

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 Section 5. The Department of Commerce and Economic
5 Opportunity Law of the Civil Administrative Code of Illinois
6 is amended by changing Sections 605-300, 605-615, and 605-680
7 as follows:

8 (20 ILCS 605/605-300) (was 20 ILCS 605/46.2)

9 Sec. 605-300. Economic and business development plans;
10 Illinois Business Development Council. ~~(a)~~ Economic
11 development plans. The Department shall develop a strategic
12 economic development plan for the State by July 1, 2014. By no
13 later than July 1, 2015, and by July 1 annually thereafter, the
14 Department shall make modifications to the plan as
15 modifications are warranted by changes in economic conditions
16 or by other factors, including changes in policy. In addition
17 to the annual modification, the plan shall be reviewed and
18 redeveloped in full every 5 years. In the development of the
19 annual economic development plan, the Department shall consult
20 with representatives of the private sector, other State
21 agencies, academic institutions, local economic development
22 organizations, local governments, and not-for-profit
23 organizations. The annual economic development plan shall set

1 specific, measurable, attainable, relevant, and time-sensitive
2 goals and shall include a focus on areas of high unemployment
3 or poverty.

4 The term "economic development" shall be construed broadly
5 by the Department and may include, but is not limited to, job
6 creation, job retention, tax base enhancements, development of
7 human capital, workforce productivity, critical
8 infrastructure, regional competitiveness, social inclusion,
9 standard of living, environmental sustainability, energy
10 independence, quality of life, the effective use of financial
11 incentives, the utilization of public private partnerships
12 where appropriate, and other metrics determined by the
13 Department.

14 The plan shall be based on relevant economic data, focus
15 on economic development as prescribed by this Section, and
16 emphasize strategies to retain and create jobs.

17 The plan shall identify and develop specific strategies
18 for utilizing the assets of regions within the State defined
19 as counties and municipalities or other political subdivisions
20 in close geographical proximity that share common economic
21 traits such as commuting zones, labor market areas, or other
22 economically integrated characteristics.

23 If the plan includes strategies that have a fiscal impact
24 on the Department or any other agency, the plan shall include a
25 detailed description of the estimated fiscal impact of such
26 strategies.

1 Prior to publishing the plan in its final form, the
2 Department shall allow for a reasonable time for public input.

3 The Department shall transmit copies of the economic
4 development plan to the Governor and the General Assembly no
5 later than July 1, 2014, and by July 1 annually thereafter. The
6 plan and its corresponding modifications shall be published
7 and made available to the public in both paper and electronic
8 media, on the Department's website, and by any other method
9 that the Department deems appropriate.

10 The Department shall annually submit legislation to
11 implement the strategic economic development plan or
12 modifications to the strategic economic development plan to
13 the Governor, the President and Minority Leader of the Senate,
14 and the Speaker and the Minority Leader of the House of
15 Representatives. The legislation shall be in the form of one
16 or more substantive bills drafted by the Legislative Reference
17 Bureau.

18 ~~(b) Business development plans; Illinois Business~~
19 ~~Development Council.~~

20 ~~(1) There is created the Illinois Business Development~~
21 ~~Council, hereinafter referred to as the Council. The~~
22 ~~Council shall consist of the Director, who shall serve as~~
23 ~~co-chairperson, and 12 voting members who shall be~~
24 ~~appointed by the Governor with the advice and consent of~~
25 ~~the Senate.~~

26 ~~(A) The voting members of the Council shall~~

1 ~~include one representative from each of the following~~
2 ~~businesses and groups: small business, coal,~~
3 ~~healthcare, large manufacturing, small or specialized~~
4 ~~manufacturing, agriculture, high technology or applied~~
5 ~~science, local economic development entities, private~~
6 ~~sector organized labor, a local or state business~~
7 ~~association or chamber of commerce.~~

8 ~~(B) There shall be 2 at large voting members who~~
9 ~~reside within areas of high unemployment within~~
10 ~~counties or municipalities that have had an annual~~
11 ~~average unemployment rate of at least 120% of the~~
12 ~~State's annual average unemployment rate as reported~~
13 ~~by the Department of Employment Security for the 5~~
14 ~~years preceding the date of appointment.~~

15 ~~(2) All appointments shall be made in a geographically~~
16 ~~diverse manner.~~

17 ~~(3) For the initial appointments to the Council, 6~~
18 ~~voting members shall be appointed to serve a 2 year term~~
19 ~~and 6 voting members shall be appointed to serve a 4 year~~
20 ~~term. Thereafter, all appointments shall be for terms of 4~~
21 ~~years. The initial term of voting members shall commence~~
22 ~~on the first Wednesday in February 2014. Thereafter, the~~
23 ~~terms of voting members shall commence on the first~~
24 ~~Wednesday in February, except in the case of an~~
25 ~~appointment to fill a vacancy. Vacancies occurring among~~
26 ~~the members shall be filled in the same manner as the~~

1 ~~original appointment for the remainder of the unexpired~~
2 ~~term. For a vacancy occurring when the Senate is not in~~
3 ~~session, the Governor may make a temporary appointment~~
4 ~~until the next meeting of the Senate when a person shall be~~
5 ~~nominated to fill the office, and, upon confirmation by~~
6 ~~the Senate, he or she shall hold office during the~~
7 ~~remainder of the term. A vacancy in membership does not~~
8 ~~impair the ability of a quorum to exercise all rights and~~
9 ~~perform all duties of the Council. A member is eligible~~
10 ~~for reappointment.~~

11 ~~(4) Members shall serve without compensation, but may~~
12 ~~be reimbursed for necessary expenses incurred in the~~
13 ~~performance of their duties from funds appropriated for~~
14 ~~that purpose.~~

15 ~~(5) In addition, the following shall serve as ex~~
16 ~~officio, non voting members of the Council in order to~~
17 ~~provide specialized advice and support to the Council: the~~
18 ~~Secretary of Transportation, or his or her designee; the~~
19 ~~Director of Employment Security, or his or her designee;~~
20 ~~the Executive Director of the Illinois Finance Authority,~~
21 ~~or his or her designee; the Director of Agriculture, or~~
22 ~~his or her designee; the Director of Revenue, or his or her~~
23 ~~designee; the Director of Labor, or his or her designee;~~
24 ~~and the Director of the Environmental Protection Agency,~~
25 ~~or his or her designee. Ex officio members shall provide~~
26 ~~staff and technical assistance to the Council when~~

1 ~~appropriate.~~

2 ~~(6) In addition to the Director, the voting members~~
3 ~~shall elect a co-chairperson.~~

4 ~~(7) The Council shall meet at least twice annually and~~
5 ~~at such other times as the co-chairpersons or any 5 voting~~
6 ~~members consider necessary. Seven voting members shall~~
7 ~~constitute a quorum of the Council.~~

8 ~~(8) The Department shall provide staff assistance to~~
9 ~~the Council.~~

10 ~~(9) The Council shall provide the Department relevant~~
11 ~~information in a timely manner pursuant to its duties as~~
12 ~~enumerated in this Section that can be used by the~~
13 ~~Department to enhance the State's strategic economic~~
14 ~~development plan.~~

15 ~~(10) The Council shall:~~

16 ~~(A) Develop an overall strategic business~~
17 ~~development plan for the State of Illinois and update~~
18 ~~the plan at least annually; that plan shall include,~~
19 ~~without limitation, (i) an assessment of the economic~~
20 ~~development practices of states that border Illinois~~
21 ~~and (ii) recommendations for best practices with~~
22 ~~respect to economic development, business incentives,~~
23 ~~business attraction, and business retention for~~
24 ~~counties in Illinois that border at least one other~~
25 ~~state.~~

26 ~~(B) Develop business marketing plans for the State~~

1 ~~of Illinois to effectively solicit new company~~
2 ~~investment and existing business expansion. Insofar as~~
3 ~~allowed under the Illinois Procurement Code, and~~
4 ~~subject to appropriations made by the General Assembly~~
5 ~~for such purposes, the Council may assist the~~
6 ~~Department in the procurement of outside vendors to~~
7 ~~carry out such marketing plans.~~

8 ~~(C) Seek input from local economic development~~
9 ~~officials to develop specific strategies to~~
10 ~~effectively link State and local business development~~
11 ~~and marketing efforts focusing on areas of high~~
12 ~~unemployment or poverty.~~

13 ~~(D) Provide the Department with advice on~~
14 ~~strategic business development and business marketing~~
15 ~~for the State of Illinois.~~

16 ~~(E) Provide the Department research and recommend~~
17 ~~best practices for developing investment tools for~~
18 ~~business attraction and retention.~~

19 (Source: P.A. 98-397, eff. 8-16-13; 98-756, eff. 7-16-14;
20 98-888, eff. 8-15-14.)

21 (20 ILCS 605/605-615) (was 20 ILCS 605/46.19e)

22 Sec. 605-615. Assistance with exports. The Department
23 shall have the following duties and responsibilities in regard
24 to the Civil Administrative Code of Illinois:

25 (1) To establish or cosponsor mentoring conferences,

1 utilizing experienced manufacturing exporters, to explain and
2 provide information to prospective export manufacturers and
3 businesses concerning the process of exporting to both
4 domestic and international opportunities.

5 (2) To provide technical assistance to prospective export
6 manufacturers and businesses seeking to establish domestic and
7 international export opportunities.

8 (3) To coordinate with the Department's Small Business
9 Development Centers to link buyers with prospective export
10 manufacturers and businesses.

11 (4) To promote, both domestically and abroad, products
12 made in Illinois in order to inform consumers and buyers of
13 their high quality standards and craftsmanship.

14 (5) To provide technical assistance toward establishment
15 of export trade corporations in the private sector.

16 (6) To develop an electronic data base to compile
17 information on international trade and investment activities
18 in Illinois companies, ~~provide access to research and business~~
19 ~~opportunities through external data bases, and connect this~~
20 ~~data base through international communication systems with~~
21 ~~appropriate domestic and worldwide networks users.~~

22 (7) To collect and distribute to foreign commercial
23 libraries directories, catalogs, brochures, and other
24 information of value to foreign businesses considering doing
25 business in this State.

26 (8) To establish an export finance awareness program to

1 provide information to banking organizations about methods
2 used by banks to provide financing for businesses engaged in
3 exporting and about other State and federal programs to
4 promote and expedite export financing.

5 (9) To undertake a survey of Illinois' businesses to
6 identify exportable products and the businesses interested in
7 exporting.

8 (Source: P.A. 91-239, eff. 1-1-00; 91-357, eff. 7-29-99;
9 92-16, eff. 6-28-01.)

10 (20 ILCS 605/605-680)

11 Sec. 605-680. Illinois goods and services website.

12 (a) The Department, in consultation with the Department of
13 Innovation and Technology, must establish and maintain an
14 Internet website devoted to the marketing of Illinois goods
15 and services by linking potential purchasers with producers of
16 goods and services who are located in the State.

17 (b) The Department must, subject to appropriation,
18 advertise the website to encourage inclusion of producers on
19 the website and to encourage the use of the website by
20 potential purchasers.

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

22 (20 ILCS 605/605-550 rep.)

23 (20 ILCS 605/605-1040 rep.)

24 Section 10. The Department of Commerce and Economic

1 Opportunity Law of the Civil Administrative Code of Illinois
2 is amended by repealing Sections 605-550 and 605-1040.

3 Section 15. The Illinois Main Street Act is amended by
4 changing Sections 15, 20, 25, and 30 as follows:

5 (20 ILCS 720/15)

6 Sec. 15. Illinois Main Street Program. The Illinois Main
7 Street Program is created, subject to appropriation, within
8 the Department. In order to implement the Illinois Main Street
9 Program, the Department may ~~shall~~ do all of the following:

10 (1) Provide assistance to municipalities designated as
11 Main Street Communities, municipalities interested in
12 becoming designated through the program, and businesses,
13 property owners, organizations, and municipalities
14 undertaking a comprehensive downtown or neighborhood
15 commercial district revitalization initiative and
16 management strategy. Assistance may include, but is not
17 limited to, initial site evaluations and assessments,
18 training for local programs, training for local program
19 staff, site visits and assessments by technical
20 specialists, local program design assistance and
21 evaluation, and continued local program on-site
22 assistance.

23 (2) To the extent funds are made available, provide
24 financial assistance to municipalities or local

1 organizations to assist in initial downtown or
2 neighborhood commercial district revitalization program
3 specialized training, specific project feasibility
4 studies, market studies, and design assistance.

5 (3) Operate the Illinois Main Street Program in
6 accordance with the plan developed by the Department.

7 (4) Consider other factors the Department deems
8 necessary for the implementation of this Act.

9 (Source: P.A. 97-573, eff. 8-25-11.)

10 (20 ILCS 720/20)

11 Sec. 20. Main Street Community designation.

12 (a) The Department may ~~shall~~ adopt criteria for the
13 designation of a Main Street Community. In establishing the
14 criteria, the Department shall consider all of the following:

15 (1) The degree of interest and commitment to
16 comprehensive downtown or neighborhood commercial district
17 revitalization and, where applicable, historic
18 preservation by both the public and private sectors.

19 (2) The evidence of potential private sector
20 investment in the downtown or neighborhood commercial
21 district.

22 (3) Where applicable, a downtown or neighborhood
23 commercial district with sufficient historic fabric to
24 become a foundation for an enhanced community image.

25 (4) The capacity of the organization to undertake a

1 comprehensive program and the financial commitment to
2 implement a long-term downtown or neighborhood commercial
3 district revitalization program that includes a commitment
4 to employ a professional program manager.

5 (5) The National Main Street Center's criteria for
6 designating official main street municipalities.

7 (6) Other factors the Department deems necessary for
8 the designation of a local program.

9 (b) Illinois Main Street shall designate local downtown or
10 neighborhood commercial district revitalization programs and
11 official local main street programs.

12 (c) The Department must approve all local downtown or
13 neighborhood commercial district revitalization program
14 boundaries. The boundaries of a local downtown or neighborhood
15 commercial district revitalization program are typically
16 defined using the pedestrian core of a traditional commercial
17 district.

18 (Source: P.A. 97-573, eff. 8-25-11.)

19 (20 ILCS 720/25)

20 Sec. 25. Illinois Main Street Plan. The Department may
21 ~~shall~~, in consultation with the Lieutenant Governor, develop a
22 plan for the Illinois Main Street Program. The plan shall
23 describe:

24 (1) the objectives and strategies of the Illinois Main
25 Street Program;

1 (2) how the Illinois Main Street Program will be
2 coordinated with existing federal, state, local, and
3 private sector business development and historic
4 preservation efforts;

5 (3) the means by which private investment will be
6 solicited and employed;

7 (4) the methods of selecting and providing assistance
8 to participating local programs; and

9 (5) a means to solicit private contributions for State
10 and local operations of the Illinois Main Street Program.

11 (Source: P.A. 97-573, eff. 8-25-11.)

12 (20 ILCS 720/30)

13 Sec. 30. Role of the Lieutenant Governor. The Lieutenant
14 Governor shall, subject to appropriation, be the Ambassador of
15 the Illinois Main Street Program. The Department shall, subject to appropriation,
16 advise and consult with the
17 Lieutenant Governor on the activities of the Illinois Main
18 Street Program. The Lieutenant Governor, with the assistance
19 of the Department, shall, subject to appropriation, promote
20 and encourage the success of the Illinois Main Street Program.

21 (Source: P.A. 97-573, eff. 8-25-11.)

22 Section 20. The Outdoor Recreation Resources Act is
23 amended by changing Sections 2 and 2a as follows:

1 (20 ILCS 860/2) (from Ch. 105, par. 532)

2 Sec. 2. The Department of Natural Resources is authorized
3 to have prepared, ~~with the Department of Commerce and Economic~~
4 ~~Opportunity,~~ and to maintain and keep up-to-date a
5 comprehensive plan for the development of the outdoor
6 recreation resources of the State.

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

8 (20 ILCS 860/2a) (from Ch. 105, par. 532a)

9 Sec. 2a. The Department of Natural Resources is authorized
10 to have prepared ~~with the Department of Commerce and Economic~~
11 ~~Opportunity~~ and to maintain and keep up to date a
12 comprehensive plan for the preservation of the historically
13 significant properties and interests of the State.

14 (Source: P.A. 100-695, eff. 8-3-18; 101-81, eff. 7-12-19.)

15 (20 ILCS 3953/15 rep.)

16 (20 ILCS 3953/20 rep.)

17 Section 25. The Government Buildings Energy Cost Reduction
18 Act of 1991 is amended by repealing Sections 15 and 20.

19 Section 30. The Eliminate the Digital Divide Law is
20 amended by changing Section 5-30 as follows:

21 (30 ILCS 780/5-30)

22 Sec. 5-30. Community Technology Center Grant Program.

1 (a) Subject to appropriation, the Department shall
2 administer the Community Technology Center Grant Program under
3 which the Department shall make grants in accordance with this
4 Article for planning, establishment, administration, and
5 expansion of Community Technology Centers and for assisting
6 public hospitals, libraries, and park districts in eliminating
7 the digital divide. The purposes of the grants shall include,
8 but not be limited to, volunteer recruitment and management,
9 training and instruction, infrastructure, and related goods
10 and services, including case management, administration,
11 personal information management, and outcome-tracking tools
12 and software for the purposes of reporting to the Department
13 and for enabling participation in digital government and
14 consumer services programs, for Community Technology Centers
15 and public hospitals, libraries, and park districts. No
16 Community Technology Center may receive a grant of more than
17 \$75,000 under this Section in a particular fiscal year.

18 (b) Public hospitals, libraries, park districts, and State
19 educational agencies, local educational agencies, institutions
20 of higher education, senior citizen homes, and other public
21 and private nonprofit or for-profit agencies and organizations
22 are eligible to receive grants under this Program, provided
23 that a local educational agency or public or private
24 educational agency or organization must, in order to be
25 eligible to receive grants under this Program, provide
26 computer access and educational services using information

1 technology to the public at one or more of its educational
2 buildings or facilities at least 12 hours each week. A group of
3 eligible entities is also eligible to receive a grant if the
4 group follows the procedures for group applications in 34 CFR
5 75.127-129 of the Education Department General Administrative
6 Regulations.

7 To be eligible to apply for a grant, a Community
8 Technology Center must serve a community in which not less
9 than 40% of the students are eligible for a free or reduced
10 price lunch under the national school lunch program or in
11 which not less than 30% of the students are eligible for a free
12 lunch under the national school lunch program; however, if
13 funding is insufficient to approve all grant applications for
14 a particular fiscal year, the Department may impose a higher
15 minimum percentage threshold for that fiscal year.
16 Determinations of communities and determinations of the
17 percentage of students in a community who are eligible for a
18 free or reduced price lunch under the national school lunch
19 program shall be in accordance with rules adopted by the
20 Department.

21 Any entities that have received a Community Technology
22 Center grant under the federal Community Technology Centers
23 Program are also eligible to apply for grants under this
24 Program.

25 The Department shall provide assistance to Community
26 Technology Centers in making those determinations for purposes

1 of applying for grants.

2 The Department shall encourage Community Technology
3 Centers to participate in public and private computer hardware
4 equipment recycling initiatives that provide computers at
5 reduced or no cost to low-income families, including programs
6 authorized by the State Property Control Act. On an annual
7 basis, the Department must provide the Director of Central
8 Management Services with a list of Community Technology
9 Centers that have applied to the Department for funding as
10 potential recipients of surplus State-owned computer hardware
11 equipment under programs authorized by the State Property
12 Control Act.

13 (c) Grant applications shall be submitted to the
14 Department on a schedule of one or more deadlines established
15 by the Department by rule.

16 (d) The Department shall adopt rules setting forth the
17 required form and contents of grant applications.

18 (e) (Blank). ~~There is created the Digital Divide~~
19 ~~Elimination Advisory Committee. The advisory committee shall~~
20 ~~consist of 7 members appointed one each by the Governor, the~~
21 ~~President of the Senate, the Senate Minority Leader, the~~
22 ~~Speaker of the House, and the House Minority Leader, and 2~~
23 ~~appointed by the Director of Commerce and Economic~~
24 ~~Opportunity, one of whom shall be a representative of the~~
25 ~~telecommunications industry and one of whom shall represent~~
26 ~~community technology centers. The members of the advisory~~

1 ~~committee shall receive no compensation for their services as~~
2 ~~members of the advisory committee but may be reimbursed for~~
3 ~~their actual expenses incurred in serving on the advisory~~
4 ~~committee. The Digital Divide Elimination Advisory Committee~~
5 ~~shall advise the Department in establishing criteria and~~
6 ~~priorities for identifying recipients of grants under this~~
7 ~~Act. The advisory committee shall obtain advice from the~~
8 ~~technology industry regarding current technological standards.~~
9 ~~The advisory committee shall seek any available federal~~
10 ~~funding.~~

11 (f) (Blank). ~~There is created the Digital Divide~~
12 ~~Elimination Working Group. The Working Group shall consist of~~
13 ~~the Director of Commerce and Economic Opportunity, or his or~~
14 ~~her designee, the Director of Central Management Services, or~~
15 ~~his or her designee, and the Executive Director of the~~
16 ~~Illinois Commerce Commission, or his or her designee. The~~
17 ~~Director of Commerce and Economic Opportunity, or his or her~~
18 ~~designee, shall serve as chair of the Working Group. The~~
19 ~~Working Group shall consult with the members of the Digital~~
20 ~~Divide Elimination Advisory Committee and may consult with~~
21 ~~various groups including, but not limited to,~~
22 ~~telecommunications providers, telecommunications related~~
23 ~~technology producers and service providers, community~~
24 ~~technology providers, community and consumer organizations,~~
25 ~~businesses and business organizations, and federal government~~
26 ~~agencies.~~

1 (g) Duties of the Digital Divide Elimination Working Group
2 include all of the following:

3 (1) Undertaking a thorough review of grant programs
4 available through the federal government, local agencies,
5 telecommunications providers, and business and charitable
6 entities for the purpose of identifying appropriate
7 sources of revenues for the Digital Divide Elimination
8 Fund and attempting to update available grants on a
9 regular basis.

10 (2) Researching and cataloging programs designed to
11 advance digital literacy and computer access that are
12 available through the federal government, local agencies,
13 telecommunications providers, and business and charitable
14 entities and attempting to update available programs on a
15 regular basis.

16 (3) Presenting the information compiled from items (1)
17 and (2) to the Department of Commerce and Economic
18 Opportunity, which shall serve as a single point of
19 contact for applying for funding for the Digital Divide
20 Elimination Fund and for distributing information to the
21 public regarding all programs designed to advance digital
22 literacy and computer access.

23 (Source: P.A. 94-734, eff. 4-28-06; 95-740, eff. 1-1-09.)

24 Section 35. The Illinois Income Tax Act is amended by
25 changing Section 220 as follows:

1 (35 ILCS 5/220)

2 Sec. 220. Angel investment credit.

3 (a) As used in this Section:

4 "Applicant" means a corporation, partnership, limited
5 liability company, or a natural person that makes an
6 investment in a qualified new business venture. The term
7 "applicant" does not include (i) a corporation, partnership,
8 limited liability company, or a natural person who has a
9 direct or indirect ownership interest of at least 51% in the
10 profits, capital, or value of the qualified new business
11 venture receiving the investment or (ii) a related member.

12 "Claimant" means an applicant certified by the Department
13 who files a claim for a credit under this Section.

14 "Department" means the Department of Commerce and Economic
15 Opportunity.

16 "Investment" means money (or its equivalent) given to a
17 qualified new business venture, at a risk of loss, in
18 consideration for an equity interest of the qualified new
19 business venture. The Department may adopt rules to permit
20 certain forms of contingent equity investments to be
21 considered eligible for a tax credit under this Section.

22 "Qualified new business venture" means a business that is
23 registered with the Department under this Section.

24 "Related member" means a person that, with respect to the
25 applicant, is any one of the following:

1 (1) An individual, if the individual and the members
2 of the individual's family (as defined in Section 318 of
3 the Internal Revenue Code) own directly, indirectly,
4 beneficially, or constructively, in the aggregate, at
5 least 50% of the value of the outstanding profits,
6 capital, stock, or other ownership interest in the
7 qualified new business venture that is the recipient of
8 the applicant's investment.

9 (2) A partnership, estate, or trust and any partner or
10 beneficiary, if the partnership, estate, or trust and its
11 partners or beneficiaries own directly, indirectly,
12 beneficially, or constructively, in the aggregate, at
13 least 50% of the profits, capital, stock, or other
14 ownership interest in the qualified new business venture
15 that is the recipient of the applicant's investment.

16 (3) A corporation, and any party related to the
17 corporation in a manner that would require an attribution
18 of stock from the corporation under the attribution rules
19 of Section 318 of the Internal Revenue Code, if the
20 applicant and any other related member own, in the
21 aggregate, directly, indirectly, beneficially, or
22 constructively, at least 50% of the value of the
23 outstanding stock of the qualified new business venture
24 that is the recipient of the applicant's investment.

25 (4) A corporation and any party related to that
26 corporation in a manner that would require an attribution

1 of stock from the corporation to the party or from the
2 party to the corporation under the attribution rules of
3 Section 318 of the Internal Revenue Code, if the
4 corporation and all such related parties own, in the
5 aggregate, at least 50% of the profits, capital, stock, or
6 other ownership interest in the qualified new business
7 venture that is the recipient of the applicant's
8 investment.

9 (5) A person to or from whom there is attribution of
10 ownership of stock in the qualified new business venture
11 that is the recipient of the applicant's investment in
12 accordance with Section 1563(e) of the Internal Revenue
13 Code, except that for purposes of determining whether a
14 person is a related member under this paragraph, "20%"
15 shall be substituted for "5%" whenever "5%" appears in
16 Section 1563(e) of the Internal Revenue Code.

17 (b) For taxable years beginning after December 31, 2010,
18 and ending on or before December 31, 2026, subject to the
19 limitations provided in this Section, a claimant may claim, as
20 a credit against the tax imposed under subsections (a) and (b)
21 of Section 201 of this Act, an amount equal to 25% of the
22 claimant's investment made directly in a qualified new
23 business venture. In order for an investment in a qualified
24 new business venture to be eligible for tax credits, the
25 business must have applied for and received certification
26 under subsection (e) for the taxable year in which the

1 investment was made prior to the date on which the investment
2 was made. The credit under this Section may not exceed the
3 taxpayer's Illinois income tax liability for the taxable year.
4 If the amount of the credit exceeds the tax liability for the
5 year, the excess may be carried forward and applied to the tax
6 liability of the 5 taxable years following the excess credit
7 year. The credit shall be applied to the earliest year for
8 which there is a tax liability. If there are credits from more
9 than one tax year that are available to offset a liability, the
10 earlier credit shall be applied first. In the case of a
11 partnership or Subchapter S Corporation, the credit is allowed
12 to the partners or shareholders in accordance with the
13 determination of income and distributive share of income under
14 Sections 702 and 704 and Subchapter S of the Internal Revenue
15 Code.

16 (c) The minimum amount an applicant must invest in any
17 single qualified new business venture in order to be eligible
18 for a credit under this Section is \$10,000. The maximum amount
19 of an applicant's total investment made in any single
20 qualified new business venture that may be used as the basis
21 for a credit under this Section is \$2,000,000.

22 (d) The Department shall implement a program to certify an
23 applicant for an angel investment credit. Upon satisfactory
24 review, the Department shall issue a tax credit certificate
25 stating the amount of the tax credit to which the applicant is
26 entitled. The Department shall annually certify that: (i) each

1 qualified new business venture that receives an angel
2 investment after January 1, 2018 under this Section has
3 maintained a minimum employment threshold, as defined by rule,
4 in the State (and continues to maintain a minimum employment
5 threshold in the State for a period of no less than 3 years
6 from the issue date of the last tax credit certificate issued
7 by the Department with respect to such business pursuant to
8 this Section); and (ii) the claimant's investment has been
9 made and remains, except in the event of a qualifying
10 liquidity event, in the qualified new business venture for no
11 less than 3 years.

12 If an investment for which a claimant is allowed a credit
13 under subsection (b) is held by the claimant for less than 3
14 years, other than as a result of a permitted sale of the
15 investment to person who is not a related member, the claimant
16 shall pay to the Department of Revenue, in the manner
17 prescribed by the Department of Revenue, the aggregate amount
18 of the disqualified credits that the claimant received related
19 to the subject investment.

20 If the Department determines that a qualified new business
21 venture failed to maintain a minimum employment threshold in
22 the State through the date which is 3 years from the issue date
23 of the last tax credit certificate issued by the Department
24 with respect to the subject business pursuant to this Section,
25 the claimant or claimants shall pay to the Department of
26 Revenue, in the manner prescribed by the Department of

1 Revenue, the aggregate amount of the disqualified credits that
2 claimant or claimants received related to investments in that
3 business.

4 (e) The Department shall implement a program to register
5 qualified new business ventures for purposes of this Section.
6 A business desiring registration under this Section shall be
7 required to submit a full and complete application to the
8 Department. A submitted application shall be effective only
9 for the taxable year in which it is submitted, and a business
10 desiring registration under this Section shall be required to
11 submit a separate application in and for each taxable year for
12 which the business desires registration. Further, if at any
13 time prior to the acceptance of an application for
14 registration under this Section by the Department one or more
15 events occurs which makes the information provided in that
16 application materially false or incomplete (in whole or in
17 part), the business shall promptly notify the Department of
18 the same. Any failure of a business to promptly provide the
19 foregoing information to the Department may, at the discretion
20 of the Department, result in a revocation of a previously
21 approved application for that business, or disqualification of
22 the business from future registration under this Section, or
23 both. The Department may register the business only if all of
24 the following conditions are satisfied:

25 (1) it has its principal place of business in this
26 State;

1 (2) at least 51% of the employees employed by the
2 business are employed in this State;

3 (3) the business has the potential for increasing jobs
4 in this State, increasing capital investment in this
5 State, or both, as determined by the Department, and
6 either of the following apply:

7 (A) it is principally engaged in innovation in any
8 of the following: manufacturing; biotechnology;
9 nanotechnology; communications; agricultural
10 sciences; clean energy creation or storage technology;
11 processing or assembling products, including medical
12 devices, pharmaceuticals, computer software, computer
13 hardware, semiconductors, other innovative technology
14 products, or other products that are produced using
15 manufacturing methods that are enabled by applying
16 proprietary technology; or providing services that are
17 enabled by applying proprietary technology; or

18 (B) it is undertaking pre-commercialization
19 activity related to proprietary technology that
20 includes conducting research, developing a new product
21 or business process, or developing a service that is
22 principally reliant on applying proprietary
23 technology;

24 (4) it is not principally engaged in real estate
25 development, insurance, banking, lending, lobbying,
26 political consulting, professional services provided by

1 attorneys, accountants, business consultants, physicians,
2 or health care consultants, wholesale or retail trade,
3 leisure, hospitality, transportation, or construction,
4 except construction of power production plants that derive
5 energy from a renewable energy resource, as defined in
6 Section 1 of the Illinois Power Agency Act;

7 (5) at the time it is first certified:

8 (A) it has fewer than 100 employees;

9 (B) it has been in operation in Illinois for not
10 more than 10 consecutive years prior to the year of
11 certification; and

12 (C) it has received not more than \$10,000,000 in
13 aggregate investments;

14 (5.1) it agrees to maintain a minimum employment
15 threshold in the State of Illinois prior to the date which
16 is 3 years from the issue date of the last tax credit
17 certificate issued by the Department with respect to that
18 business pursuant to this Section;

19 (6) (blank); and

20 (7) it has received not more than \$4,000,000 in
21 investments that qualified for tax credits under this
22 Section.

23 (f) The Department, in consultation with the Department of
24 Revenue, shall adopt rules to administer this Section. The
25 aggregate amount of the tax credits that may be claimed under
26 this Section for investments made in qualified new business

1 ventures shall be limited at \$10,000,000 per calendar year, of
2 which \$500,000 shall be reserved for investments made in
3 qualified new business ventures which are minority-owned
4 businesses, women-owned businesses, or businesses owned by a
5 person with a disability (as those terms are used and defined
6 in the Business Enterprise for Minorities, Women, and Persons
7 with Disabilities Act), and an additional \$500,000 shall be
8 reserved for investments made in qualified new business
9 ventures with their principal place of business in counties
10 with a population of not more than 250,000. The foregoing
11 annual allowable amounts shall be allocated by the Department,
12 on a per calendar quarter basis and prior to the commencement
13 of each calendar year, in such proportion as determined by the
14 Department, provided that: (i) the amount initially allocated
15 by the Department for any one calendar quarter shall not
16 exceed 35% of the total allowable amount; (ii) any portion of
17 the allocated allowable amount remaining unused as of the end
18 of any of the first 3 calendar quarters of a given calendar
19 year shall be rolled into, and added to, the total allocated
20 amount for the next available calendar quarter; and (iii) the
21 reservation of tax credits for investments in minority-owned
22 businesses, women-owned businesses, businesses owned by a
23 person with a disability, and in businesses in counties with a
24 population of not more than 250,000 is limited to the first 3
25 calendar quarters of a given calendar year, after which they
26 may be claimed by investors in any qualified new business

1 venture.

2 (g) A claimant may not sell or otherwise transfer a credit
3 awarded under this Section to another person.

4 (h) On or before March 1 of each year, the Department shall
5 report to the Governor and to the General Assembly on the tax
6 credit certificates awarded under this Section for the prior
7 calendar year.

8 (1) This report must include, for each tax credit
9 certificate awarded:

10 (A) the name of the claimant and the amount of
11 credit awarded or allocated to that claimant;

12 (B) the name and address (including the county) of
13 the qualified new business venture that received the
14 investment giving rise to the credit, the North
15 American Industry Classification System (NAICS) code
16 applicable to that qualified new business venture, and
17 the number of employees of the qualified new business
18 venture; and

19 (C) the date of approval by the Department of each
20 claimant's tax credit certificate.

21 (2) The report must also include:

22 (A) the total number of applicants and the total
23 number of claimants, including the amount of each tax
24 credit certificate awarded to a claimant under this
25 Section in the prior calendar year;

26 (B) the total number of applications from

1 businesses seeking registration under this Section,
2 the total number of new qualified business ventures
3 registered by the Department, and the aggregate amount
4 of investment upon which tax credit certificates were
5 issued in the prior calendar year; and

6 (C) the total amount of tax credit certificates
7 sought by applicants, the amount of each tax credit
8 certificate issued to a claimant, the aggregate amount
9 of all tax credit certificates issued in the prior
10 calendar year and the aggregate amount of tax credit
11 certificates issued as authorized under this Section
12 for all calendar years.

13 (i) For each business seeking registration under this
14 Section after December 31, 2016, the Department shall require
15 the business to include in its application the North American
16 Industry Classification System (NAICS) code applicable to the
17 business and the number of employees of the business at the
18 time of application. Each business registered by the
19 Department as a qualified new business venture that receives
20 an investment giving rise to the issuance of a tax credit
21 certificate pursuant to this Section shall, for each of the 3
22 years following the issue date of the last tax credit
23 certificate issued by the Department with respect to such
24 business pursuant to this Section, report to the Department
25 the following:

26 (1) the number of employees and the location at which

1 those employees are employed, both as of the end of each
2 year;

3 (2) the amount of additional new capital investment
4 raised as of the end of each year, if any; and

5 (3) the terms of any liquidity event occurring during
6 such year; for the purposes of this Section, a "liquidity
7 event" means any event that would be considered an exit
8 for an illiquid investment, including any event that
9 allows the equity holders of the business (or any material
10 portion thereof) to cash out some or all of their
11 respective equity interests.

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

13 Section 40. The Film Production Services Tax Credit Act of
14 2008 is amended by changing Section 45 as follows:

15 (35 ILCS 16/45)

16 Sec. 45. Evaluation of tax credit program; reports to the
17 General Assembly.

18 (a) The Department shall evaluate the tax credit program.
19 The evaluation must include an assessment of the effectiveness
20 of the program in creating and retaining new jobs in Illinois
21 and of the revenue impact of the program, and may include a
22 review of the practices and experiences of other states or
23 nations with similar programs. Upon completion of this
24 evaluation, the Department shall determine the overall success

1 of the program, and may make a recommendation to extend,
2 modify, or not extend the program based on this evaluation.

3 (b) At the end of each fiscal quarter, the Department must
4 submit to the General Assembly a report that includes, without
5 limitation, the following information:

6 (1) the economic impact of the tax credit program,
7 including the number of jobs created and retained,
8 including whether the job positions are above-the-line,
9 below-the-line, or extras ~~entry level, management,~~
10 ~~talent related, vendor related, or production related;~~

11 (2) the amount of film production spending brought to
12 Illinois, including the amount of spending and type of
13 Illinois vendors hired in connection with an accredited
14 production; and

15 (3) an overall picture of whether the human
16 infrastructure of the motion picture industry in Illinois
17 reflects the geographical, racial and ethnic, gender, and
18 income-level diversity of the State of Illinois.

19 (c) At the end of each fiscal year, the Department must
20 submit to the General Assembly a report that includes the
21 following information:

22 (1) an identification of each vendor that provided
23 goods or services that were included in an accredited
24 production's Illinois production spending, provided that
25 the accredited production's Illinois production spending
26 attributable to that vendor exceeds, in the aggregate,

1 \$10,000 or 10% of the accredited production's Illinois
2 production spending, whichever is less;

3 (2) the amount paid to each identified vendor by the
4 accredited production;

5 (3) for each identified vendor, a statement as to
6 whether the vendor is a minority-owned business or a
7 women-owned business, as defined under Section 2 of the
8 Business Enterprise for Minorities, Women, and Persons
9 with Disabilities Act, based on the best efforts of an
10 accredited production; and

11 (4) a description of any steps taken by the Department
12 to encourage accredited productions to use vendors who are
13 a minority-owned business or a women-owned business.

14 (Source: P.A. 100-391, eff. 8-25-17; 100-603, eff. 7-13-18;
15 101-81, eff. 7-12-19.)

16 Section 45. The Southwestern Illinois Metropolitan and
17 Regional Planning Act is amended by changing Section 35 as
18 follows:

19 (70 ILCS 1710/35) (from Ch. 85, par. 1185)

20 Sec. 35. At the close of each fiscal year, the Commission
21 shall prepare a complete report of its receipts and
22 expenditures during the fiscal year. A copy of this report
23 shall be filed with the Governor and with the treasurer of each
24 county included in the Metropolitan and Regional Counties

1 Area. In addition, on or before December 31 of each even
2 numbered year, the Commission shall prepare ~~jointly with the~~
3 ~~Department of Commerce and Economic Opportunity,~~ a report of
4 its activities during the biennium indicating how its funds
5 were expended, indicating the amount of the appropriation
6 requested for the next biennium and explaining how the
7 appropriation will be utilized to carry out its
8 responsibilities. A copy of this report shall be filed with
9 the Governor, the Senate and the House of Representatives.

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

11 Section 50. The Illinois Groundwater Protection Act is
12 amended by changing Section 4 as follows:

13 (415 ILCS 55/4) (from Ch. 111 1/2, par. 7454)

14 Sec. 4. (a) There shall be established within State
15 government an interagency committee which shall be known as
16 the Interagency Coordinating Committee on Groundwater. The
17 Committee shall be composed of the Director, or his designee,
18 of the following agencies:

19 (1) The Illinois Environmental Protection Agency, who
20 shall chair the Committee.

21 (2) The Illinois Department of Natural Resources.

22 (3) The Illinois Department of Public Health.

23 (4) The Office of Mines and Minerals within the
24 Department of Natural Resources.

1 (5) The Office of the State Fire Marshal.

2 (6) The Division of Water Resources of the Department
3 of Natural Resources.

4 (7) The Illinois Department of Agriculture.

5 (8) The Illinois Emergency Management Agency.

6 (9) The Illinois Department of Nuclear Safety.

7 ~~(10) The Illinois Department of Commerce and Economic~~
8 ~~Opportunity.~~

9 (b) The Committee shall meet not less than twice each
10 calendar year and shall:

11 (1) Review and coordinate the State's policy on
12 groundwater protection.

13 (2) Review and evaluate State laws, regulations and
14 procedures that relate to groundwater protection.

15 (3) Review and evaluate the status of the State's
16 efforts to improve the quality of the groundwater and of
17 the State enforcement efforts for protection of the
18 groundwater and make recommendations on improving the
19 State efforts to protect the groundwater.

20 (4) Recommend procedures for better coordination among
21 State groundwater programs and with local programs related
22 to groundwater protection.

23 (5) Review and recommend procedures to coordinate the
24 State's response to specific incidents of groundwater
25 pollution and coordinate dissemination of information
26 between agencies responsible for the State's response.

1 (6) Make recommendations for and prioritize the
2 State's groundwater research needs.

3 (7) Review, coordinate and evaluate groundwater data
4 collection and analysis.

5 (8) Beginning on January 1, 1990, report biennially to
6 the Governor and the General Assembly on groundwater
7 quality, quantity, and the State's enforcement efforts.

8 (c) The Chairman of the Committee shall propose a
9 groundwater protection regulatory agenda for consideration by
10 the Committee and the Council. The principal purpose of the
11 agenda shall be to systematically consider the groundwater
12 protection aspects of relevant federal and State regulatory
13 programs and to identify any areas where improvements may be
14 warranted. To the extent feasible, the agenda may also serve
15 to facilitate a more uniform and coordinated approach toward
16 protection of groundwaters in Illinois. Upon adoption of the
17 final agenda by the Committee, the Chairman of the Committee
18 shall assign a lead agency and any support agencies to prepare
19 a regulatory assessment report for each item on the agenda.
20 Each regulatory assessment report shall specify the nature of
21 the groundwater protection provisions being implemented and
22 shall evaluate the results achieved therefrom. Special
23 attention shall be given to any preventive measures being
24 utilized for protection of groundwaters. The reports shall be
25 completed in a timely manner. After review and consideration
26 by the Committee, the reports shall become the basis for

1 recommending further legislative or regulatory action.

2 (d) No later than January 1, 1992, the Interagency
3 Coordinating Committee on Groundwater shall provide a
4 comprehensive status report to the Governor and the General
5 Assembly concerning implementation of this Act.

6 (e) The Committee shall consider findings and
7 recommendations that are provided by the Council, and respond
8 in writing regarding such matters. The Chairman of the
9 Committee shall designate a liaison person to serve as a
10 facilitator of communications with the Council.

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

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.