP and must drive  
12 employer-owned vehicles in the course of their employment  
13 duties may seek permission to drive an employer-owned vehicle  
14 that does not have an ignition interlock device. The employer  
15 shall provide to the Secretary a form, as prescribed by the  
16 Secretary, completed by the employer verifying that the  
17 employee must drive an employer-owned vehicle in the course of  
18 employment. If approved by the Secretary, the form must be in  
19 the driver's possession while operating an employer-owner  
20 vehicle not equipped with an ignition interlock device. No  
21 person may use this exemption to drive a school bus, school  
22 vehicle, or a vehicle designed to transport more than 15  
23 passengers. No person may use this exemption to drive an  
24 employer-owned motor vehicle that is owned by an entity that  
25 is wholly or partially owned by the person holding the MDDP, or  
26 by a family member of the person holding the MDDP. No person

1 may use this exemption to drive an employer-owned vehicle that  
2 is made available to the employee for personal use. No person  
3 may drive the exempted vehicle more than 12 hours per day, 6  
4 days per week.

5 (a-3) Persons who are issued a MDDP and who must drive a  
6 farm tractor to and from a farm, within 50 air miles from the  
7 originating farm are exempt from installation of a BAIID on  
8 the farm tractor, so long as the farm tractor is being used for  
9 the exclusive purpose of conducting farm operations.

10 (b) (Blank).

11 (c) (Blank).

12 (c-1) If the holder of the MDDP is convicted of or receives  
13 court supervision for a violation of Section 6-206.2, 6-303,  
14 11-204, 11-204.1, 11-401, 11-501, 11-503, 11-506 or a similar  
15 provision of a local ordinance or a similar out-of-state  
16 offense or is convicted of or receives court supervision for  
17 any offense for which alcohol or drugs is an element of the  
18 offense and in which a motor vehicle was involved (for an  
19 arrest other than the one for which the MDDP is issued), or  
20 de-installs the BAIID without prior authorization from the  
21 Secretary, the MDDP shall be cancelled.

22 (c-5) If the Secretary determines that the person seeking  
23 the MDDP is indigent, the Secretary shall provide the person  
24 with a written document as evidence of that determination, and  
25 the person shall provide that written document to an ignition  
26 interlock device provider. The provider shall install an

1 ignition interlock device on that person's vehicle without  
2 charge to the person, and seek reimbursement from the Indigent  
3 BAIID Fund. If the Secretary has deemed an offender indigent,  
4 the BAIID provider shall also provide the normal monthly  
5 monitoring services and the de-installation without charge to  
6 the offender and seek reimbursement from the Indigent BAIID  
7 Fund. Any other monetary charges, such as a lockout fee or  
8 reset fee, shall be the responsibility of the MDDP holder. A  
9 BAIID provider may not seek a security deposit from the  
10 Indigent BAIID Fund.

11 (d) MDDP information shall be available only to the  
12 courts, police officers, and the Secretary, except during the  
13 actual period the MDDP is valid, during which time it shall be  
14 a public record.

15 (e) (Blank).

16 (f) (Blank).

17 (g) The Secretary shall adopt rules for implementing this  
18 Section. The rules adopted shall address issues including, but  
19 not limited to: compliance with the requirements of the MDDP;  
20 methods for determining compliance with those requirements;  
21 the consequences of noncompliance with those requirements;  
22 what constitutes a violation of the MDDP; methods for  
23 determining indigency; and the duties of a person or entity  
24 that supplies the ignition interlock device.

25 (h) The rules adopted under subsection (g) shall provide,  
26 at a minimum, that the person is not in compliance with the

1 requirements of the MDDP if he or she:

2 (1) tampers or attempts to tamper with or circumvent  
3 the proper operation of the ignition interlock device;

4 (2) provides valid breath samples that register blood  
5 alcohol levels in excess of the number of times allowed  
6 under the rules;

7 (3) fails to provide evidence sufficient to satisfy  
8 the Secretary that the ignition interlock device has been  
9 installed in the designated vehicle or vehicles; or

10 (4) fails to follow any other applicable rules adopted  
11 by the Secretary.

12 (i) Any person or entity that supplies an ignition  
13 interlock device as provided under this Section shall, in  
14 addition to supplying only those devices which fully comply  
15 with all the rules adopted under subsection (g), provide the  
16 Secretary, within 7 days of inspection, all monitoring reports  
17 of each person who has had an ignition interlock device  
18 installed. These reports shall be furnished in a manner or  
19 form as prescribed by the Secretary.

20 (j) Upon making a determination that a violation of the  
21 requirements of the MDDP has occurred, the Secretary shall  
22 extend the summary suspension period for an additional 3  
23 months beyond the originally imposed summary suspension  
24 period, during which time the person shall only be allowed to  
25 drive vehicles equipped with an ignition interlock device;  
26 provided further there are no limitations on the total number

1 of times the summary suspension may be extended. The Secretary  
2 may, however, limit the number of extensions imposed for  
3 violations occurring during any one monitoring period, as set  
4 forth by rule. Any person whose summary suspension is extended  
5 pursuant to this Section shall have the right to contest the  
6 extension through a hearing with the Secretary, pursuant to  
7 Section 2-118 of this Code. If the summary suspension has  
8 already terminated prior to the Secretary receiving the  
9 monitoring report that shows a violation, the Secretary shall  
10 be authorized to suspend the person's driving privileges for 3  
11 months, provided that the Secretary may, by rule, limit the  
12 number of suspensions to be entered pursuant to this paragraph  
13 for violations occurring during any one monitoring period. Any  
14 person whose license is suspended pursuant to this paragraph,  
15 after the summary suspension had already terminated, shall  
16 have the right to contest the suspension through a hearing  
17 with the Secretary, pursuant to Section 2-118 of this Code.  
18 The only permit the person shall be eligible for during this  
19 new suspension period is a MDDP.

20 (k) A person who has had his or her summary suspension  
21 extended for the third time, or has any combination of 3  
22 extensions and new suspensions, entered as a result of a  
23 violation that occurred while holding the MDDP, so long as the  
24 extensions and new suspensions relate to the same summary  
25 suspension, shall have his or her vehicle impounded for a  
26 period of 30 days, at the person's own expense. A person who

1 has his or her summary suspension extended for the fourth  
2 time, or has any combination of 4 extensions and new  
3 suspensions, entered as a result of a violation that occurred  
4 while holding the MDDP, so long as the extensions and new  
5 suspensions relate to the same summary suspension, shall have  
6 his or her vehicle subject to seizure and forfeiture. The  
7 Secretary shall notify the prosecuting authority of any third  
8 or fourth extensions or new suspension entered as a result of a  
9 violation that occurred while the person held a MDDP. Upon  
10 receipt of the notification, the prosecuting authority shall  
11 impound or forfeit the vehicle. The impoundment or forfeiture  
12 of a vehicle shall be conducted pursuant to the procedure  
13 specified in Article 36 of the Criminal Code of 2012.

14 (1) A person whose driving privileges have been suspended  
15 under Section 11-501.1 of this Code and who had a MDDP that was  
16 cancelled, or would have been cancelled had notification of a  
17 violation been received prior to expiration of the MDDP,  
18 pursuant to subsection (c-1) of this Section, shall not be  
19 eligible for reinstatement when the summary suspension is  
20 scheduled to terminate. Instead, the person's driving  
21 privileges shall be suspended for a period of not less than  
22 twice the original summary suspension period, or for the  
23 length of any extensions entered under subsection (j),  
24 whichever is longer. During the period of suspension, the  
25 person shall be eligible only to apply for a restricted  
26 driving permit. If a restricted driving permit is granted, the

1 offender may only operate vehicles equipped with a BAIID in  
2 accordance with this Section.

3 (m) Any person or entity that supplies an ignition  
4 interlock device under this Section shall, for each ignition  
5 interlock device installed, pay 5% of the total gross revenue  
6 received for the device, including monthly monitoring fees,  
7 into the Indigent BAIID Fund. This 5% shall be clearly  
8 indicated as a separate surcharge on each invoice that is  
9 issued. The Secretary shall conduct an annual review of the  
10 fund to determine whether the surcharge is sufficient to  
11 provide for indigent users. The Secretary may increase or  
12 decrease this surcharge requirement as needed.

13 (n) Any person or entity that supplies an ignition  
14 interlock device under this Section that is requested to  
15 provide an ignition interlock device to a person who presents  
16 written documentation of indigency from the Secretary, as  
17 provided in subsection (c-5) of this Section, shall install  
18 the device on the person's vehicle without charge to the  
19 person and shall seek reimbursement from the Indigent BAIID  
20 Fund.

21 (o) The Indigent BAIID Fund is created as a special fund in  
22 the State treasury. The Secretary shall, subject to  
23 appropriation by the General Assembly, use all money in the  
24 Indigent BAIID Fund to reimburse ignition interlock device  
25 providers who have installed devices in vehicles of indigent  
26 persons. The Secretary shall make payments to such providers

1 every 3 months. If the amount of money in the fund at the time  
2 payments are made is not sufficient to pay all requests for  
3 reimbursement submitted during that 3 month period, the  
4 Secretary shall make payments on a pro-rata basis, and those  
5 payments shall be considered payment in full for the requests  
6 submitted. If the amount of money in the fund exceeds the  
7 amount necessary to pay all requests for reimbursement during  
8 that 3-month period, the Secretary shall disburse the excess  
9 to the providers on a pro rata basis.

10 (p) The Monitoring Device Driving Permit Administration  
11 Fee Fund is created as a special fund in the State treasury.  
12 The Secretary shall, subject to appropriation by the General  
13 Assembly, use the money paid into this fund to offset its  
14 administrative costs for administering MDDPs.

15 (q) The Secretary is authorized to prescribe such forms as  
16 it deems necessary to carry out the provisions of this  
17 Section.

18 (Source: P.A. 101-363, eff. 8-9-19; 101-593, eff. 12-4-19.)

19 Section 5-110. The Lawyers' Assistance Program Act is  
20 amended by changing Sections 15 and 30 as follows:

21 (705 ILCS 235/15)

22 (Section scheduled to be repealed on July 1, 2022)

23 Sec. 15. Transfer of program funds. An amount equal to the  
24 balance of the money in the Lawyers' Assistance Program Fund

1 ~~as it existed on December 31, 2021~~ shall be transferred to the  
2 Attorney Registration and Disciplinary Commission ~~by June 30,~~  
3 ~~2022~~. As soon as is practical after completion of the  
4 transfers, the Lawyers' Assistance Program Fund is dissolved.  
5 (Source: P.A. 102-190, eff. 1-1-22.)

6 (705 ILCS 235/30)

7 (Section scheduled to be repealed on July 1, 2022)

8 Sec. 30. Repeal. This Act is repealed on July 1, 2023 ~~2022~~.  
9 (Source: P.A. 102-190, eff. 1-1-22.)

10 Section 5-115. The Unified Code of Corrections is amended  
11 by changing Sections 3-12-3a and 3-12-6 as follows:

12 (730 ILCS 5/3-12-3a) (from Ch. 38, par. 1003-12-3a)

13 Sec. 3-12-3a. Contracts, leases, and business agreements.

14 (a) The Department shall promulgate such rules and  
15 policies as it deems necessary to establish, manage, and  
16 operate its Illinois Correctional Industries division for the  
17 purpose of utilizing committed persons in the manufacture of  
18 food stuffs, finished goods or wares. To the extent not  
19 inconsistent with the function and role of the ICI, the  
20 Department may enter into a contract, lease, or other type of  
21 business agreement, not to exceed 20 years, with any private  
22 corporation, partnership, person, or other business entity for  
23 the purpose of utilizing committed persons in the provision of

1 services or for any other business or commercial enterprise  
2 deemed by the Department to be consistent with proper training  
3 and rehabilitation of committed persons.

4 In fiscal years ~~year~~ 2021 through 2023 ~~and 2022~~, the  
5 Department shall oversee the Illinois Correctional Industries  
6 accounting processes and budget requests to the General  
7 Assembly, other budgetary processes, audits by the Office of  
8 the Auditor General, and computer processes. For fiscal years  
9 ~~year~~ 2021 through 2023 ~~and 2022~~, the spending authority of  
10 Illinois Correctional Industries shall no longer be separate  
11 and apart from the Department's budget and appropriations, and  
12 the Department shall control its accounting processes,  
13 budgets, audits and computer processes in accordance with any  
14 Department rules and policies.

15 (b) The Department shall be permitted to construct  
16 buildings on State property for the purposes identified in  
17 subsection (a) and to lease for a period not to exceed 20 years  
18 any building or portion thereof on State property for the  
19 purposes identified in subsection (a).

20 (c) Any contract or other business agreement referenced in  
21 subsection (a) shall include a provision requiring that all  
22 committed persons assigned receive in connection with their  
23 assignment such vocational training and/or apprenticeship  
24 programs as the Department deems appropriate.

25 (d) Committed persons assigned in accordance with this  
26 Section shall be compensated in accordance with the provisions

1 of Section 3-12-5.

2 (Source: P.A. 101-636, eff. 6-10-20; 102-16, eff. 6-17-21.)

3 (730 ILCS 5/3-12-6) (from Ch. 38, par. 1003-12-6)

4 Sec. 3-12-6. Programs. Through its Illinois Correctional  
5 Industries division, the Department shall establish  
6 commercial, business, and manufacturing programs for the sale  
7 of finished goods and processed food and beverages to the  
8 State, its political units, agencies, and other public  
9 institutions. Illinois Correctional Industries shall  
10 establish, operate, and maintain manufacturing and food and  
11 beverage production in the Department facilities and provide  
12 food for the Department institutions and for the mental health  
13 and developmental disabilities institutions of the Department  
14 of Human Services and the institutions of the Department of  
15 Veterans' Affairs.

16 Illinois Correctional Industries shall be administered by  
17 a chief executive officer. The chief executive officer shall  
18 report to the Director of the Department or the Director's  
19 designee. The chief executive officer shall administer the  
20 commercial and business programs of ICI for inmate workers in  
21 the custody of the Department of Corrections.

22 The chief executive officer shall have such assistants as  
23 are required for sales staff, manufacturing, budget, fiscal,  
24 accounting, computer, human services, and personnel as  
25 necessary to run its commercial and business programs.

1 Illinois Correctional Industries shall have a financial  
2 officer who shall report to the chief executive officer. The  
3 financial officer shall: (i) assist in the development and  
4 presentation of the Department budget submission; (ii) manage  
5 and control the spending authority of ICI; and (iii) provide  
6 oversight of the financial activities of ICI, both internally  
7 and through coordination with the Department fiscal operations  
8 personnel, including accounting processes, budget submissions,  
9 other budgetary processes, audits by the Office of the Auditor  
10 General, and computer processes. For fiscal years ~~year~~ 2021  
11 through 2023 ~~and 2022~~, the financial officer shall coordinate  
12 and cooperate with the Department's chief financial officer to  
13 perform the functions listed in this paragraph.

14 Illinois Correctional Industries shall be located in  
15 Springfield. The chief executive officer of Illinois  
16 Correctional Industries shall assign personnel to direct the  
17 production of goods and shall employ committed persons  
18 assigned by the chief administrative officer. The Department  
19 of Corrections may direct such other vocational programs as it  
20 deems necessary for the rehabilitation of inmates, which shall  
21 be separate and apart from, and not in conflict with, programs  
22 of Illinois Correctional Industries.

23 (Source: P.A. 101-636, eff. 6-10-20; 102-16, eff. 6-17-21.)

24 Section 5-117. The Probation and Probation Officers Act is  
25 amended by changing Sections 9b and 15 as follows:

1 (730 ILCS 110/9b) (from Ch. 38, par. 204-1b)

2 Sec. 9b. For the purposes of this Act, the words and  
3 phrases described in this Section have the meanings designated  
4 in this Section, except when a particular context clearly  
5 requires a different meaning.

6 (1) "Division" means the Division of Probation Services of  
7 the Supreme Court.

8 (2) "Department" means a probation or court services  
9 department that provides probation or court services and such  
10 other related services assigned to it by the circuit court or  
11 by law.

12 (3) "Probation Officer" means a person employed full time  
13 in a probation or court services department or a person  
14 employed full-time or part-time as a detention officer  
15 providing services to a court under this Act or the Juvenile  
16 Court Act of 1987. A probation officer includes detention  
17 staff, non-secure group home staff and management personnel  
18 who meet minimum standards established by the Supreme Court  
19 and who are hired under the direction of the circuit court.  
20 These probation officers are judicial employees designated on  
21 a circuit wide or county basis and compensated by the  
22 appropriate county board or boards.

23 (4) "Basic Services" means the number of personnel  
24 determined by the Division as necessary to comply with adult,  
25 juvenile, and detention services workload standards and to

1 operate authorized programs of intermediate sanctions,  
2 intensive probation supervision, public or community service,  
3 intake services, secure detention services, non-secure group  
4 home services and home confinement.

5 (5) "New or Expanded Services" means personnel necessary  
6 to operate pretrial programs, victim and restitution programs,  
7 psychological services, drunk driving programs, specialized  
8 caseloads, community resource coordination programs, and other  
9 programs designed to generally improve the quality of  
10 probation and court services.

11 (6) "Individualized Services and Programs" means  
12 individualized services provided through purchase of service  
13 agreements with individuals, specialists, and local public or  
14 private agencies providing non-residential services for the  
15 rehabilitation of adult and juvenile offenders as an  
16 alternative to local or state incarceration.

17 (7) "Jurisdiction" means the geographical area of  
18 authority of a probation department as designated by the chief  
19 judge of each circuit court under Section 15 of this Act.

20 (8) "Transfer case" means any case where an adult or  
21 juvenile offender seeks to have supervision transferred from  
22 one county to another or from another state to a county in  
23 Illinois, and the transfer is approved by a judicial officer,  
24 a department, or through an interstate compact.

25 (Source: P.A. 98-575, eff. 1-1-14.)

1 (730 ILCS 110/15) (from Ch. 38, par. 204-7)

2 Sec. 15. (1) The Supreme Court of Illinois may establish a  
3 Division of Probation Services whose purpose shall be the  
4 development, establishment, promulgation, and enforcement of  
5 uniform standards for probation services in this State, and to  
6 otherwise carry out the intent of this Act. The Division may:

7 (a) establish qualifications for chief probation  
8 officers and other probation and court services personnel  
9 as to hiring, promotion, and training.

10 (b) make available, on a timely basis, lists of those  
11 applicants whose qualifications meet the regulations  
12 referred to herein, including on said lists all candidates  
13 found qualified.

14 (c) establish a means of verifying the conditions for  
15 reimbursement under this Act and develop criteria for  
16 approved costs for reimbursement.

17 (d) develop standards and approve employee  
18 compensation schedules for probation and court services  
19 departments.

20 (e) employ sufficient personnel in the Division to  
21 carry out the functions of the Division.

22 (f) establish a system of training and establish  
23 standards for personnel orientation and training.

24 (g) develop standards for a system of record keeping  
25 for cases and programs, gather statistics, establish a  
26 system of uniform forms, and develop research for planning

1 of Probation Services.

2 (h) develop standards to assure adequate support  
3 personnel, office space, equipment and supplies, travel  
4 expenses, and other essential items necessary for  
5 Probation and Court Services Departments to carry out  
6 their duties.

7 (i) review and approve annual plans submitted by  
8 Probation and Court Services Departments.

9 (j) monitor and evaluate all programs operated by  
10 Probation and Court Services Departments, and may include  
11 in the program evaluation criteria such factors as the  
12 percentage of Probation sentences for felons convicted of  
13 Probationable offenses.

14 (k) seek the cooperation of local and State government  
15 and private agencies to improve the quality of probation  
16 and court services.

17 (l) where appropriate, establish programs and  
18 corresponding standards designed to generally improve the  
19 quality of probation and court services and reduce the  
20 rate of adult or juvenile offenders committed to the  
21 Department of Corrections.

22 (m) establish such other standards and regulations and  
23 do all acts necessary to carry out the intent and purposes  
24 of this Act.

25 The Division shall develop standards to implement the  
26 Domestic Violence Surveillance Program established under

1 Section 5-8A-7 of the Unified Code of Corrections, including  
2 (i) procurement of equipment and other services necessary to  
3 implement the program and (ii) development of uniform  
4 standards for the delivery of the program through county  
5 probation departments, and develop standards for collecting  
6 data to evaluate the impact and costs of the Domestic Violence  
7 Surveillance Program.

8 The Division shall establish a model list of structured  
9 intermediate sanctions that may be imposed by a probation  
10 agency for violations of terms and conditions of a sentence of  
11 probation, conditional discharge, or supervision.

12 The Division shall establish training standards for  
13 continuing education of probation officers and supervisors and  
14 broaden access to available training programs.

15 The State of Illinois shall provide for the costs of  
16 personnel, travel, equipment, telecommunications, postage,  
17 commodities, printing, space, contractual services and other  
18 related costs necessary to carry out the intent of this Act.

19 (2)(a) The chief judge of each circuit shall provide  
20 full-time probation services for all counties within the  
21 circuit, in a manner consistent with the annual probation  
22 plan, the standards, policies, and regulations established by  
23 the Supreme Court. A probation district of two or more  
24 counties within a circuit may be created for the purposes of  
25 providing full-time probation services. Every county or group  
26 of counties within a circuit shall maintain a probation

1 department which shall be under the authority of the Chief  
2 Judge of the circuit or some other judge designated by the  
3 Chief Judge. The Chief Judge, through the Probation and Court  
4 Services Department shall submit annual plans to the Division  
5 for probation and related services.

6 (b) The Chief Judge of each circuit shall appoint the  
7 Chief Probation Officer and all other probation officers for  
8 his or her circuit from lists of qualified applicants supplied  
9 by the Supreme Court. Candidates for chief managing officer  
10 and other probation officer positions must apply with both the  
11 Chief Judge of the circuit and the Supreme Court.

12 (3) A Probation and Court Service Department shall apply  
13 to the Supreme Court for funds for basic services, and may  
14 apply for funds for new and expanded programs or  
15 Individualized Services and Programs. Costs shall be  
16 reimbursed monthly based on a plan and budget approved by the  
17 Supreme Court. No Department may be reimbursed for costs which  
18 exceed or are not provided for in the approved annual plan and  
19 budget. After the effective date of this amendatory Act of  
20 1985, each county must provide basic services in accordance  
21 with the annual plan and standards created by the division. No  
22 department may receive funds for new or expanded programs or  
23 individualized services and programs unless they are in  
24 compliance with standards as enumerated in paragraph (h) of  
25 subsection (1) of this Section, the annual plan, and standards  
26 for basic services.

1           (4) The Division shall reimburse the county or counties  
2 for probation services as follows:

3           (a) 100% of the salary of all chief managing officers  
4 designated as such by the Chief Judge and the division.

5           (b) 100% of the salary for all probation officer and  
6 supervisor positions approved for reimbursement by the  
7 division after April 1, 1984, to meet workload standards  
8 and to implement intensive sanction and probation  
9 supervision programs and other basic services as defined  
10 in this Act.

11           (c) 100% of the salary for all secure detention  
12 personnel and non-secure group home personnel approved for  
13 reimbursement after December 1, 1990. For all such  
14 positions approved for reimbursement before December 1,  
15 1990, the counties shall be reimbursed \$1,250 per month  
16 beginning July 1, 1995, and an additional \$250 per month  
17 beginning each July 1st thereafter until the positions  
18 receive 100% salary reimbursement. Allocation of such  
19 positions will be based on comparative need considering  
20 capacity, staff/resident ratio, physical plant and  
21 program.

22           (d) \$1,000 per month for salaries for the remaining  
23 probation officer positions engaged in basic services and  
24 new or expanded services. All such positions shall be  
25 approved by the division in accordance with this Act and  
26 division standards.

1           (e) 100% of the travel expenses in accordance with  
2           Division standards for all Probation positions approved  
3           under paragraph (b) of subsection 4 of this Section.

4           (f) If the amount of funds reimbursed to the county  
5           under paragraphs (a) through (e) of subsection 4 of this  
6           Section on an annual basis is less than the amount the  
7           county had received during the 12 month period immediately  
8           prior to the effective date of this amendatory Act of  
9           1985, then the Division shall reimburse the amount of the  
10          difference to the county. The effect of paragraph (b) of  
11          subsection 7 of this Section shall be considered in  
12          implementing this supplemental reimbursement provision.

13          (5) The Division shall provide funds beginning on April 1,  
14          1987 for the counties to provide Individualized Services and  
15          Programs as provided in Section 16 of this Act.

16          (6) A Probation and Court Services Department in order to  
17          be eligible for the reimbursement must submit to the Supreme  
18          Court an application containing such information and in such a  
19          form and by such dates as the Supreme Court may require.  
20          Departments to be eligible for funding must satisfy the  
21          following conditions:

22                 (a) The Department shall have on file with the Supreme  
23                 Court an annual Probation plan for continuing, improved,  
24                 and new Probation and Court Services Programs approved by  
25                 the Supreme Court or its designee. This plan shall  
26                 indicate the manner in which Probation and Court Services

1 will be delivered and improved, consistent with the  
2 minimum standards and regulations for Probation and Court  
3 Services, as established by the Supreme Court. In counties  
4 with more than one Probation and Court Services Department  
5 eligible to receive funds, all Departments within that  
6 county must submit plans which are approved by the Supreme  
7 Court.

8 (b) The annual probation plan shall seek to generally  
9 improve the quality of probation services and to reduce  
10 the commitment of adult offenders to the Department of  
11 Corrections and to reduce the commitment of juvenile  
12 offenders to the Department of Juvenile Justice and shall  
13 require, when appropriate, coordination with the  
14 Department of Corrections, the Department of Juvenile  
15 Justice, and the Department of Children and Family  
16 Services in the development and use of community  
17 resources, information systems, case review and permanency  
18 planning systems to avoid the duplication of services.

19 (c) The Department shall be in compliance with  
20 standards developed by the Supreme Court for basic, new  
21 and expanded services, training, personnel hiring and  
22 promotion.

23 (d) The Department shall in its annual plan indicate  
24 the manner in which it will support the rights of crime  
25 victims and in which manner it will implement Article I,  
26 Section 8.1 of the Illinois Constitution and in what

1 manner it will coordinate crime victims' support services  
2 with other criminal justice agencies within its  
3 jurisdiction, including but not limited to, the State's  
4 Attorney, the Sheriff and any municipal police department.

5 (7) No statement shall be verified by the Supreme Court or  
6 its designee or vouchered by the Comptroller unless each of  
7 the following conditions have been met:

8 (a) The probation officer is a full-time employee  
9 appointed by the Chief Judge to provide probation services  
10 or a part-time employee who serves as a detention officer.

11 (b) The probation officer, in order to be eligible for  
12 State reimbursement, is receiving a salary of at least  
13 \$17,000 per year, unless serving as a part-time detention  
14 officer.

15 (c) The probation officer is appointed or was  
16 reappointed in accordance with minimum qualifications or  
17 criteria established by the Supreme Court; however, all  
18 probation officers appointed prior to January 1, 1978,  
19 shall be exempted from the minimum requirements  
20 established by the Supreme Court. Payments shall be made  
21 to counties employing these exempted probation officers as  
22 long as they are employed in the position held on the  
23 effective date of this amendatory Act of 1985. Promotions  
24 shall be governed by minimum qualifications established by  
25 the Supreme Court.

26 (d) The Department has an established compensation

1 schedule approved by the Supreme Court. The compensation  
2 schedule shall include salary ranges with necessary  
3 increments to compensate each employee. The increments  
4 shall, within the salary ranges, be based on such factors  
5 as bona fide occupational qualifications, performance, and  
6 length of service. Each position in the Department shall  
7 be placed on the compensation schedule according to job  
8 duties and responsibilities of such position. The policy  
9 and procedures of the compensation schedule shall be made  
10 available to each employee.

11 (8) In order to obtain full reimbursement of all approved  
12 costs, each Department must continue to employ at least the  
13 same number of probation officers and probation managers as  
14 were authorized for employment for the fiscal year which  
15 includes January 1, 1985. This number shall be designated as  
16 the base amount of the Department. No positions approved by  
17 the Division under paragraph (b) of subsection 4 will be  
18 included in the base amount. In the event that the Department  
19 employs fewer Probation officers and Probation managers than  
20 the base amount for a period of 90 days, funding received by  
21 the Department under subsection 4 of this Section may be  
22 reduced on a monthly basis by the amount of the current  
23 salaries of any positions below the base amount.

24 (9) Before the 15th day of each month, the treasurer of any  
25 county which has a Probation and Court Services Department, or  
26 the treasurer of the most populous county, in the case of a

1 Probation or Court Services Department funded by more than one  
2 county, shall submit an itemized statement of all approved  
3 costs incurred in the delivery of Basic Probation and Court  
4 Services under this Act to the Supreme Court. The treasurer  
5 may also submit an itemized statement of all approved costs  
6 incurred in the delivery of new and expanded Probation and  
7 Court Services as well as Individualized Services and  
8 Programs. The Supreme Court or its designee shall verify  
9 compliance with this Section and shall examine and audit the  
10 monthly statement and, upon finding them to be correct, shall  
11 forward them to the Comptroller for payment to the county  
12 treasurer. In the case of payment to a treasurer of a county  
13 which is the most populous of counties sharing the salary and  
14 expenses of a Probation and Court Services Department, the  
15 treasurer shall divide the money between the counties in a  
16 manner that reflects each county's share of the cost incurred  
17 by the Department.

18 (10) The county treasurer must certify that funds received  
19 under this Section shall be used solely to maintain and  
20 improve Probation and Court Services. The county or circuit  
21 shall remain in compliance with all standards, policies and  
22 regulations established by the Supreme Court. If at any time  
23 the Supreme Court determines that a county or circuit is not in  
24 compliance, the Supreme Court shall immediately notify the  
25 Chief Judge, county board chairman and the Director of Court  
26 Services Chief Probation Officer. If after 90 days of written

1 notice the noncompliance still exists, the Supreme Court shall  
2 be required to reduce the amount of monthly reimbursement by  
3 10%. An additional 10% reduction of monthly reimbursement  
4 shall occur for each consecutive month of noncompliance.  
5 Except as provided in subsection 5 of Section 15, funding to  
6 counties shall commence on April 1, 1986. Funds received under  
7 this Act shall be used to provide for Probation Department  
8 expenses including those required under Section 13 of this  
9 Act. The Mandatory Arbitration Fund may be used to provide for  
10 Probation Department expenses, including those required under  
11 Section 13 of this Act.

12 (11) The respective counties shall be responsible for  
13 capital and space costs, fringe benefits, clerical costs,  
14 equipment, telecommunications, postage, commodities and  
15 printing.

16 (12) For purposes of this Act only, probation officers  
17 shall be considered peace officers. In the exercise of their  
18 official duties, probation officers, sheriffs, and police  
19 officers may, anywhere within the State, arrest any  
20 probationer who is in violation of any of the conditions of his  
21 or her probation, conditional discharge, or supervision, and  
22 it shall be the duty of the officer making the arrest to take  
23 the probationer before the Court having jurisdiction over the  
24 probationer for further order.

25 (Source: P.A. 100-91, eff. 8-11-17.)

1           Section 5-120. The Revised Uniform Unclaimed Property Act  
2 is amended by changing Section 15-801 as follows:

3           (765 ILCS 1026/15-801)

4           Sec. 15-801. Deposit of funds by administrator.

5           (a) Except as otherwise provided in this Section, the  
6 administrator shall deposit in the Unclaimed Property Trust  
7 Fund all funds received under this Act, including proceeds  
8 from the sale of property under Article 7. The administrator  
9 may deposit any amount in the Unclaimed Property Trust Fund  
10 into the State Pensions Fund during the fiscal year at his or  
11 her discretion; however, he or she shall, on April 15 and  
12 October 15 of each year, deposit any amount in the Unclaimed  
13 Property Trust Fund exceeding \$2,500,000 into the State  
14 Pensions Fund. If on either April 15 or October 15, the  
15 administrator determines that a balance of \$2,500,000 is  
16 insufficient for the prompt payment of unclaimed property  
17 claims authorized under this Act, the administrator may retain  
18 more than \$2,500,000 in the Unclaimed Property Trust Fund in  
19 order to ensure the prompt payment of claims. Beginning in  
20 State fiscal year 2024 ~~2023~~, all amounts that are deposited  
21 into the State Pensions Fund from the Unclaimed Property Trust  
22 Fund shall be apportioned to the designated retirement systems  
23 as provided in subsection (c-6) of Section 8.12 of the State  
24 Finance Act to reduce their actuarial reserve deficiencies.

25           (b) The administrator shall make prompt payment of claims

1 he or she duly allows as provided for in this Act from the  
2 Unclaimed Property Trust Fund. This shall constitute an  
3 irrevocable and continuing appropriation of all amounts in the  
4 Unclaimed Property Trust Fund necessary to make prompt payment  
5 of claims duly allowed by the administrator pursuant to this  
6 Act.

7 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;  
8 102-16, eff. 6-17-21.)

9 ARTICLE 10.

10 Section 10-5. The Illinois Administrative Procedure Act is  
11 amended by adding Sections 5-45.21, 5-45.22, 5-45.23, and  
12 5-45.26 as follows:

13 (5 ILCS 100/5-45.21 new)

14 Sec. 5-45.21. Emergency rulemaking; Mental Health and  
15 Developmental Disabilities Administrative Act. To provide for  
16 the expeditious and timely implementation of the changes made  
17 to Section 74 of the Mental Health and Developmental  
18 Disabilities Administrative Act by this amendatory Act of the  
19 102nd General Assembly, emergency rules implementing the  
20 changes made to Section 74 of the Mental Health and  
21 Developmental Disabilities Administrative Act by this  
22 amendatory Act of the 102nd General Assembly may be adopted in  
23 accordance with Section 5-45 by the Department of Human

1 Services or other department essential to the implementation  
2 of the changes. The adoption of emergency rules authorized by  
3 Section 5-45 and this Section is deemed to be necessary for the  
4 public interest, safety, and welfare.

5 This Section is repealed one year after the effective date  
6 of this amendatory Act of the 102nd General Assembly.

7 (5 ILCS 100/5-45.22 new)

8 Sec. 5-45.22. Emergency rulemaking; Illinois Public Aid  
9 Code. To provide for the expeditious and timely implementation  
10 of the changes made to Article 5 of the Illinois Public Aid  
11 Code by this amendatory Act of the 102nd General Assembly,  
12 emergency rules implementing the changes made to Article 5 of  
13 the Illinois Public Aid Code by this amendatory Act of the  
14 102nd General Assembly may be adopted in accordance with  
15 Section 5-45 by the Department of Healthcare and Family  
16 Services or other department essential to the implementation  
17 of the changes. The adoption of emergency rules authorized by  
18 Section 5-45 and this Section is deemed to be necessary for the  
19 public interest, safety, and welfare.

20 This Section is repealed one year after the effective date  
21 of this amendatory Act of the 102nd General Assembly.

22 (5 ILCS 100/5-45.23 new)

23 Sec. 5-45.23. Emergency rulemaking; Medical services for  
24 certain noncitizens. To provide for the expeditious and timely

1 implementation of the changes made to Article 12 of the  
2 Illinois Public Aid Code by this amendatory Act of the 102nd  
3 General Assembly, emergency rules implementing the changes  
4 made to Section 12-4.35 of the Illinois Public Aid Code by this  
5 amendatory Act of the 102nd General Assembly may be adopted in  
6 accordance with Section 5-45 by the Department of Healthcare  
7 and Family Services. The adoption of emergency rules  
8 authorized by Section 5-45 and this Section is deemed to be  
9 necessary for the public interest, safety, and welfare.

10 This Section is repealed one year after the effective date  
11 of this amendatory Act of the 102nd General Assembly.

12 (5 ILCS 100/5-45.26 new)

13 Sec. 5-45.26. Emergency rulemaking. To provide for the  
14 expeditious and timely implementation of this amendatory Act  
15 of the 102nd General Assembly, emergency rules implementing  
16 Sections 605-1095 and 605-1100 of the Department of Commerce  
17 and Economic Opportunity Law of the Civil Administrative Code  
18 of Illinois may be adopted in accordance with Section 5-45 by  
19 the Department of Commerce and Economic Opportunity. The  
20 adoption of emergency rules authorized by Section 5-45 and  
21 this Section is deemed to be necessary for the public  
22 interest, safety, and welfare.

23 This Section is repealed one year after the effective date  
24 of this amendatory Act of the 102nd General Assembly.

1           Section 10-10. The Mental Health and Developmental  
2           Disabilities Administrative Act is amended by changing Section  
3           74 as follows:

4           (20 ILCS 1705/74)

5           Sec. 74. Rates and reimbursements.

6           (a) Within 30 days after July 6, 2017 (the effective date  
7           of Public Act 100-23), the Department shall increase rates and  
8           reimbursements to fund a minimum of a \$0.75 per hour wage  
9           increase for front-line personnel, including, but not limited  
10          to, direct support persons, aides, front-line supervisors,  
11          qualified intellectual disabilities professionals, nurses, and  
12          non-administrative support staff working in community-based  
13          provider organizations serving individuals with developmental  
14          disabilities. The Department shall adopt rules, including  
15          emergency rules under subsection (y) of Section 5-45 of the  
16          Illinois Administrative Procedure Act, to implement the  
17          provisions of this Section.

18          (b) Rates and reimbursements. Within 30 days after the  
19          effective date of this amendatory Act of the 100th General  
20          Assembly, the Department shall increase rates and  
21          reimbursements to fund a minimum of a \$0.50 per hour wage  
22          increase for front-line personnel, including, but not limited  
23          to, direct support persons, aides, front-line supervisors,  
24          qualified intellectual disabilities professionals, nurses, and  
25          non-administrative support staff working in community-based

1 provider organizations serving individuals with developmental  
2 disabilities. The Department shall adopt rules, including  
3 emergency rules under subsection (bb) of Section 5-45 of the  
4 Illinois Administrative Procedure Act, to implement the  
5 provisions of this Section.

6 (c) Rates and reimbursements. Within 30 days after the  
7 effective date of this amendatory Act of the 101st General  
8 Assembly, subject to federal approval, the Department shall  
9 increase rates and reimbursements in effect on June 30, 2019  
10 for community-based providers for persons with Developmental  
11 Disabilities by 3.5% The Department shall adopt rules,  
12 including emergency rules under subsection (jj) of Section  
13 5-45 of the Illinois Administrative Procedure Act, to  
14 implement the provisions of this Section, including wage  
15 increases for direct care staff.

16 (d) For community-based providers serving persons with  
17 intellectual/developmental disabilities, subject to federal  
18 approval of any relevant Waiver Amendment, the rates taking  
19 effect for services delivered on or after January 1, 2022,  
20 shall include an increase in the rate methodology sufficient  
21 to provide a \$1.50 per hour wage increase for direct support  
22 personnel in residential settings and sufficient to provide  
23 wages for all residential non-executive direct care staff,  
24 excluding direct support personnel, at the federal Department  
25 of Labor, Bureau of Labor Statistics' average wage as defined  
26 in rule by the Department.

1           The establishment of and any changes to the rate  
2 methodologies for community-based services provided to persons  
3 with intellectual/developmental disabilities are subject to  
4 federal approval of any relevant Waiver Amendment and shall be  
5 defined in rule by the Department. The Department shall adopt  
6 rules, including emergency rules as authorized by Section 5-45  
7 of the Illinois Administrative Procedure Act, to implement the  
8 provisions of this subsection (d).

9           (e) For community-based providers serving persons with  
10 intellectual/developmental disabilities, subject to federal  
11 approval of any relevant Waiver Amendment, the rates taking  
12 effect for services delivered on or after January 1, 2023,  
13 shall include an increase in the rate methodology sufficient  
14 to provide a \$1.00 per hour wage increase for all direct  
15 support personnel and all other frontline personnel who are  
16 not subject to the Bureau of Labor Statistics' average wage  
17 increases, who work in residential and community day services  
18 settings, with at least \$0.50 of those funds to be provided as  
19 a direct increase to base wages, with the remaining \$0.50 to be  
20 used flexibly for base wage increases. In addition, the rates  
21 taking effect for services delivered on or after January 1,  
22 2023 shall include an increase sufficient to provide wages for  
23 all residential non-executive direct care staff, excluding  
24 direct support personnel, at the federal Department of Labor,  
25 Bureau of Labor Statistics' average wage as defined in rule by  
26 the Department.

1       The establishment of and any changes to the rate  
2 methodologies for community-based services provided to persons  
3 with intellectual/developmental disabilities are subject to  
4 federal approval of any relevant Waiver Amendment and shall be  
5 defined in rule by the Department. The Department shall adopt  
6 rules, including emergency rules as authorized by Section 5-45  
7 of the Illinois Administrative Procedure Act, to implement the  
8 provisions of this subsection.

9       (Source: P.A. 101-10, eff. 6-5-19; 102-16, eff. 6-17-21.)

10       Section 10-15. The Illinois Public Aid Code is amended by  
11 changing Sections 3-2.6 and 5-5.4 as follows:

12       (305 ILCS 5/3-2.6)

13       Sec. 3-2.6. Sheltered care rates. The Department of Human  
14 Services shall increase the sheltered care rates in effect on  
15 June 30, 2022 ~~2008~~, by 10%.

16       (Source: P.A. 95-780, eff. 8-5-08.)

17       (305 ILCS 5/5-5.4) (from Ch. 23, par. 5-5.4)

18       Sec. 5-5.4. Standards of Payment - Department of  
19 Healthcare and Family Services. The Department of Healthcare  
20 and Family Services shall develop standards of payment of  
21 nursing facility and ICF/DD services in facilities providing  
22 such services under this Article which:

23       (1) Provide for the determination of a facility's payment

1 for nursing facility or ICF/DD services on a prospective  
2 basis. The amount of the payment rate for all nursing  
3 facilities certified by the Department of Public Health under  
4 the ID/DD Community Care Act or the Nursing Home Care Act as  
5 Intermediate Care for the Developmentally Disabled facilities,  
6 Long Term Care for Under Age 22 facilities, Skilled Nursing  
7 facilities, or Intermediate Care facilities under the medical  
8 assistance program shall be prospectively established annually  
9 on the basis of historical, financial, and statistical data  
10 reflecting actual costs from prior years, which shall be  
11 applied to the current rate year and updated for inflation,  
12 except that the capital cost element for newly constructed  
13 facilities shall be based upon projected budgets. The annually  
14 established payment rate shall take effect on July 1 in 1984  
15 and subsequent years. No rate increase and no update for  
16 inflation shall be provided on or after July 1, 1994, unless  
17 specifically provided for in this Section. The changes made by  
18 Public Act 93-841 extending the duration of the prohibition  
19 against a rate increase or update for inflation are effective  
20 retroactive to July 1, 2004.

21 For facilities licensed by the Department of Public Health  
22 under the Nursing Home Care Act as Intermediate Care for the  
23 Developmentally Disabled facilities or Long Term Care for  
24 Under Age 22 facilities, the rates taking effect on July 1,  
25 1998 shall include an increase of 3%. For facilities licensed  
26 by the Department of Public Health under the Nursing Home Care

1 Act as Skilled Nursing facilities or Intermediate Care  
2 facilities, the rates taking effect on July 1, 1998 shall  
3 include an increase of 3% plus \$1.10 per resident-day, as  
4 defined by the Department. For facilities licensed by the  
5 Department of Public Health under the Nursing Home Care Act as  
6 Intermediate Care Facilities for the Developmentally Disabled  
7 or Long Term Care for Under Age 22 facilities, the rates taking  
8 effect on January 1, 2006 shall include an increase of 3%. For  
9 facilities licensed by the Department of Public Health under  
10 the Nursing Home Care Act as Intermediate Care Facilities for  
11 the Developmentally Disabled or Long Term Care for Under Age  
12 22 facilities, the rates taking effect on January 1, 2009  
13 shall include an increase sufficient to provide a \$0.50 per  
14 hour wage increase for non-executive staff. For facilities  
15 licensed by the Department of Public Health under the ID/DD  
16 Community Care Act as ID/DD Facilities the rates taking effect  
17 within 30 days after July 6, 2017 (the effective date of Public  
18 Act 100-23) shall include an increase sufficient to provide a  
19 \$0.75 per hour wage increase for non-executive staff. The  
20 Department shall adopt rules, including emergency rules under  
21 subsection (y) of Section 5-45 of the Illinois Administrative  
22 Procedure Act, to implement the provisions of this paragraph.  
23 For facilities licensed by the Department of Public Health  
24 under the ID/DD Community Care Act as ID/DD Facilities and  
25 under the MC/DD Act as MC/DD Facilities, the rates taking  
26 effect within 30 days after the effective date of this

1 amendatory Act of the 100th General Assembly shall include an  
2 increase sufficient to provide a \$0.50 per hour wage increase  
3 for non-executive front-line personnel, including, but not  
4 limited to, direct support persons, aides, front-line  
5 supervisors, qualified intellectual disabilities  
6 professionals, nurses, and non-administrative support staff.  
7 The Department shall adopt rules, including emergency rules  
8 under subsection (bb) of Section 5-45 of the Illinois  
9 Administrative Procedure Act, to implement the provisions of  
10 this paragraph.

11 For facilities licensed by the Department of Public Health  
12 under the Nursing Home Care Act as Intermediate Care for the  
13 Developmentally Disabled facilities or Long Term Care for  
14 Under Age 22 facilities, the rates taking effect on July 1,  
15 1999 shall include an increase of 1.6% plus \$3.00 per  
16 resident-day, as defined by the Department. For facilities  
17 licensed by the Department of Public Health under the Nursing  
18 Home Care Act as Skilled Nursing facilities or Intermediate  
19 Care facilities, the rates taking effect on July 1, 1999 shall  
20 include an increase of 1.6% and, for services provided on or  
21 after October 1, 1999, shall be increased by \$4.00 per  
22 resident-day, as defined by the Department.

23 For facilities licensed by the Department of Public Health  
24 under the Nursing Home Care Act as Intermediate Care for the  
25 Developmentally Disabled facilities or Long Term Care for  
26 Under Age 22 facilities, the rates taking effect on July 1,

1 2000 shall include an increase of 2.5% per resident-day, as  
2 defined by the Department. For facilities licensed by the  
3 Department of Public Health under the Nursing Home Care Act as  
4 Skilled Nursing facilities or Intermediate Care facilities,  
5 the rates taking effect on July 1, 2000 shall include an  
6 increase of 2.5% per resident-day, as defined by the  
7 Department.

8 For facilities licensed by the Department of Public Health  
9 under the Nursing Home Care Act as skilled nursing facilities  
10 or intermediate care facilities, a new payment methodology  
11 must be implemented for the nursing component of the rate  
12 effective July 1, 2003. The Department of Public Aid (now  
13 Healthcare and Family Services) shall develop the new payment  
14 methodology using the Minimum Data Set (MDS) as the instrument  
15 to collect information concerning nursing home resident  
16 condition necessary to compute the rate. The Department shall  
17 develop the new payment methodology to meet the unique needs  
18 of Illinois nursing home residents while remaining subject to  
19 the appropriations provided by the General Assembly. A  
20 transition period from the payment methodology in effect on  
21 June 30, 2003 to the payment methodology in effect on July 1,  
22 2003 shall be provided for a period not exceeding 3 years and  
23 184 days after implementation of the new payment methodology  
24 as follows:

25 (A) For a facility that would receive a lower nursing  
26 component rate per patient day under the new system than

1 the facility received effective on the date immediately  
2 preceding the date that the Department implements the new  
3 payment methodology, the nursing component rate per  
4 patient day for the facility shall be held at the level in  
5 effect on the date immediately preceding the date that the  
6 Department implements the new payment methodology until a  
7 higher nursing component rate of reimbursement is achieved  
8 by that facility.

9 (B) For a facility that would receive a higher nursing  
10 component rate per patient day under the payment  
11 methodology in effect on July 1, 2003 than the facility  
12 received effective on the date immediately preceding the  
13 date that the Department implements the new payment  
14 methodology, the nursing component rate per patient day  
15 for the facility shall be adjusted.

16 (C) Notwithstanding paragraphs (A) and (B), the  
17 nursing component rate per patient day for the facility  
18 shall be adjusted subject to appropriations provided by  
19 the General Assembly.

20 For facilities licensed by the Department of Public Health  
21 under the Nursing Home Care Act as Intermediate Care for the  
22 Developmentally Disabled facilities or Long Term Care for  
23 Under Age 22 facilities, the rates taking effect on March 1,  
24 2001 shall include a statewide increase of 7.85%, as defined  
25 by the Department.

26 Notwithstanding any other provision of this Section, for

1 facilities licensed by the Department of Public Health under  
2 the Nursing Home Care Act as skilled nursing facilities or  
3 intermediate care facilities, except facilities participating  
4 in the Department's demonstration program pursuant to the  
5 provisions of Title 77, Part 300, Subpart T of the Illinois  
6 Administrative Code, the numerator of the ratio used by the  
7 Department of Healthcare and Family Services to compute the  
8 rate payable under this Section using the Minimum Data Set  
9 (MDS) methodology shall incorporate the following annual  
10 amounts as the additional funds appropriated to the Department  
11 specifically to pay for rates based on the MDS nursing  
12 component methodology in excess of the funding in effect on  
13 December 31, 2006:

14 (i) For rates taking effect January 1, 2007,  
15 \$60,000,000.

16 (ii) For rates taking effect January 1, 2008,  
17 \$110,000,000.

18 (iii) For rates taking effect January 1, 2009,  
19 \$194,000,000.

20 (iv) For rates taking effect April 1, 2011, or the  
21 first day of the month that begins at least 45 days after  
22 the effective date of this amendatory Act of the 96th  
23 General Assembly, \$416,500,000 or an amount as may be  
24 necessary to complete the transition to the MDS  
25 methodology for the nursing component of the rate.  
26 Increased payments under this item (iv) are not due and

1 payable, however, until (i) the methodologies described in  
2 this paragraph are approved by the federal government in  
3 an appropriate State Plan amendment and (ii) the  
4 assessment imposed by Section 5B-2 of this Code is  
5 determined to be a permissible tax under Title XIX of the  
6 Social Security Act.

7 Notwithstanding any other provision of this Section, for  
8 facilities licensed by the Department of Public Health under  
9 the Nursing Home Care Act as skilled nursing facilities or  
10 intermediate care facilities, the support component of the  
11 rates taking effect on January 1, 2008 shall be computed using  
12 the most recent cost reports on file with the Department of  
13 Healthcare and Family Services no later than April 1, 2005,  
14 updated for inflation to January 1, 2006.

15 For facilities licensed by the Department of Public Health  
16 under the Nursing Home Care Act as Intermediate Care for the  
17 Developmentally Disabled facilities or Long Term Care for  
18 Under Age 22 facilities, the rates taking effect on April 1,  
19 2002 shall include a statewide increase of 2.0%, as defined by  
20 the Department. This increase terminates on July 1, 2002;  
21 beginning July 1, 2002 these rates are reduced to the level of  
22 the rates in effect on March 31, 2002, as defined by the  
23 Department.

24 For facilities licensed by the Department of Public Health  
25 under the Nursing Home Care Act as skilled nursing facilities  
26 or intermediate care facilities, the rates taking effect on

1 July 1, 2001 shall be computed using the most recent cost  
2 reports on file with the Department of Public Aid no later than  
3 April 1, 2000, updated for inflation to January 1, 2001. For  
4 rates effective July 1, 2001 only, rates shall be the greater  
5 of the rate computed for July 1, 2001 or the rate effective on  
6 June 30, 2001.

7 Notwithstanding any other provision of this Section, for  
8 facilities licensed by the Department of Public Health under  
9 the Nursing Home Care Act as skilled nursing facilities or  
10 intermediate care facilities, the Illinois Department shall  
11 determine by rule the rates taking effect on July 1, 2002,  
12 which shall be 5.9% less than the rates in effect on June 30,  
13 2002.

14 Notwithstanding any other provision of this Section, for  
15 facilities licensed by the Department of Public Health under  
16 the Nursing Home Care Act as skilled nursing facilities or  
17 intermediate care facilities, if the payment methodologies  
18 required under Section 5A-12 and the waiver granted under 42  
19 CFR 433.68 are approved by the United States Centers for  
20 Medicare and Medicaid Services, the rates taking effect on  
21 July 1, 2004 shall be 3.0% greater than the rates in effect on  
22 June 30, 2004. These rates shall take effect only upon  
23 approval and implementation of the payment methodologies  
24 required under Section 5A-12.

25 Notwithstanding any other provisions of this Section, for  
26 facilities licensed by the Department of Public Health under

1 the Nursing Home Care Act as skilled nursing facilities or  
2 intermediate care facilities, the rates taking effect on  
3 January 1, 2005 shall be 3% more than the rates in effect on  
4 December 31, 2004.

5 Notwithstanding any other provision of this Section, for  
6 facilities licensed by the Department of Public Health under  
7 the Nursing Home Care Act as skilled nursing facilities or  
8 intermediate care facilities, effective January 1, 2009, the  
9 per diem support component of the rates effective on January  
10 1, 2008, computed using the most recent cost reports on file  
11 with the Department of Healthcare and Family Services no later  
12 than April 1, 2005, updated for inflation to January 1, 2006,  
13 shall be increased to the amount that would have been derived  
14 using standard Department of Healthcare and Family Services  
15 methods, procedures, and inflators.

16 Notwithstanding any other provisions of this Section, for  
17 facilities licensed by the Department of Public Health under  
18 the Nursing Home Care Act as intermediate care facilities that  
19 are federally defined as Institutions for Mental Disease, or  
20 facilities licensed by the Department of Public Health under  
21 the Specialized Mental Health Rehabilitation Act of 2013, a  
22 socio-development component rate equal to 6.6% of the  
23 facility's nursing component rate as of January 1, 2006 shall  
24 be established and paid effective July 1, 2006. The  
25 socio-development component of the rate shall be increased by  
26 a factor of 2.53 on the first day of the month that begins at

1 least 45 days after January 11, 2008 (the effective date of  
2 Public Act 95-707). As of August 1, 2008, the  
3 socio-development component rate shall be equal to 6.6% of the  
4 facility's nursing component rate as of January 1, 2006,  
5 multiplied by a factor of 3.53. For services provided on or  
6 after April 1, 2011, or the first day of the month that begins  
7 at least 45 days after the effective date of this amendatory  
8 Act of the 96th General Assembly, whichever is later, the  
9 Illinois Department may by rule adjust these socio-development  
10 component rates, and may use different adjustment  
11 methodologies for those facilities participating, and those  
12 not participating, in the Illinois Department's demonstration  
13 program pursuant to the provisions of Title 77, Part 300,  
14 Subpart T of the Illinois Administrative Code, but in no case  
15 may such rates be diminished below those in effect on August 1,  
16 2008.

17 For facilities licensed by the Department of Public Health  
18 under the Nursing Home Care Act as Intermediate Care for the  
19 Developmentally Disabled facilities or as long-term care  
20 facilities for residents under 22 years of age, the rates  
21 taking effect on July 1, 2003 shall include a statewide  
22 increase of 4%, as defined by the Department.

23 For facilities licensed by the Department of Public Health  
24 under the Nursing Home Care Act as Intermediate Care for the  
25 Developmentally Disabled facilities or Long Term Care for  
26 Under Age 22 facilities, the rates taking effect on the first

1 day of the month that begins at least 45 days after the  
2 effective date of this amendatory Act of the 95th General  
3 Assembly shall include a statewide increase of 2.5%, as  
4 defined by the Department.

5 Notwithstanding any other provision of this Section, for  
6 facilities licensed by the Department of Public Health under  
7 the Nursing Home Care Act as skilled nursing facilities or  
8 intermediate care facilities, effective January 1, 2005,  
9 facility rates shall be increased by the difference between  
10 (i) a facility's per diem property, liability, and malpractice  
11 insurance costs as reported in the cost report filed with the  
12 Department of Public Aid and used to establish rates effective  
13 July 1, 2001 and (ii) those same costs as reported in the  
14 facility's 2002 cost report. These costs shall be passed  
15 through to the facility without caps or limitations, except  
16 for adjustments required under normal auditing procedures.

17 Rates established effective each July 1 shall govern  
18 payment for services rendered throughout that fiscal year,  
19 except that rates established on July 1, 1996 shall be  
20 increased by 6.8% for services provided on or after January 1,  
21 1997. Such rates will be based upon the rates calculated for  
22 the year beginning July 1, 1990, and for subsequent years  
23 thereafter until June 30, 2001 shall be based on the facility  
24 cost reports for the facility fiscal year ending at any point  
25 in time during the previous calendar year, updated to the  
26 midpoint of the rate year. The cost report shall be on file

1 with the Department no later than April 1 of the current rate  
2 year. Should the cost report not be on file by April 1, the  
3 Department shall base the rate on the latest cost report filed  
4 by each skilled care facility and intermediate care facility,  
5 updated to the midpoint of the current rate year. In  
6 determining rates for services rendered on and after July 1,  
7 1985, fixed time shall not be computed at less than zero. The  
8 Department shall not make any alterations of regulations which  
9 would reduce any component of the Medicaid rate to a level  
10 below what that component would have been utilizing in the  
11 rate effective on July 1, 1984.

12 (2) Shall take into account the actual costs incurred by  
13 facilities in providing services for recipients of skilled  
14 nursing and intermediate care services under the medical  
15 assistance program.

16 (3) Shall take into account the medical and psycho-social  
17 characteristics and needs of the patients.

18 (4) Shall take into account the actual costs incurred by  
19 facilities in meeting licensing and certification standards  
20 imposed and prescribed by the State of Illinois, any of its  
21 political subdivisions or municipalities and by the U.S.  
22 Department of Health and Human Services pursuant to Title XIX  
23 of the Social Security Act.

24 The Department of Healthcare and Family Services shall  
25 develop precise standards for payments to reimburse nursing  
26 facilities for any utilization of appropriate rehabilitative

1 personnel for the provision of rehabilitative services which  
2 is authorized by federal regulations, including reimbursement  
3 for services provided by qualified therapists or qualified  
4 assistants, and which is in accordance with accepted  
5 professional practices. Reimbursement also may be made for  
6 utilization of other supportive personnel under appropriate  
7 supervision.

8 The Department shall develop enhanced payments to offset  
9 the additional costs incurred by a facility serving  
10 exceptional need residents and shall allocate at least  
11 \$4,000,000 of the funds collected from the assessment  
12 established by Section 5B-2 of this Code for such payments.  
13 For the purpose of this Section, "exceptional needs" means,  
14 but need not be limited to, ventilator care and traumatic  
15 brain injury care. The enhanced payments for exceptional need  
16 residents under this paragraph are not due and payable,  
17 however, until (i) the methodologies described in this  
18 paragraph are approved by the federal government in an  
19 appropriate State Plan amendment and (ii) the assessment  
20 imposed by Section 5B-2 of this Code is determined to be a  
21 permissible tax under Title XIX of the Social Security Act.

22 Beginning January 1, 2014 the methodologies for  
23 reimbursement of nursing facility services as provided under  
24 this Section 5-5.4 shall no longer be applicable for services  
25 provided on or after January 1, 2014.

26 No payment increase under this Section for the MDS

1 methodology, exceptional care residents, or the  
2 socio-development component rate established by Public Act  
3 96-1530 of the 96th General Assembly and funded by the  
4 assessment imposed under Section 5B-2 of this Code shall be  
5 due and payable until after the Department notifies the  
6 long-term care providers, in writing, that the payment  
7 methodologies to long-term care providers required under this  
8 Section have been approved by the Centers for Medicare and  
9 Medicaid Services of the U.S. Department of Health and Human  
10 Services and the waivers under 42 CFR 433.68 for the  
11 assessment imposed by this Section, if necessary, have been  
12 granted by the Centers for Medicare and Medicaid Services of  
13 the U.S. Department of Health and Human Services. Upon  
14 notification to the Department of approval of the payment  
15 methodologies required under this Section and the waivers  
16 granted under 42 CFR 433.68, all increased payments otherwise  
17 due under this Section prior to the date of notification shall  
18 be due and payable within 90 days of the date federal approval  
19 is received.

20 On and after July 1, 2012, the Department shall reduce any  
21 rate of reimbursement for services or other payments or alter  
22 any methodologies authorized by this Code to reduce any rate  
23 of reimbursement for services or other payments in accordance  
24 with Section 5-5e.

25 For facilities licensed by the Department of Public Health  
26 under the ID/DD Community Care Act as ID/DD Facilities and

1 under the MC/DD Act as MC/DD Facilities, subject to federal  
2 approval, the rates taking effect for services delivered on or  
3 after August 1, 2019 shall be increased by 3.5% over the rates  
4 in effect on June 30, 2019. The Department shall adopt rules,  
5 including emergency rules under subsection (ii) of Section  
6 5-45 of the Illinois Administrative Procedure Act, to  
7 implement the provisions of this Section, including wage  
8 increases for direct care staff.

9 For facilities licensed by the Department of Public Health  
10 under the ID/DD Community Care Act as ID/DD Facilities and  
11 under the MC/DD Act as MC/DD Facilities, subject to federal  
12 approval, the rates taking effect on the latter of the  
13 approval date of the State Plan Amendment for these facilities  
14 or the Waiver Amendment for the home and community-based  
15 services settings shall include an increase sufficient to  
16 provide a \$0.26 per hour wage increase to the base wage for  
17 non-executive staff. The Department shall adopt rules,  
18 including emergency rules as authorized by Section 5-45 of the  
19 Illinois Administrative Procedure Act, to implement the  
20 provisions of this Section, including wage increases for  
21 direct care staff.

22 For facilities licensed by the Department of Public Health  
23 under the ID/DD Community Care Act as ID/DD Facilities and  
24 under the MC/DD Act as MC/DD Facilities, subject to federal  
25 approval of the State Plan Amendment and the Waiver Amendment  
26 for the home and community-based services settings, the rates

1 taking effect for the services delivered on or after July 1,  
2 2020 shall include an increase sufficient to provide a \$1.00  
3 per hour wage increase for non-executive staff. For services  
4 delivered on or after January 1, 2021, subject to federal  
5 approval of the State Plan Amendment and the Waiver Amendment  
6 for the home and community-based services settings, shall  
7 include an increase sufficient to provide a \$0.50 per hour  
8 increase for non-executive staff. The Department shall adopt  
9 rules, including emergency rules as authorized by Section 5-45  
10 of the Illinois Administrative Procedure Act, to implement the  
11 provisions of this Section, including wage increases for  
12 direct care staff.

13 For facilities licensed by the Department of Public Health  
14 under the ID/DD Community Care Act as ID/DD Facilities and  
15 under the MC/DD Act as MC/DD Facilities, subject to federal  
16 approval of the State Plan Amendment, the rates taking effect  
17 for the residential services delivered on or after July 1,  
18 2021, shall include an increase sufficient to provide a \$0.50  
19 per hour increase for aides in the rate methodology. For  
20 facilities licensed by the Department of Public Health under  
21 the ID/DD Community Care Act as ID/DD Facilities and under the  
22 MC/DD Act as MC/DD Facilities, subject to federal approval of  
23 the State Plan Amendment, the rates taking effect for the  
24 residential services delivered on or after January 1, 2022  
25 shall include an increase sufficient to provide a \$1.00 per  
26 hour increase for aides in the rate methodology. In addition,

1 for residential services delivered on or after January 1, 2022  
2 such rates shall include an increase sufficient to provide  
3 wages for all residential non-executive direct care staff,  
4 excluding aides, at the federal Department of Labor, Bureau of  
5 Labor Statistics' average wage as defined in rule by the  
6 Department. The Department shall adopt rules, including  
7 emergency rules as authorized by Section 5-45 of the Illinois  
8 Administrative Procedure Act, to implement the provisions of  
9 this Section.

10 For facilities licensed by the Department of Public Health  
11 under the ID/DD Community Care Act as ID/DD facilities and  
12 under the MC/DD Act as MC/DD facilities, subject to federal  
13 approval of the State Plan Amendment, the rates taking effect  
14 for services delivered on or after January 1, 2023, shall  
15 include a \$1.00 per hour wage increase for all direct support  
16 personnel and all other frontline personnel who are not  
17 subject to the Bureau of Labor Statistics' average wage  
18 increases, who work in residential and community day services  
19 settings, with at least \$0.50 of those funds to be provided as  
20 a direct increase to all aide base wages, with the remaining  
21 \$0.50 to be used flexibly for base wage increases to the rate  
22 methodology for aides. In addition, for residential services  
23 delivered on or after January 1, 2023 the rates shall include  
24 an increase sufficient to provide wages for all residential  
25 non-executive direct care staff, excluding aides, at the  
26 federal Department of Labor, Bureau of Labor Statistics'

1 average wage as determined by the Department. Also, for  
2 services delivered on or after January 1, 2023, the rates will  
3 include adjustments to employment-related expenses as defined  
4 in rule by the Department. The Department shall adopt rules,  
5 including emergency rules as authorized by Section 5-45 of the  
6 Illinois Administrative Procedure Act, to implement the  
7 provisions of this Section.

8 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;  
9 102-16, eff. 6-17-21.)

10 ARTICLE 15.

11 Section 15-2. The Counties Code is amended by adding  
12 Section 3-6007.5 as follows:

13 (55 ILCS 5/3-6007.5 new)

14 Sec. 3-6007.5. Sheriff's salary.

15 (a) As used in this Section, "salary" is exclusive of any  
16 other compensation or benefits.

17 (b) The salary of a sheriff elected or appointed after the  
18 effective date of this amendatory Act of the 102nd General  
19 Assembly in a non-home rule county shall not be less than 80%  
20 of the salary set for the State's Attorney under Section  
21 4-2001 for the county in which the sheriff is elected or  
22 appointed.

23 (c) The State shall furnish 66 2/3% of the total annual

1 salary to be paid to a sheriff. Said amounts furnished by the  
2 State shall be payable monthly by the Department of Revenue  
3 out of the Personal Property Tax Replacement Fund or the  
4 General Revenue Fund to the county in which the sheriff is  
5 elected or appointed. The county shall furnish 33 1/3% of the  
6 total annual salary.

7 Section 15-5. The School Code is amended by changing  
8 Section 10-22.36 and by adding Section 13-44.6 as follows:

9 (105 ILCS 5/10-22.36) (from Ch. 122, par. 10-22.36)

10 Sec. 10-22.36. Buildings for school purposes.

11 (a) To build or purchase a building for school classroom  
12 or instructional purposes upon the approval of a majority of  
13 the voters upon the proposition at a referendum held for such  
14 purpose or in accordance with Section 17-2.11, 19-3.5, or  
15 19-3.10. The board may initiate such referendum by resolution.  
16 The board shall certify the resolution and proposition to the  
17 proper election authority for submission in accordance with  
18 the general election law.

19 The questions of building one or more new buildings for  
20 school purposes or office facilities, and issuing bonds for  
21 the purpose of borrowing money to purchase one or more  
22 buildings or sites for such buildings or office sites, to  
23 build one or more new buildings for school purposes or office  
24 facilities or to make additions and improvements to existing

1 school buildings, may be combined into one or more  
2 propositions on the ballot.

3 Before erecting, or purchasing or remodeling such a  
4 building the board shall submit the plans and specifications  
5 respecting heating, ventilating, lighting, seating, water  
6 supply, toilets and safety against fire to the regional  
7 superintendent of schools having supervision and control over  
8 the district, for approval in accordance with Section 2-3.12.

9 Notwithstanding any of the foregoing, no referendum shall  
10 be required if the purchase, construction, or building of any  
11 such building (1) occurs while the building is being leased by  
12 the school district or (2) is paid with (A) funds derived from  
13 the sale or disposition of other buildings, land, or  
14 structures of the school district or (B) funds received (i) as  
15 a grant under the School Construction Law or (ii) as gifts or  
16 donations, provided that no funds to purchase, construct, or  
17 build such building, other than lease payments, are derived  
18 from the district's bonded indebtedness or the tax levy of the  
19 district.

20 Notwithstanding any of the foregoing, no referendum shall  
21 be required if the purchase, construction, or building of any  
22 such building is paid with funds received from the County  
23 School Facility and Resources Occupation Tax Law under Section  
24 5-1006.7 of the Counties Code or from the proceeds of bonds or  
25 other debt obligations secured by revenues obtained from that  
26 Law.

1        Notwithstanding any of the foregoing, for Decatur School  
2        District Number 61, no referendum shall be required if at  
3        least 50% of the cost of the purchase, construction, or  
4        building of any such building is paid, or will be paid, with  
5        funds received or expected to be received as part of, or  
6        otherwise derived from, any COVID-19 pandemic relief program  
7        or funding source, including, but not limited to, Elementary  
8        and Secondary School Emergency Relief Fund grant proceeds.

9        (b) Notwithstanding the provisions of subsection (a), for  
10       any school district: (i) that is a tier 1 school, (ii) that has  
11       a population of less than 50,000 inhabitants, (iii) whose  
12       student population is between 5,800 and 6,300, (iv) in which  
13       57% to 62% of students are low-income, and (v) whose average  
14       district spending is between \$10,000 to \$12,000 per pupil,  
15       until July 1, 2025, no referendum shall be required if at least  
16       50% ~~70%~~ of the cost of the purchase, construction, or building  
17       of any such building is paid, or will be paid, with funds  
18       received or expected to be received as part of, or otherwise  
19       derived from, the federal Consolidated Appropriations Act and  
20       the federal American Rescue Plan Act of 2021.

21       For this subsection (b), the school board must hold at  
22       least 2 public hearings, the sole purpose of which shall be to  
23       discuss the decision to construct a school building and to  
24       receive input from the community. The notice of each public  
25       hearing that sets forth the time, date, place, and name or  
26       description of the school building that the school board is

1 considering constructing must be provided at least 10 days  
2 prior to the hearing by publication on the school board's  
3 Internet website.

4 (Source: P.A. 101-455, eff. 8-23-19; 102-16, eff. 6-17-21.)

5 (105 ILCS 5/13-44.6 new)

6 Sec. 13-44.6. Department of Juvenile Justice Reimbursement  
7 and Education Fund; budget. Beginning July 1, 2022, all moneys  
8 received by the Department of Juvenile Justice from the Common  
9 School Fund, federal aid and grants, vocational and  
10 educational funds and grants, and gifts and grants by  
11 individuals, foundations and corporations for educational  
12 purposes shall be deposited into the Department of Juvenile  
13 Justice Reimbursement and Education Fund in the State  
14 Treasury. Moneys in the Department of Juvenile Justice  
15 Reimbursement and Education Fund may be used, subject to  
16 appropriation, to pay the expense of the schools and school  
17 district of the Department of Juvenile Justice together with  
18 and supplemental to regular appropriations to the Department  
19 for educational purposes, including, but not limited to, the  
20 cost of teacher salaries, supplies and materials, building  
21 upkeep and costs, transportation, scholarships, non-academic  
22 salaries, contractual services, equipment, and other school  
23 costs.

24 Section 15-10. The Unified Code of Corrections is amended

1 by changing Section 3-4-1 as follows:

2 (730 ILCS 5/3-4-1) (from Ch. 38, par. 1003-4-1)

3 Sec. 3-4-1. Gifts and Grants; Special Trusts Funds;  
4 Department of Corrections Reimbursement and Education Fund.

5 (a) The Department may accept, receive and use, for and in  
6 behalf of the State, any moneys, goods or services given for  
7 general purposes of this Code by the federal government or  
8 from any other source, public or private, including  
9 collections from inmates, reimbursement of payments under the  
10 Workers' Compensation Act, and commissions from inmate collect  
11 call telephone systems under an agreement with the Department  
12 of Central Management Services. For these purposes the  
13 Department may comply with such conditions and enter into such  
14 agreements upon such covenants, terms, and conditions as the  
15 Department may deem necessary or desirable, if the agreement  
16 is not in conflict with State law.

17 (a-5) Beginning January 1, 2018, the Department of Central  
18 Management Services shall contract with the qualified vendor  
19 who proposes the lowest per minute rate not exceeding 7 cents  
20 per minute for debit, prepaid, collect calls and who does not  
21 bill to any party any tax, service charge, or additional fee  
22 exceeding the per minute rate, including, but not limited to,  
23 any per call surcharge, account set up fee, bill statement  
24 fee, monthly account maintenance charge, or refund fee as  
25 established by the Federal Communications Commission Order for

1 state prisons in the Matter of Rates for Interstate Inmate  
2 Calling Services, Second Report and Order, WC Docket 12-375,  
3 FCC 15-136 (adopted Oct. 22, 2015). Telephone services made  
4 available through a prepaid or collect call system shall  
5 include international calls; those calls shall be made  
6 available at reasonable rates subject to Federal  
7 Communications Commission rules and regulations, but not to  
8 exceed 23 cents per minute. Public Act 99-878 ~~This amendatory~~  
9 ~~Act of the 99th General Assembly~~ applies to any new or renewal  
10 contract for inmate calling services.

11 (b) On July 1, 1998, the Department of Corrections  
12 Reimbursement Fund and the Department of Corrections Education  
13 Fund shall be combined into a single fund to be known as the  
14 Department of Corrections Reimbursement and Education Fund,  
15 which is hereby created as a special fund in the State  
16 Treasury. The moneys deposited into the Department of  
17 Corrections Reimbursement and Education Fund shall be  
18 appropriated to the Department of Corrections for the expenses  
19 of the Department.

20 The following shall be deposited into the Department of  
21 Corrections Reimbursement and Education Fund:

22 (i) Moneys received or recovered by the Department of  
23 Corrections as reimbursement for expenses incurred for the  
24 incarceration of committed persons.

25 (ii) Moneys received or recovered by the Department as  
26 reimbursement of payments made under the Workers'

1 Compensation Act.

2 (iii) Moneys received by the Department as commissions  
3 from inmate collect call telephone systems.

4 (iv) Moneys received or recovered by the Department as  
5 reimbursement for expenses incurred by the employment of  
6 persons referred to the Department as participants in the  
7 federal Job Training Partnership Act programs.

8 (v) Federal moneys, including reimbursement and  
9 advances for services rendered or to be rendered and  
10 moneys for other than educational purposes, under grant or  
11 contract.

12 (vi) Moneys identified for deposit into the Fund under  
13 Section 13-44.4 of the School Code.

14 (vii) Moneys in the Department of Corrections  
15 Reimbursement Fund and the Department of Corrections  
16 Education Fund at the close of business on June 30, 1998.

17 (c) The Department of Juvenile Justice Reimbursement and  
18 Education Fund is created as a special fund in the State  
19 Treasury. The moneys deposited into the Department of Juvenile  
20 Justice Reimbursement Fund and Education shall be appropriated  
21 to the Department of Juvenile Justice for the expenses of the  
22 Department. The following moneys shall be deposited into the  
23 Department of Juvenile Justice Reimbursement Fund and  
24 Education Fund:

25 (i) received or recovered by the Department of  
26 Juvenile Justice as reimbursement for expenses incurred

1 for the incarceration of committed youth;

2 (ii) received or recovered by the Department as  
3 reimbursement of payments made under the Workers'  
4 Compensation Act;

5 (iii) received or recovered by the Department as  
6 reimbursement for expenses incurred by the employment of  
7 persons referred to the Department as participants in the  
8 federal Job Training Partnership Act programs;

9 (iv) federal moneys, including reimbursement and  
10 advances for services rendered or to be rendered and  
11 moneys for other than educational purposes, under grant or  
12 contract; and

13 (v) moneys identified for deposit into the Fund under  
14 Section 13-44.6 ~~13-44.4~~ of the School Code.

15 (Source: P.A. 102-350, eff. 8-13-21.)

16 Article 20.

17 Section 20-1. Short title. This Article may be cited as  
18 the Rebuild Illinois Mental Health Workforce Act. References  
19 in this Article to "this Act" mean this Article.

20 Section 20-5. Purpose. The purpose of this Act is to  
21 preserve and expand access to Medicaid community mental health  
22 care in Illinois to prevent unnecessary hospitalizations and  
23 avoid the criminalization of mental health conditions.

1           Section 20-10. Medicaid funding for community mental  
2 health services. Medicaid funding for the specific community  
3 mental health services listed in this Act shall be adjusted  
4 and paid as set forth in this Act. Such payments shall be paid  
5 in addition to the base Medicaid reimbursement rate and add-on  
6 payment rates per service unit. The payment adjustments shall  
7 begin on July 1, 2022 for State Fiscal Year 2023 and shall  
8 continue for every State fiscal year thereafter.

9           (1) Individual Therapy Medicaid Payment rate for  
10 services provided under the H0004 Code:

11           (A) The Medicaid total payment rate for individual  
12 therapy provided by a qualified mental health  
13 professional shall be increased by no less than \$9 per  
14 service unit.

15           (B) The Medicaid total payment rate for individual  
16 therapy provided by a mental health professional shall  
17 be increased by no less than \$9 per service unit.

18           (2) Community Support - Individual Medicaid Payment  
19 rate for services provided under the H2015 Code: All  
20 community support - individual services shall be increased  
21 by no less than \$15 per service unit.

22           (3) Case Management Medicaid Add-on Payment for  
23 services provided under the T1016 code: All case  
24 management services rates shall be increased by no less  
25 than \$15 per service unit.

1           (4) Assertive Community Treatment Medicaid Add-on  
2           Payment for services provided under the H0039 code: The  
3           Medicaid total payment rate for assertive community  
4           treatment services shall increase by no less than \$8 per  
5           service unit.

6           (5) Medicaid user-based directed payments.

7           (A) For each State fiscal year, a monthly directed  
8           payment shall be paid to a community mental health  
9           provider of community support team services based on  
10          the number of Medicaid users of community support team  
11          services documented by Medicaid fee-for-service and  
12          managed care encounter claims delivered by that  
13          provider in the base year. The Department of  
14          Healthcare and Family Services shall make the monthly  
15          directed payment to each provider entitled to directed  
16          payments under this Act by no later than the last day  
17          of each month throughout each State fiscal year.

18          (i) The monthly directed payment for a  
19          community support team provider shall be  
20          calculated as follows: The sum total number of  
21          individual Medicaid users of community support  
22          team services delivered by that provider  
23          throughout the base year, multiplied by \$4,200 per  
24          Medicaid user, divided into 12 equal monthly  
25          payments for the State fiscal year.

26          (ii) As used in this subparagraph, "user"

1 means an individual who received at least 200  
2 units of community support team services (H2016)  
3 during the base year.

4 (B) For each State fiscal year, a monthly directed  
5 payment shall be paid to each community mental health  
6 provider of assertive community treatment services  
7 based on the number of Medicaid users of assertive  
8 community treatment services documented by Medicaid  
9 fee-for-service and managed care encounter claims  
10 delivered by the provider in the base year.

11 (i) The monthly direct payment for an  
12 assertive community treatment provider shall be  
13 calculated as follows: The sum total number of  
14 Medicaid users of assertive community treatment  
15 services provided by that provider throughout the  
16 base year, multiplied by \$6,000 per Medicaid user,  
17 divided into 12 equal monthly payments for that  
18 State fiscal year.

19 (ii) As used in this subparagraph, "user"  
20 means an individual that received at least 300  
21 units of assertive community treatment services  
22 during the base year.

23 (C) The base year for directed payments under this  
24 Section shall be calendar year 2019 for State Fiscal  
25 Year 2023 and State Fiscal Year 2024. For the State  
26 fiscal year beginning on July 1, 2024, and for every

1 State fiscal year thereafter, the base year shall be  
2 the calendar year that ended 18 months prior to the  
3 start of the State fiscal year in which payments are  
4 made.

5 Section 20-15. Applicable Medicaid services. The payments  
6 listed in Section 20-10 shall apply to Medicaid services  
7 provided through contracts with any Medicaid managed care  
8 organization or entity and for Medicaid services paid for  
9 directly by the Department of Healthcare and Family Services.

10 Section 20-20. Base Medicaid rates or add-on payments. No  
11 base Medicaid rate or Medicaid rate add-on payment or any  
12 other payment for the provision of Medicaid community mental  
13 health services in place on July 1, 2021 shall be diminished or  
14 changed to make the reimbursement changes required by this  
15 Act. Any payments required under this Act that are delayed due  
16 to implementation challenges or federal approval shall be made  
17 retroactive to July 1, 2022 for the full amount required by  
18 this Act regardless of the amount a provider bills Illinois'  
19 Medical Assistance Program (via a Medicaid managed care  
20 organization or the Department of Healthcare and Family  
21 Services directly) for such services.

22 Section 20-25. Federal approval and Medicaid federal  
23 financial participation. The Department of Healthcare and

1 Family Services shall submit any necessary application to the  
2 federal Centers for Medicare and Medicaid Services immediately  
3 following the effective date of this Act for purposes of  
4 implementation of this Act. The payments required under this  
5 Act shall only be required as long as Illinois receives  
6 federal financial participation for such payments.

7 Article 25.

8 Section 25-1. Short title. This Article may be cited as  
9 the Substance Use Disorder Rate Equity Act.

10 Section 25-5. Funding for licensed or certified  
11 community-based substance use disorder treatment providers and  
12 services. Beginning in State Fiscal Year 2023, and every State  
13 fiscal year thereafter, the General Assembly shall appropriate  
14 sufficient funds to the Department of Human Services for  
15 reimbursement rates for licensed or certified community-based  
16 substance use disorder treatment providers and services under  
17 community service grant programs for persons with substance  
18 use disorders, including, but not limited to, all of the  
19 following services:

- 20 (1) Admission and Discharge Assessment.  
21 (2) Level 1 (Individual).  
22 (3) Level 1 (Group).  
23 (4) Level 2 (Individual).

- 1 (5) Level 2 (Group).
- 2 (6) Case Management.
- 3 (7) Psychiatric Evaluation.
- 4 (8) Medication Assisted Recovery.
- 5 (9) Community Intervention.
- 6 (10) Early Intervention (Individual).
- 7 (11) Early Intervention (Group).

8 Reimbursement rates for such services shall be adjusted  
9 upward by an amount equal to the Consumer Price Index-U from  
10 the previous year, not to exceed 2% in any State fiscal year.  
11 If there is a decrease in the Consumer Price Index-U, rates  
12 shall remain unchanged for that State fiscal year. The  
13 Department shall adopt rules, including emergency rules in  
14 accordance with the Illinois Administrative Procedure Act, to  
15 implement the provisions of this Section.

16 For the purposes of this Section, "consumer price index-u"  
17 means the index published by the Bureau of Labor Statistics of  
18 the United States Department of Labor that measures the  
19 average change in prices of goods and services purchased by  
20 all urban consumers, United States city average, all items,  
21 1982-84 = 100.

22 Article 26.

23 Section 26-5. The Illinois Administrative Procedure Act is  
24 amended by adding Section 5-45.24 as follows:

1 (5 ILCS 100/5-45.24 new)

2 Sec. 5-45.24. Emergency rulemaking; Departments of  
3 Healthcare and Family Services and Human Services. To provide  
4 for the expeditious and timely implementation of the Substance  
5 Use Disorder Rate Equity Act, Section 55-30 of the Substance  
6 Use Disorder Act, and Section 5-5.05a of the Illinois Public  
7 Aid Code, emergency rules implementing the Substance Use  
8 Disorder Rate Equity Act and changes made to Section 55-30 of  
9 the Substance Use Disorder Act and Section 5-5.05a of the  
10 Illinois Public Aid Code may be adopted in accordance with  
11 Section 5-45 by the respective Department. The adoption of  
12 emergency rules authorized by Section 5-45 and this Section is  
13 deemed to be necessary for the public interest, safety, and  
14 welfare.

15 This Section is repealed one year after the effective date  
16 of this amendatory Act of the 102nd General Assembly.

17 Section 26-10. The Substance Use Disorder Act is amended  
18 by changing Section 55-30 as follows:

19 (20 ILCS 301/55-30)

20 Sec. 55-30. Rate increase.

21 (a) The Department shall by rule develop the increased  
22 rate methodology and annualize the increased rate beginning  
23 with State fiscal year 2018 contracts to licensed providers of

1 community-based substance use disorder intervention or  
2 treatment, based on the additional amounts appropriated for  
3 the purpose of providing a rate increase to licensed  
4 providers. The Department shall adopt rules, including  
5 emergency rules under subsection (y) of Section 5-45 of the  
6 Illinois Administrative Procedure Act, to implement the  
7 provisions of this Section.

8 (b) (Blank). ~~Within 30 days after June 4, 2018 (the~~  
9 ~~effective date of Public Act 100-587), the Division of~~  
10 ~~Substance Use Prevention and Recovery shall apply an increase~~  
11 ~~in rates of 3% above the rate paid on June 30, 2017 to all~~  
12 ~~Medicaid and non-Medicaid reimbursable service rates. The~~  
13 ~~Department shall adopt rules, including emergency rules under~~  
14 ~~subsection (bb) of Section 5-45 of the Illinois Administrative~~  
15 ~~Procedure Act, to implement the provisions of this subsection~~  
16 ~~(b).~~

17 (c) Beginning on July 1, 2022, the Division of Substance  
18 Use Prevention and Recovery shall increase reimbursement rates  
19 for all community-based substance use disorder treatment and  
20 intervention services by 47%, including, but not limited to,  
21 all of the following:

22 (1) Admission and Discharge Assessment.

23 (2) Level 1 (Individual).

24 (3) Level 1 (Group).

25 (4) Level 2 (Individual).

26 (5) Level 2 (Group).

1           (6) Case Management.

2           (7) Psychiatric Evaluation.

3           (8) Medication Assisted Recovery.

4           (9) Community Intervention.

5           (10) Early Intervention (Individual).

6           (11) Early Intervention (Group).

7           Beginning in State Fiscal Year 2023, and every State  
8 fiscal year thereafter, reimbursement rates for those  
9 community-based substance use disorder treatment and  
10 intervention services shall be adjusted upward by an amount  
11 equal to the Consumer Price Index-U from the previous year,  
12 not to exceed 2% in any State fiscal year. If there is a  
13 decrease in the Consumer Price Index-U, rates shall remain  
14 unchanged for that State fiscal year. The Department shall  
15 adopt rules, including emergency rules in accordance with the  
16 Illinois Administrative Procedure Act, to implement the  
17 provisions of this Section.

18           As used in this subsection, "consumer price index-u" means  
19 the index published by the Bureau of Labor Statistics of the  
20 United States Department of Labor that measures the average  
21 change in prices of goods and services purchased by all urban  
22 consumers, United States city average, all items, 1982-84 =  
23 100.

24           (Source: P.A. 100-23, eff. 7-6-17; 100-587, eff. 6-4-18;  
25 100-759, eff. 1-1-19; 101-81, eff. 7-12-19.)

1 Section 26-15. Illinois Public Aid Code is amended by  
2 adding Section 5-45 as follows:

3 (305 ILCS 5/5-45 new)

4 Sec. 5-45. Reimbursement rates; substance use disorder  
5 treatment providers and facilities. Beginning on July 1, 2022,  
6 the Department of Human Services' Division of Substance Use  
7 Prevention and Recovery in conjunction with the Department of  
8 Healthcare and Family Services, shall provide for an increase  
9 in reimbursement rates by way of an increase to existing rates  
10 of 47% for all community-based substance use disorder  
11 treatment services, including, but not limited to, all of the  
12 following:

- 13 (1) Admission and Discharge Assessment.  
14 (2) Level 1 (Individual).  
15 (3) Level 1 (Group).  
16 (4) Level 2 (Individual).  
17 (5) Level 2 (Group).  
18 (6) Psychiatric/Diagnostic.  
19 (7) Medication Monitoring (Individual).  
20 (8) Methadone as an Adjunct to Treatment.

21 No existing or future reimbursement rates or add-ons shall  
22 be reduced or changed to address the rate increase proposed  
23 under this Section. The Department of Healthcare and Family  
24 Services shall immediately, no later than 3 months following  
25 the effective date of this amendatory Act of the 102nd General

1 Assembly, submit any necessary application to the federal  
2 Centers for Medicare and Medicaid Services for a waiver or  
3 State Plan amendment to implement the requirements of this  
4 Section. Beginning in State Fiscal year 2023, and every State  
5 fiscal year thereafter, reimbursement rates for those  
6 community-based substance use disorder treatment services  
7 shall be adjusted upward by an amount equal to the Consumer  
8 Price Index-U from the previous year, not to exceed 2% in any  
9 State fiscal year. If there is a decrease in the Consumer Price  
10 Index-U, rates shall remain unchanged for that State fiscal  
11 year. The Department of Human Services shall adopt rules,  
12 including emergency rules under Section 5-45.1 of the Illinois  
13 Administrative Procedure Act, to implement the provisions of  
14 this Section.

15 As used in this Section, "consumer price index-u" means  
16 the index published by the Bureau of Labor Statistics of the  
17 United States Department of Labor that measures the average  
18 change in prices of goods and services purchased by all urban  
19 consumers, United States city average, all items, 1982-84 =  
20 100.

21 ARTICLE 30.

22 Section 30-5. The Sexual Assault Survivors Emergency  
23 Treatment Act is amended by changing Sections 7 and 7-1 as  
24 follows:

1 (410 ILCS 70/7) (from Ch. 111 1/2, par. 87-7)

2 Sec. 7. Reimbursement.

3 (a) A hospital, approved pediatric health care facility,  
4 or health care professional furnishing medical forensic  
5 services, an ambulance provider furnishing transportation to a  
6 sexual assault survivor, a hospital, health care professional,  
7 or laboratory providing follow-up healthcare, or a pharmacy  
8 dispensing prescribed medications to any sexual assault  
9 survivor shall furnish such services or medications to that  
10 person without charge and shall seek payment as follows:

11 (1) If a sexual assault survivor is eligible to  
12 receive benefits under the medical assistance program  
13 under Article V of the Illinois Public Aid Code, the  
14 ambulance provider, hospital, approved pediatric health  
15 care facility, health care professional, laboratory, or  
16 pharmacy must submit the bill to the Department of  
17 Healthcare and Family Services or the appropriate Medicaid  
18 managed care organization and accept the amount paid as  
19 full payment.

20 (2) If a sexual assault survivor is covered by one or  
21 more policies of health insurance or is a beneficiary  
22 under a public or private health coverage program, the  
23 ambulance provider, hospital, approved pediatric health  
24 care facility, health care professional, laboratory, or  
25 pharmacy shall bill the insurance company or program. With

1 respect to such insured patients, applicable deductible,  
2 co-pay, co-insurance, denial of claim, or any other  
3 out-of-pocket insurance-related expense may be submitted  
4 to the Illinois Sexual Assault Emergency Treatment Program  
5 of the Department of Healthcare and Family Services in  
6 accordance with 89 Ill. Adm. Code 148.510 for payment at  
7 the Department of Healthcare and Family Services'  
8 allowable rates under the Illinois Public Aid Code. The  
9 ambulance provider, hospital, approved pediatric health  
10 care facility, health care professional, laboratory, or  
11 pharmacy shall accept the amounts paid by the insurance  
12 company or health coverage program and the Illinois Sexual  
13 Assault Treatment Program as full payment.

14 (3) If a sexual assault survivor is neither eligible  
15 to receive benefits under the medical assistance program  
16 under Article V of the Illinois Public Aid Code nor  
17 covered by a policy of insurance or a public or private  
18 health coverage program, the ambulance provider, hospital,  
19 approved pediatric health care facility, health care  
20 professional, laboratory, or pharmacy shall submit the  
21 request for reimbursement to the Illinois Sexual Assault  
22 Emergency Treatment Program under the Department of  
23 Healthcare and Family Services in accordance with 89 Ill.  
24 Adm. Code 148.510 at the Department of Healthcare and  
25 Family Services' allowable rates under the Illinois Public  
26 Aid Code.

1           (4) If a sexual assault survivor presents a sexual  
2 assault services voucher for follow-up healthcare, the  
3 healthcare professional, pediatric health care facility,  
4 or laboratory that provides follow-up healthcare or the  
5 pharmacy that dispenses prescribed medications to a sexual  
6 assault survivor shall submit the request for  
7 reimbursement for follow-up healthcare, pediatric health  
8 care facility, laboratory, or pharmacy services to the  
9 Illinois Sexual Assault Emergency Treatment Program under  
10 the Department of Healthcare and Family Services in  
11 accordance with 89 Ill. Adm. Code 148.510 at the  
12 Department of Healthcare and Family Services' allowable  
13 rates under the Illinois Public Aid Code. Nothing in this  
14 subsection (a) precludes hospitals or approved pediatric  
15 health care facilities from providing follow-up healthcare  
16 and receiving reimbursement under this Section.

17           (b) Nothing in this Section precludes a hospital, health  
18 care provider, ambulance provider, laboratory, or pharmacy  
19 from billing the sexual assault survivor or any applicable  
20 health insurance or coverage for inpatient services.

21           (b-5) Medical forensic services furnished by a person or  
22 entity described under subsection (a) to any sexual assault  
23 survivor on or after July 1, 2022 that are required under this  
24 Act to be reimbursed by the Department of Healthcare and  
25 Family Services, the Illinois Sexual Assault Emergency  
26 Treatment Program under the Department of Healthcare and

1 Family Services, or the appropriate Medicaid managed care  
2 organization shall be reimbursed at a rate of at least \$1,000.

3 (c) (Blank).

4 (d) (Blank). ~~On and after July 1, 2012, the Department~~  
5 ~~shall reduce any rate of reimbursement for services or other~~  
6 ~~payments or alter any methodologies authorized by this Act or~~  
7 ~~the Illinois Public Aid Code to reduce any rate of~~  
8 ~~reimbursement for services or other payments in accordance~~  
9 ~~with Section 5-5e of the Illinois Public Aid Code.~~

10 (e) The Department of Healthcare and Family Services shall  
11 establish standards, rules, and regulations to implement this  
12 Section.

13 (f) This Section is effective on and after January 1,  
14 2024.

15 (Source: P.A. 101-634, eff. 6-5-20; 102-22, eff. 6-25-21;  
16 102-674, eff. 11-30-21.)

17 (410 ILCS 70/7-1)

18 (Section scheduled to be repealed on December 31, 2023)

19 Sec. 7-1. Reimbursement

20 (a) A hospital, approved pediatric health care facility,  
21 approved federally qualified health center, or health care  
22 professional furnishing medical forensic services, an  
23 ambulance provider furnishing transportation to a sexual  
24 assault survivor, a hospital, health care professional, or  
25 laboratory providing follow-up healthcare, or a pharmacy

1 dispensing prescribed medications to any sexual assault  
2 survivor shall furnish such services or medications to that  
3 person without charge and shall seek payment as follows:

4 (1) If a sexual assault survivor is eligible to  
5 receive benefits under the medical assistance program  
6 under Article V of the Illinois Public Aid Code, the  
7 ambulance provider, hospital, approved pediatric health  
8 care facility, approved federally qualified health center,  
9 health care professional, laboratory, or pharmacy must  
10 submit the bill to the Department of Healthcare and Family  
11 Services or the appropriate Medicaid managed care  
12 organization and accept the amount paid as full payment.

13 (2) If a sexual assault survivor is covered by one or  
14 more policies of health insurance or is a beneficiary  
15 under a public or private health coverage program, the  
16 ambulance provider, hospital, approved pediatric health  
17 care facility, approved federally qualified health center,  
18 health care professional, laboratory, or pharmacy shall  
19 bill the insurance company or program. With respect to  
20 such insured patients, applicable deductible, co-pay,  
21 co-insurance, denial of claim, or any other out-of-pocket  
22 insurance-related expense may be submitted to the Illinois  
23 Sexual Assault Emergency Treatment Program of the  
24 Department of Healthcare and Family Services in accordance  
25 with 89 Ill. Adm. Code 148.510 for payment at the  
26 Department of Healthcare and Family Services' allowable

1 rates under the Illinois Public Aid Code. The ambulance  
2 provider, hospital, approved pediatric health care  
3 facility, approved federally qualified health center,  
4 health care professional, laboratory, or pharmacy shall  
5 accept the amounts paid by the insurance company or health  
6 coverage program and the Illinois Sexual Assault Treatment  
7 Program as full payment.

8 (3) If a sexual assault survivor is neither eligible  
9 to receive benefits under the medical assistance program  
10 under Article V of the Illinois Public Aid Code nor  
11 covered by a policy of insurance or a public or private  
12 health coverage program, the ambulance provider, hospital,  
13 approved pediatric health care facility, approved  
14 federally qualified health center, health care  
15 professional, laboratory, or pharmacy shall submit the  
16 request for reimbursement to the Illinois Sexual Assault  
17 Emergency Treatment Program under the Department of  
18 Healthcare and Family Services in accordance with 89 Ill.  
19 Adm. Code 148.510 at the Department of Healthcare and  
20 Family Services' allowable rates under the Illinois Public  
21 Aid Code.

22 (4) If a sexual assault survivor presents a sexual  
23 assault services voucher for follow-up healthcare, the  
24 healthcare professional, pediatric health care facility,  
25 federally qualified health center, or laboratory that  
26 provides follow-up healthcare or the pharmacy that

1 dispenses prescribed medications to a sexual assault  
2 survivor shall submit the request for reimbursement for  
3 follow-up healthcare, pediatric health care facility,  
4 laboratory, or pharmacy services to the Illinois Sexual  
5 Assault Emergency Treatment Program under the Department  
6 of Healthcare and Family Services in accordance with 89  
7 Ill. Adm. Code 148.510 at the Department of Healthcare and  
8 Family Services' allowable rates under the Illinois Public  
9 Aid Code. Nothing in this subsection (a) precludes  
10 hospitals, or approved pediatric health care facilities or  
11 approved federally qualified health centers from providing  
12 follow-up healthcare and receiving reimbursement under  
13 this Section.

14 (b) Nothing in this Section precludes a hospital, health  
15 care provider, ambulance provider, laboratory, or pharmacy  
16 from billing the sexual assault survivor or any applicable  
17 health insurance or coverage for inpatient services.

18 (b-5) Medical forensic services furnished by a person or  
19 entity described under subsection (a) to any sexual assault  
20 survivor on or after July 1, 2022 that are required under this  
21 Act to be reimbursed by the Department of Healthcare and  
22 Family Services, the Illinois Sexual Assault Emergency  
23 Treatment Program under the Department of Healthcare and  
24 Family Services, or the appropriate Medicaid managed care  
25 organization shall be reimbursed at a rate of at least \$1,000.

26 (c) (Blank).



1 or laboratory providing follow-up healthcare, or a pharmacy  
2 dispensing prescribed medications to any sexual assault  
3 survivor shall furnish such services or medications to that  
4 person without charge and shall seek payment as follows:

5 (1) If a sexual assault survivor is eligible to  
6 receive benefits under the medical assistance program  
7 under Article V of the Illinois Public Aid Code, the  
8 ambulance provider, hospital, approved pediatric health  
9 care facility, health care professional, laboratory, or  
10 pharmacy must submit the bill to the Department of  
11 Healthcare and Family Services or the appropriate Medicaid  
12 managed care organization and accept the amount paid as  
13 full payment.

14 (2) If a sexual assault survivor is covered by one or  
15 more policies of health insurance or is a beneficiary  
16 under a public or private health coverage program, the  
17 ambulance provider, hospital, approved pediatric health  
18 care facility, health care professional, laboratory, or  
19 pharmacy shall bill the insurance company or program. With  
20 respect to such insured patients, applicable deductible,  
21 co-pay, co-insurance, denial of claim, or any other  
22 out-of-pocket insurance-related expense may be submitted  
23 to the Illinois Sexual Assault Emergency Treatment Program  
24 of the Department of Healthcare and Family Services in  
25 accordance with 89 Ill. Adm. Code 148.510 for payment at  
26 the Department of Healthcare and Family Services'

1 allowable rates under the Illinois Public Aid Code. The  
2 ambulance provider, hospital, approved pediatric health  
3 care facility, health care professional, laboratory, or  
4 pharmacy shall accept the amounts paid by the insurance  
5 company or health coverage program and the Illinois Sexual  
6 Assault Treatment Program as full payment.

7 (3) If a sexual assault survivor (i) is neither  
8 eligible to receive benefits under the medical assistance  
9 program under Article V of the Illinois Public Aid Code  
10 nor covered by a policy of insurance or a public or private  
11 health coverage program or (ii) opts out of billing a  
12 private insurance provider, as permitted under subsection  
13 (a-5) of Section 7.5, the ambulance provider, hospital,  
14 approved pediatric health care facility, health care  
15 professional, laboratory, or pharmacy shall submit the  
16 request for reimbursement to the Illinois Sexual Assault  
17 Emergency Treatment Program under the Department of  
18 Healthcare and Family Services in accordance with 89 Ill.  
19 Adm. Code 148.510 at the Department of Healthcare and  
20 Family Services' allowable rates under the Illinois Public  
21 Aid Code.

22 (4) If a sexual assault survivor presents a sexual  
23 assault services voucher for follow-up healthcare, the  
24 healthcare professional, pediatric health care facility,  
25 or laboratory that provides follow-up healthcare or the  
26 pharmacy that dispenses prescribed medications to a sexual

1 assault survivor shall submit the request for  
2 reimbursement for follow-up healthcare, pediatric health  
3 care facility, laboratory, or pharmacy services to the  
4 Illinois Sexual Assault Emergency Treatment Program under  
5 the Department of Healthcare and Family Services in  
6 accordance with 89 Ill. Adm. Code 148.510 at the  
7 Department of Healthcare and Family Services' allowable  
8 rates under the Illinois Public Aid Code. Nothing in this  
9 subsection (a) precludes hospitals or approved pediatric  
10 health care facilities from providing follow-up healthcare  
11 and receiving reimbursement under this Section.

12 (b) Nothing in this Section precludes a hospital, health  
13 care provider, ambulance provider, laboratory, or pharmacy  
14 from billing the sexual assault survivor or any applicable  
15 health insurance or coverage for inpatient services.

16 (c) (Blank).

17 (d) On and after July 1, 2012, the Department shall reduce  
18 any rate of reimbursement for services or other payments or  
19 alter any methodologies authorized by this Act or the Illinois  
20 Public Aid Code to reduce any rate of reimbursement for  
21 services or other payments in accordance with Section 5-5e of  
22 the Illinois Public Aid Code.

23 (e) The Department of Healthcare and Family Services shall  
24 establish standards, rules, and regulations to implement this  
25 Section.

26 (f) This Section is effective on and after January 1,

1 2024.

2 (Source: P.A. 101-634, eff. 6-5-20; 102-22, eff. 6-25-21;  
3 102-674, eff. 11-30-21.)

4 (410 ILCS 70/7-1)

5 (Section scheduled to be repealed on December 31, 2023)

6 Sec. 7-1. Reimbursement

7 (a) A hospital, approved pediatric health care facility,  
8 approved federally qualified health center, or health care  
9 professional furnishing medical forensic services, an  
10 ambulance provider furnishing transportation to a sexual  
11 assault survivor, a hospital, health care professional, or  
12 laboratory providing follow-up healthcare, or a pharmacy  
13 dispensing prescribed medications to any sexual assault  
14 survivor shall furnish such services or medications to that  
15 person without charge and shall seek payment as follows:

16 (1) If a sexual assault survivor is eligible to  
17 receive benefits under the medical assistance program  
18 under Article V of the Illinois Public Aid Code, the  
19 ambulance provider, hospital, approved pediatric health  
20 care facility, approved federally qualified health center,  
21 health care professional, laboratory, or pharmacy must  
22 submit the bill to the Department of Healthcare and Family  
23 Services or the appropriate Medicaid managed care  
24 organization and accept the amount paid as full payment.

25 (2) If a sexual assault survivor is covered by one or

1 more policies of health insurance or is a beneficiary  
2 under a public or private health coverage program, the  
3 ambulance provider, hospital, approved pediatric health  
4 care facility, approved federally qualified health center,  
5 health care professional, laboratory, or pharmacy shall  
6 bill the insurance company or program. With respect to  
7 such insured patients, applicable deductible, co-pay,  
8 co-insurance, denial of claim, or any other out-of-pocket  
9 insurance-related expense may be submitted to the Illinois  
10 Sexual Assault Emergency Treatment Program of the  
11 Department of Healthcare and Family Services in accordance  
12 with 89 Ill. Adm. Code 148.510 for payment at the  
13 Department of Healthcare and Family Services' allowable  
14 rates under the Illinois Public Aid Code. The ambulance  
15 provider, hospital, approved pediatric health care  
16 facility, approved federally qualified health center,  
17 health care professional, laboratory, or pharmacy shall  
18 accept the amounts paid by the insurance company or health  
19 coverage program and the Illinois Sexual Assault Treatment  
20 Program as full payment.

21 (3) If a sexual assault survivor (i) is neither  
22 eligible to receive benefits under the medical assistance  
23 program under Article V of the Illinois Public Aid Code  
24 nor covered by a policy of insurance or a public or private  
25 health coverage program or (ii) opts out of billing a  
26 private insurance provider, as permitted under subsection

1       (a-5) of Section 7.5, the ambulance provider, hospital,  
2       approved pediatric health care facility, approved  
3       federally qualified health center, health care  
4       professional, laboratory, or pharmacy shall submit the  
5       request for reimbursement to the Illinois Sexual Assault  
6       Emergency Treatment Program under the Department of  
7       Healthcare and Family Services in accordance with 89 Ill.  
8       Adm. Code 148.510 at the Department of Healthcare and  
9       Family Services' allowable rates under the Illinois Public  
10      Aid Code.

11       (4) If a sexual assault survivor presents a sexual  
12      assault services voucher for follow-up healthcare, the  
13      healthcare professional, pediatric health care facility,  
14      federally qualified health center, or laboratory that  
15      provides follow-up healthcare or the pharmacy that  
16      dispenses prescribed medications to a sexual assault  
17      survivor shall submit the request for reimbursement for  
18      follow-up healthcare, pediatric health care facility,  
19      laboratory, or pharmacy services to the Illinois Sexual  
20      Assault Emergency Treatment Program under the Department  
21      of Healthcare and Family Services in accordance with 89  
22      Ill. Adm. Code 148.510 at the Department of Healthcare and  
23      Family Services' allowable rates under the Illinois Public  
24      Aid Code. Nothing in this subsection (a) precludes  
25      hospitals, or approved pediatric health care facilities or  
26      approved federally qualified health centers from providing

1 follow-up healthcare and receiving reimbursement under  
2 this Section.

3 (b) Nothing in this Section precludes a hospital, health  
4 care provider, ambulance provider, laboratory, or pharmacy  
5 from billing the sexual assault survivor or any applicable  
6 health insurance or coverage for inpatient services.

7 (c) (Blank).

8 (d) On and after July 1, 2012, the Department shall reduce  
9 any rate of reimbursement for services or other payments or  
10 alter any methodologies authorized by this Act or the Illinois  
11 Public Aid Code to reduce any rate of reimbursement for  
12 services or other payments in accordance with Section 5-5e of  
13 the Illinois Public Aid Code.

14 (e) The Department of Healthcare and Family Services shall  
15 establish standards, rules, and regulations to implement this  
16 Section.

17 (f) This Section is repealed on December 31, 2023.

18 (Source: P.A. 101-634, eff. 6-5-20; 102-22, eff. 6-25-21;  
19 102-674, eff. 11-30-21.)

20 ARTICLE 40.

21 Section 40-1. Short title. This Article may be cited as  
22 the Illinois Creative Recovery Grant Program Act. References  
23 in this Article to "this Act" mean this Article.

1           Section 40-5. Grant program. The Department may receive  
2 State funds and, directly or indirectly, federal funds under  
3 the authority of legislation passed in response to the  
4 Coronavirus epidemic including, but not limited to, the  
5 American Rescue Plan Act of 2021, P.L. 117-2 (the "ARPA Act");  
6 such funds shall be used in accordance with the ARPA Act  
7 legislation and published guidance. Upon receipt or  
8 availability of such State or federal funds, and subject to  
9 appropriations for their use, the Department shall administer  
10 a program to provide financial assistance to qualifying  
11 businesses that have experienced interruption of business,  
12 incurred debt, or experienced other adverse conditions as a  
13 result of the COVID-19 public health emergency. Support may be  
14 provided directly by the Department to businesses and  
15 organizations or in cooperation with a qualified partner.  
16 Financial assistance may include, but is not limited to,  
17 grants, expense reimbursements, or subsidies.

18           From appropriations for the program, the Department shall  
19 provide financial assistance through grants, expense  
20 reimbursements, or subsidies to qualifying businesses or a  
21 qualified partner to cover expenses, debt, or losses incurred  
22 due to the COVID-19 public health emergency. The program shall  
23 reimburse costs, debt, or losses incurred by qualifying  
24 businesses due to business interruption or other adverse  
25 conditions caused by closures, loss of revenues, or efforts to  
26 contain the pandemic.

1           The Department may establish by rule administrative  
2 procedures for the grant program, including any application  
3 procedures, grant agreements, certifications, payment  
4 methodologies, and other accountability measures that may be  
5 imposed upon participants in the program. The emergency  
6 rulemaking process may be used to promulgate the initial rules  
7 of the grant program.

8           Section 40-10. Definitions. As used in this Act:

9           "COVID-19" means the novel coronavirus disease deemed  
10 COVID-19 by the World Health Organization on February 11,  
11 2020.

12           "Department" means the Department of Commerce and Economic  
13 Opportunity.

14           "Qualifying Business" means a business or organization,  
15 either for-profit or non-profit, that is experiencing or has  
16 experienced business interruption due to the COVID-19 public  
17 health emergency and that is:

- 18           (1) an independent live venue operator;
- 19           (2) a performing or presenting arts organization;
- 20           (3) an arts education organization;
- 21           (4) a museum; or
- 22           (5) a cultural heritage organization.

23           "Independent live venue operator" means a business or  
24 organization that is not a publicly traded corporation listed  
25 on a stock exchange and that is a destination for live

1 entertainment consumers and that has its artistic programming  
2 as a main driver of its attendance, as indicated by meeting the  
3 following criteria:

4 (1) the venue clearly enables performers to receive  
5 payment for work by percentage of sales (bar or door  
6 cover); a guarantee (in writing or standard contract); or  
7 another mutually beneficial formal agreement; and

8 (2) The venue has at least 4 of the following  
9 characteristics:

10 (A) Defined performance and audience space.

11 (B) Mixing equipment or a public address system.

12 (C) Back line.

13 (D) Engages one or more individuals to carry out  
14 at least 2 of the following roles:

15 (i) Sound engineer.

16 (ii) Booker.

17 (iii) Promoter.

18 (iv) Stage manager.

19 (v) Security personnel.

20 (vi) Box office manager.

21 (E) There is a paid ticket or cover charge to  
22 attend some performances through ticketing or door  
23 entrance fee.

24 (F) Performances are marketed through listings in  
25 printed or electronic publications, on websites,  
26 visible calendar of events, or on social media.

1 "Performing or presenting arts organization" means a  
2 business or organization that has as its primary mission or  
3 integral to its primary mission the performance or  
4 presentation of the arts to the public, including the artistic  
5 disciplines of dance, film, literary arts, media arts, music,  
6 theater, and visual arts.

7 "Arts education organization" means a business or  
8 organization that has as its primary mission or integral to  
9 its primary mission the provision of arts learning, or has a  
10 dedicated portion of its business focused on providing arts  
11 education.

12 "Museum" means a business or organization that is an  
13 institution in service to the public, dedicated to the  
14 procurement, care, study, and display of objects, archival  
15 materials, ephemera, or live specimens, of lasting interest or  
16 value.

17 "Cultural heritage organization" means a business or  
18 organization that is a community cultural and arts center; an  
19 ethnic and cultural awareness organization; or a festival  
20 focused on promoting and preserving ethnic, cultural, racial,  
21 regional, linguistic, or religious traditions.

22 "Qualified partner" means a financial institution or  
23 nonprofit organization with which the Department has entered  
24 into an agreement or contract to provide or incentivize  
25 assistance to qualifying businesses.

1 Section 40-15. Powers of the Department. The Department  
2 has the power to:

3 (1) provide grants, subsidies and expense  
4 reimbursements to qualified businesses or, on behalf of  
5 qualified businesses, to qualified partners from  
6 appropriations to cover qualified businesses eligible  
7 costs, debt, or losses incurred due to the COVID-19 public  
8 health emergency, including losses caused by business  
9 interruption, closure, or other adverse effects of  
10 COVID-19;

11 (2) enter into agreements, accept funds, issue grants,  
12 and engage in cooperation with agencies of the federal  
13 government, units of local government, financial  
14 institutions, and nonprofit organizations to carry out the  
15 purposes of the program, and to use funds appropriated for  
16 the program;

17 (3) prepare forms for application, notification,  
18 contract, and other matters, and establish procedures,  
19 rules, or regulations deemed necessary and appropriate to  
20 carry out the provisions of this Act;

21 (4) provide staff, administration, and related support  
22 required to manage the program and pay for the staffing,  
23 administration, and related support; and

24 (5) using consistent, data-informed criteria,  
25 determine which qualifying businesses are suffering the  
26 greatest negative economic impact due to the COVID-19

1 pandemic, which qualifying businesses are facing the  
2 greatest risk of imminent closure due to the COVID-19  
3 pandemic, and which qualifying businesses have the least  
4 access to business interruption grant programs and similar  
5 relief programs.

6 Section 40-20. The Illinois Administrative Procedure Act  
7 is amended by adding Section 5-45.27 as follows:

8 (5 ILCS 100/5-45.27 new)

9 Sec. 5-45.27. Emergency rulemaking. To provide for the  
10 expeditious and timely implementation of the Illinois Creative  
11 Recovery Grant Program Act, emergency rules implementing the  
12 Illinois Creative Recovery Grant Program Act may be adopted in  
13 accordance with Section 5-45 by the Department of Commerce and  
14 Economic Opportunity. The adoption of emergency rules  
15 authorized by Section 5-45 and this Section is deemed to be  
16 necessary for the public interest, safety, and welfare.

17 This Section is repealed one year after the effective date  
18 of this amendatory Act of the 102nd General Assembly.

19 ARTICLE 99.

20 Section 99-99. Effective date. This Act takes effect upon  
21 becoming law, except that Article 15 takes effect on July 1,  
22 2022, and Article 35 takes effect upon becoming law or on the  
23 date Senate Bill 3023 of the 102nd General Assembly takes

1 effect, whichever is later.