



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB2309

Introduced 2/26/2021, by Sen. Craig Wilcox

SYNOPSIS AS INTRODUCED:

See Index

Amends the Salaries Act. Provides that no member of a State commission, board, or similar entity now or hereafter established or authorized by the General Assembly, or otherwise created under Illinois law, shall receive a salary, per diem, or other compensation for his or her service as a member of that board, commission, or similar entity. Provides that any rule or law, or provision thereof, which contradicts the provisions prohibiting board and commission member salary is rendered null and void, and no longer controlling. Specifies that the provisions do not apply to reimbursement for expenses incurred through service as a member, but that no member not already entitled to reimbursement for expenses as of the effective date of this amendatory Act shall be afforded such reimbursement. Makes conforming changes.

LRB102 04340 RJF 14358 b

1 AN ACT concerning government.

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

4 Section 5. The Salaries Act is amended by adding Section 5
5 as follows:

6 (5 ILCS 290/5 new)

7 Sec. 5. Salaries of commission and board members.
8 Notwithstanding any rule or provision of law to the contrary,
9 no member of a State commission, board, or similar entity now
10 or hereafter established or authorized by the General
11 Assembly, or otherwise created under Illinois law, shall
12 receive a salary, per diem, or other compensation for his or
13 her service as a member of that board, commission, or similar
14 entity, as of the effective date of this amendatory Act of the
15 102nd General Assembly. Any rule or law, or provision thereof,
16 which contradicts this Section is rendered null and void, and
17 this Section shall control. This Section does not apply to
18 reimbursement for expenses incurred through service as a
19 member; however, no member not already entitled to
20 reimbursement for expenses as of the effective date of this
21 amendatory Act of the 102nd General Assembly shall be afforded
22 such reimbursement.

1 Section 10. The Illinois Public Labor Relations Act is
2 amended by changing Section 5 as follows:

3 (5 ILCS 315/5) (from Ch. 48, par. 1605)

4 Sec. 5. Illinois Labor Relations Board; State Panel; Local
5 Panel.

6 (a) There is created the Illinois Labor Relations Board.
7 The Board shall be comprised of 2 panels, to be known as the
8 State Panel and the Local Panel.

9 (a-5) The State Panel shall have jurisdiction over
10 collective bargaining matters between employee organizations
11 and the State of Illinois, excluding the General Assembly of
12 the State of Illinois, between employee organizations and
13 units of local government and school districts with a
14 population not in excess of 2 million persons, and between
15 employee organizations and the Regional Transportation
16 Authority.

17 The State Panel shall consist of 5 members appointed by
18 the Governor, with the advice and consent of the Senate. The
19 Governor shall appoint to the State Panel only persons who
20 have had a minimum of 5 years of experience directly related to
21 labor and employment relations in representing public
22 employers, private employers or labor organizations; or
23 teaching labor or employment relations; or administering
24 executive orders or regulations applicable to labor or
25 employment relations. At the time of his or her appointment,

1 each member of the State Panel shall be an Illinois resident.
2 The Governor shall designate one member to serve as the
3 Chairman of the State Panel and the Board.

4 Notwithstanding any other provision of this Section, the
5 term of each member of the State Panel who was appointed by the
6 Governor and is in office on June 30, 2003 shall terminate at
7 the close of business on that date or when all of the successor
8 members to be appointed pursuant to this amendatory Act of the
9 93rd General Assembly have been appointed by the Governor,
10 whichever occurs later. As soon as possible, the Governor
11 shall appoint persons to fill the vacancies created by this
12 amendatory Act.

13 The initial appointments under this amendatory Act of the
14 93rd General Assembly shall be for terms as follows: The
15 Chairman shall initially be appointed for a term ending on the
16 4th Monday in January, 2007; 2 members shall be initially
17 appointed for terms ending on the 4th Monday in January, 2006;
18 one member shall be initially appointed for a term ending on
19 the 4th Monday in January, 2005; and one member shall be
20 initially appointed for a term ending on the 4th Monday in
21 January, 2004. Each subsequent member shall be appointed for a
22 term of 4 years, commencing on the 4th Monday in January. Upon
23 expiration of the term of office of any appointive member,
24 that member shall continue to serve until a successor shall be
25 appointed and qualified. In case of a vacancy, a successor
26 shall be appointed to serve for the unexpired portion of the

1 term. If the Senate is not in session at the time the initial
2 appointments are made, the Governor shall make temporary
3 appointments in the same manner successors are appointed to
4 fill vacancies. A temporary appointment shall remain in effect
5 no longer than 20 calendar days after the commencement of the
6 next Senate session.

7 (b) The Local Panel shall have jurisdiction over
8 collective bargaining agreement matters between employee
9 organizations and units of local government with a population
10 in excess of 2 million persons, but excluding the Regional
11 Transportation Authority.

12 The Local Panel shall consist of one person appointed by
13 the Governor with the advice and consent of the Senate (or, if
14 no such person is appointed, the Chairman of the State Panel)
15 and two additional members, one appointed by the Mayor of the
16 City of Chicago and one appointed by the President of the Cook
17 County Board of Commissioners. Appointees to the Local Panel
18 must have had a minimum of 5 years of experience directly
19 related to labor and employment relations in representing
20 public employers, private employers or labor organizations; or
21 teaching labor or employment relations; or administering
22 executive orders or regulations applicable to labor or
23 employment relations. Each member of the Local Panel shall be
24 an Illinois resident at the time of his or her appointment. The
25 member appointed by the Governor (or, if no such person is
26 appointed, the Chairman of the State Panel) shall serve as the

1 Chairman of the Local Panel.

2 Notwithstanding any other provision of this Section, the
3 term of the member of the Local Panel who was appointed by the
4 Governor and is in office on June 30, 2003 shall terminate at
5 the close of business on that date or when his or her successor
6 has been appointed by the Governor, whichever occurs later. As
7 soon as possible, the Governor shall appoint a person to fill
8 the vacancy created by this amendatory Act. The initial
9 appointment under this amendatory Act of the 93rd General
10 Assembly shall be for a term ending on the 4th Monday in
11 January, 2007.

12 The initial appointments under this amendatory Act of the
13 91st General Assembly shall be for terms as follows: The
14 member appointed by the Governor shall initially be appointed
15 for a term ending on the 4th Monday in January, 2001; the
16 member appointed by the President of the Cook County Board
17 shall be initially appointed for a term ending on the 4th
18 Monday in January, 2003; and the member appointed by the Mayor
19 of the City of Chicago shall be initially appointed for a term
20 ending on the 4th Monday in January, 2004. Each subsequent
21 member shall be appointed for a term of 4 years, commencing on
22 the 4th Monday in January. Upon expiration of the term of
23 office of any appointive member, the member shall continue to
24 serve until a successor shall be appointed and qualified. In
25 the case of a vacancy, a successor shall be appointed by the
26 applicable appointive authority to serve for the unexpired

1 portion of the term.

2 (c) Three members of the State Panel shall at all times
3 constitute a quorum. Two members of the Local Panel shall at
4 all times constitute a quorum. A vacancy on a panel does not
5 impair the right of the remaining members to exercise all of
6 the powers of that panel. Each panel shall adopt an official
7 seal which shall be judicially noticed. The Chairperson of the
8 State Panel and the other members of the State and Local Panels
9 shall receive no salary. ~~The salary of the Chairman of the~~
10 ~~State Panel shall be \$82,429 per year, or as set by the~~
11 ~~Compensation Review Board, whichever is greater, and that of~~
12 ~~the other members of the State and Local Panels shall be~~
13 ~~\$74,188 per year, or as set by the Compensation Review Board,~~
14 ~~whichever is greater.~~

15 (d) Each member shall devote his or her entire time to the
16 duties of the office, and shall hold no other office or
17 position of profit, nor engage in any other business,
18 employment, or vocation. No member shall hold any other public
19 office or be employed as a labor or management representative
20 by the State or any political subdivision of the State or of
21 any department or agency thereof, or actively represent or act
22 on behalf of an employer or an employee organization or an
23 employer in labor relations matters. Any member of the State
24 Panel may be removed from office by the Governor for
25 inefficiency, neglect of duty, misconduct or malfeasance in
26 office, and for no other cause, and only upon notice and

1 hearing. Any member of the Local Panel may be removed from
2 office by the applicable appointive authority for
3 inefficiency, neglect of duty, misconduct or malfeasance in
4 office, and for no other cause, and only upon notice and
5 hearing.

6 (e) Each panel at the end of every State fiscal year shall
7 make a report in writing to the Governor and the General
8 Assembly, stating in detail the work it has done in hearing and
9 deciding cases and otherwise.

10 (f) In order to accomplish the objectives and carry out
11 the duties prescribed by this Act, a panel or its authorized
12 designees may hold elections to determine whether a labor
13 organization has majority status; investigate and attempt to
14 resolve or settle charges of unfair labor practices; hold
15 hearings in order to carry out its functions; develop and
16 effectuate appropriate impasse resolution procedures for
17 purposes of resolving labor disputes; require the appearance
18 of witnesses and the production of evidence on any matter
19 under inquiry; and administer oaths and affirmations. The
20 panels shall sign and report in full an opinion in every case
21 which they decide.

22 (g) Each panel may appoint or employ an executive
23 director, attorneys, hearing officers, mediators,
24 fact-finders, arbitrators, and such other employees as it may
25 deem necessary to perform its functions. The governing boards
26 shall prescribe the duties and qualifications of such persons

1 appointed and, subject to the annual appropriation, fix their
2 compensation and provide for reimbursement of actual and
3 necessary expenses incurred in the performance of their
4 duties. The Board shall employ a minimum of 16 attorneys and 6
5 investigators.

6 (h) Each panel shall exercise general supervision over all
7 attorneys which it employs and over the other persons employed
8 to provide necessary support services for such attorneys. The
9 panels shall have final authority in respect to complaints
10 brought pursuant to this Act.

11 (i) The following rules and regulations shall be adopted
12 by the panels meeting in joint session: (1) procedural rules
13 and regulations which shall govern all Board proceedings; (2)
14 procedures for election of exclusive bargaining
15 representatives pursuant to Section 9, except for the
16 determination of appropriate bargaining units; and (3)
17 appointment of counsel pursuant to subsection (k) of this
18 Section.

19 (j) Rules and regulations may be adopted, amended or
20 rescinded only upon a vote of 5 of the members of the State and
21 Local Panels meeting in joint session. The adoption, amendment
22 or rescission of rules and regulations shall be in conformity
23 with the requirements of the Illinois Administrative Procedure
24 Act.

25 (k) The panels in joint session shall promulgate rules and
26 regulations providing for the appointment of attorneys or

1 other Board representatives to represent persons in unfair
2 labor practice proceedings before a panel. The regulations
3 governing appointment shall require the applicant to
4 demonstrate an inability to pay for or inability to otherwise
5 provide for adequate representation before a panel. Such rules
6 must also provide: (1) that an attorney may not be appointed in
7 cases which, in the opinion of a panel, are clearly without
8 merit; (2) the stage of the unfair labor proceeding at which
9 counsel will be appointed; and (3) the circumstances under
10 which a client will be allowed to select counsel.

11 (1) The panels in joint session may promulgate rules and
12 regulations which allow parties in proceedings before a panel
13 to be represented by counsel or any other representative of
14 the party's choice.

15 (m) The Chairman of the State Panel shall serve as
16 Chairman of a joint session of the panels. Attendance of at
17 least 2 members of the State Panel and at least one member of
18 the Local Panel, in addition to the Chairman, shall constitute
19 a quorum at a joint session. The panels shall meet in joint
20 session at least annually.

21 (Source: P.A. 96-813, eff. 10-30-09.)

22 Section 15. The State Officials and Employees Ethics Act
23 is amended by changing Section 20-5 as follows:

24 (5 ILCS 430/20-5)

1 Sec. 20-5. Executive Ethics Commission.

2 (a) The Executive Ethics Commission is created.

3 (b) The Executive Ethics Commission shall consist of 9
4 commissioners. The Governor shall appoint 5 commissioners, and
5 the Attorney General, Secretary of State, Comptroller, and
6 Treasurer shall each appoint one commissioner. Appointments
7 shall be made by and with the advice and consent of the Senate
8 by three-fifths of the elected members concurring by record
9 vote. Any nomination not acted upon by the Senate within 60
10 session days of the receipt thereof shall be deemed to have
11 received the advice and consent of the Senate. If, during a
12 recess of the Senate, there is a vacancy in an office of
13 commissioner, the appointing authority shall make a temporary
14 appointment until the next meeting of the Senate when the
15 appointing authority shall make a nomination to fill that
16 office. No person rejected for an office of commissioner
17 shall, except by the Senate's request, be nominated again for
18 that office at the same session of the Senate or be appointed
19 to that office during a recess of that Senate. No more than 5
20 commissioners may be of the same political party.

21 The terms of the initial commissioners shall commence upon
22 qualification. Four initial appointees of the Governor, as
23 designated by the Governor, shall serve terms running through
24 June 30, 2007. One initial appointee of the Governor, as
25 designated by the Governor, and the initial appointees of the
26 Attorney General, Secretary of State, Comptroller, and

1 Treasurer shall serve terms running through June 30, 2008. The
2 initial appointments shall be made within 60 days after the
3 effective date of this Act.

4 After the initial terms, commissioners shall serve for
5 4-year terms commencing on July 1 of the year of appointment
6 and running through June 30 of the fourth following year.
7 Commissioners may be reappointed to one or more subsequent
8 terms.

9 Vacancies occurring other than at the end of a term shall
10 be filled by the appointing authority only for the balance of
11 the term of the commissioner whose office is vacant.

12 Terms shall run regardless of whether the position is
13 filled.

14 (c) The appointing authorities shall appoint commissioners
15 who have experience holding governmental office or employment
16 and shall appoint commissioners from the general public. A
17 person is not eligible to serve as a commissioner if that
18 person (i) has been convicted of a felony or a crime of
19 dishonesty or moral turpitude, (ii) is, or was within the
20 preceding 12 months, engaged in activities that require
21 registration under the Lobbyist Registration Act, (iii) is
22 related to the appointing authority, or (iv) is a State
23 officer or employee.

24 (d) The Executive Ethics Commission shall have
25 jurisdiction over all officers and employees of State agencies
26 other than the General Assembly, the Senate, the House of

1 Representatives, the President and Minority Leader of the
2 Senate, the Speaker and Minority Leader of the House of
3 Representatives, the Senate Operations Commission, the
4 legislative support services agencies, and the Office of the
5 Auditor General. The Executive Ethics Commission shall have
6 jurisdiction over all board members and employees of Regional
7 Transit Boards. The jurisdiction of the Commission is limited
8 to matters arising under this Act, except as provided in
9 subsection (d-5).

10 A member or legislative branch State employee serving on
11 an executive branch board or commission remains subject to the
12 jurisdiction of the Legislative Ethics Commission and is not
13 subject to the jurisdiction of the Executive Ethics
14 Commission.

15 (d-5) The Executive Ethics Commission shall have
16 jurisdiction over all chief procurement officers and
17 procurement compliance monitors and their respective staffs.
18 The Executive Ethics Commission shall have jurisdiction over
19 any matters arising under the Illinois Procurement Code if the
20 Commission is given explicit authority in that Code.

21 (d-6) (1) The Executive Ethics Commission shall have
22 jurisdiction over the Illinois Power Agency and its staff. The
23 Director of the Agency shall be appointed by a majority of the
24 commissioners of the Executive Ethics Commission, subject to
25 Senate confirmation, for a term of 2 years. The Director is
26 removable for cause by a majority of the Commission upon a

1 finding of neglect, malfeasance, absence, or incompetence.

2 (2) In case of a vacancy in the office of Director of the
3 Illinois Power Agency during a recess of the Senate, the
4 Executive Ethics Commission may make a temporary appointment
5 until the next meeting of the Senate, at which time the
6 Executive Ethics Commission shall nominate some person to fill
7 the office, and any person so nominated who is confirmed by the
8 Senate shall hold office during the remainder of the term and
9 until his or her successor is appointed and qualified. Nothing
10 in this subsection shall prohibit the Executive Ethics
11 Commission from removing a temporary appointee or from
12 appointing a temporary appointee as the Director of the
13 Illinois Power Agency.

14 (3) Prior to June 1, 2012, the Executive Ethics Commission
15 may, until the Director of the Illinois Power Agency is
16 appointed and qualified or a temporary appointment is made
17 pursuant to paragraph (2) of this subsection, designate some
18 person as an acting Director to execute the powers and
19 discharge the duties vested by law in that Director. An acting
20 Director shall serve no later than 60 calendar days, or upon
21 the making of an appointment pursuant to paragraph (1) or (2)
22 of this subsection, whichever is earlier. Nothing in this
23 subsection shall prohibit the Executive Ethics Commission from
24 removing an acting Director or from appointing an acting
25 Director as the Director of the Illinois Power Agency.

26 (4) No person rejected by the Senate for the office of

1 Director of the Illinois Power Agency shall, except at the
2 Senate's request, be nominated again for that office at the
3 same session or be appointed to that office during a recess of
4 that Senate.

5 (d-7) The Executive Ethics Commission shall have
6 jurisdiction over complainants and respondents in violation of
7 subsection (d) of Section 20-90.

8 (e) The Executive Ethics Commission must meet, either in
9 person or by other technological means, at least monthly and
10 as often as necessary. At the first meeting of the Executive
11 Ethics Commission, the commissioners shall choose from their
12 number a chairperson and other officers that they deem
13 appropriate. The terms of officers shall be for 2 years
14 commencing July 1 and running through June 30 of the second
15 following year. Meetings shall be held at the call of the
16 chairperson or any 3 commissioners. Official action by the
17 Commission shall require the affirmative vote of 5
18 commissioners, and a quorum shall consist of 5 commissioners.
19 Commissioners shall receive no compensation, but ~~compensation~~
20 ~~in an amount equal to the compensation of members of the State~~
21 ~~Board of Elections and~~ may be reimbursed for their reasonable
22 expenses actually incurred in the performance of their duties.

23 (f) No commissioner or employee of the Executive Ethics
24 Commission may during his or her term of appointment or
25 employment:

26 (1) become a candidate for any elective office;

1 (2) hold any other elected or appointed public office
2 except for appointments on governmental advisory boards or
3 study commissions or as otherwise expressly authorized by
4 law;

5 (3) be actively involved in the affairs of any
6 political party or political organization; or

7 (4) advocate for the appointment of another person to
8 an appointed or elected office or position or actively
9 participate in any campaign for any elective office.

10 (g) An appointing authority may remove a commissioner only
11 for cause.

12 (h) The Executive Ethics Commission shall appoint an
13 Executive Director. The compensation of the Executive Director
14 shall be as determined by the Commission. The Executive
15 Director of the Executive Ethics Commission may employ and
16 determine the compensation of staff, as appropriations permit.

17 (i) The Executive Ethics Commission shall appoint, by a
18 majority of the members appointed to the Commission, chief
19 procurement officers and may appoint procurement compliance
20 monitors in accordance with the provisions of the Illinois
21 Procurement Code. The compensation of a chief procurement
22 officer and procurement compliance monitor shall be determined
23 by the Commission.

24 (Source: P.A. 100-43, eff. 8-9-17; 101-221, eff. 8-9-19;
25 101-617, eff. 12-20-19.)

1 Section 20. The Election Code is amended by changing
2 Section 1A-6.1 as follows:

3 (10 ILCS 5/1A-6.1) (from Ch. 46, par. 1A-6.1)

4 Sec. 1A-6.1. The chair of the State Board of Elections
5 shall preside at all meetings of the Board, except that the
6 vice chair shall preside at any meeting when the chair is
7 absent. Board members, including the chair and vice chair,
8 shall receive no salary for serving as members. ~~The salary of~~
9 ~~the chair shall be \$25,000 per year, or as set by the~~
10 ~~Compensation Review Board, whichever is greater, and the~~
11 ~~salary of the vice chair shall be \$20,000 per year, or as set~~
12 ~~by the Compensation Review Board, whichever is greater. The~~
13 ~~salary of the other Board members shall be \$15,000 per year, or~~
14 ~~as set by the Compensation Review Board, whichever is greater.~~
15 Each member shall be reimbursed for actual expenses incurred
16 in the performance of his duties.

17 (Source: P.A. 100-1027, eff. 1-1-19.)

18 Section 25. The Civil Administrative Code of Illinois is
19 amended by changing Sections 5-155, 5-340, and 5-565 as
20 follows:

21 (20 ILCS 5/5-155) (was 20 ILCS 5/5.04)

22 Sec. 5-155. In the Office of Mines and Minerals of the
23 Department of Natural Resources. In the Office of Mines and

1 Minerals of the Department of Natural Resources, there shall
2 be a State Mining Board, which shall consist of 6 officers
3 designated as mine officers and the Director of the Office of
4 Mines and Minerals. Three officers shall be representatives of
5 the employing class and 3 officers shall be chosen from a labor
6 organization recognized under the National Labor Relations Act
7 representing coal miners. Mine officers shall receive no
8 salary for serving on the State Mining Board. The 6 mine
9 officers shall be qualified as follows:

10 (1) Two mine officers from the employing class shall
11 have at least 4 years' experience in a supervisory
12 capacity in an underground coal mine and each shall hold a
13 certificate of competency as an Illinois mine examiner or
14 Illinois mine manager.

15 (2) The third mine officer from the employing class
16 shall have at least 4 years' experience in a supervisory
17 capacity in a surface coal mine.

18 (3) Two mine officers chosen from a labor organization
19 representing coal miners shall have 4 years experience in
20 an underground coal mine and shall hold certificates of
21 competency as an Illinois mine examiner.

22 (4) The third mine officer chosen from a labor
23 organization representing coal miners shall have at least
24 4 years experience in a surface coal mine.

25 (Source: P.A. 101-384, eff. 1-1-20.)

1 (20 ILCS 5/5-340) (was 20 ILCS 5/9.30)

2 Sec. 5-340. In the Department of Employment Security. For
3 terms ending before December 31, 2019, the Director of
4 Employment Security shall receive an annual salary as set by
5 the Compensation Review Board.

6 Each member of the Board of Review shall receive no salary
7 ~~\$15,000~~.

8 (Source: P.A. 100-1179, eff. 1-18-19.)

9 (20 ILCS 5/5-565) (was 20 ILCS 5/6.06)

10 Sec. 5-565. In the Department of Public Health.

11 (a) The General Assembly declares it to be the public
12 policy of this State that all citizens of Illinois are
13 entitled to lead healthy lives. Governmental public health has
14 a specific responsibility to ensure that a public health
15 system is in place to allow the public health mission to be
16 achieved. The public health system is the collection of
17 public, private, and voluntary entities as well as individuals
18 and informal associations that contribute to the public's
19 health within the State. To develop a public health system
20 requires certain core functions to be performed by government.
21 The State Board of Health is to assume the leadership role in
22 advising the Director in meeting the following functions:

23 (1) Needs assessment.

24 (2) Statewide health objectives.

25 (3) Policy development.

1 (4) Assurance of access to necessary services.

2 There shall be a State Board of Health composed of 20
3 persons, all of whom shall be appointed by the Governor, with
4 the advice and consent of the Senate for those appointed by the
5 Governor on and after June 30, 1998, and one of whom shall be a
6 senior citizen age 60 or over. Five members shall be
7 physicians licensed to practice medicine in all its branches,
8 one representing a medical school faculty, one who is board
9 certified in preventive medicine, and one who is engaged in
10 private practice. One member shall be a chiropractic
11 physician. One member shall be a dentist; one an environmental
12 health practitioner; one a local public health administrator;
13 one a local board of health member; one a registered nurse; one
14 a physical therapist; one an optometrist; one a veterinarian;
15 one a public health academician; one a health care industry
16 representative; one a representative of the business
17 community; one a representative of the non-profit public
18 interest community; and 2 shall be citizens at large.

19 The terms of Board of Health members shall be 3 years,
20 except that members shall continue to serve on the Board of
21 Health until a replacement is appointed. Upon the effective
22 date of Public Act 93-975 (January 1, 2005) ~~this amendatory~~
23 ~~Act of the 93rd General Assembly,~~ in the appointment of the
24 Board of Health members appointed to vacancies or positions
25 with terms expiring on or before December 31, 2004, the
26 Governor shall appoint up to 6 members to serve for terms of 3

1 years; up to 6 members to serve for terms of 2 years; and up to
2 5 members to serve for a term of one year, so that the term of
3 no more than 6 members expire in the same year. All members
4 shall be legal residents of the State of Illinois. The duties
5 of the Board shall include, but not be limited to, the
6 following:

7 (1) To advise the Department of ways to encourage
8 public understanding and support of the Department's
9 programs.

10 (2) To evaluate all boards, councils, committees,
11 authorities, and bodies advisory to, or an adjunct of, the
12 Department of Public Health or its Director for the
13 purpose of recommending to the Director one or more of the
14 following:

15 (i) The elimination of bodies whose activities are
16 not consistent with goals and objectives of the
17 Department.

18 (ii) The consolidation of bodies whose activities
19 encompass compatible programmatic subjects.

20 (iii) The restructuring of the relationship
21 between the various bodies and their integration
22 within the organizational structure of the Department.

23 (iv) The establishment of new bodies deemed
24 essential to the functioning of the Department.

25 (3) To serve as an advisory group to the Director for
26 public health emergencies and control of health hazards.

1 (4) To advise the Director regarding public health
2 policy, and to make health policy recommendations
3 regarding priorities to the Governor through the Director.

4 (5) To present public health issues to the Director
5 and to make recommendations for the resolution of those
6 issues.

7 (6) To recommend studies to delineate public health
8 problems.

9 (7) To make recommendations to the Governor through
10 the Director regarding the coordination of State public
11 health activities with other State and local public health
12 agencies and organizations.

13 (8) To report on or before February 1 of each year on
14 the health of the residents of Illinois to the Governor,
15 the General Assembly, and the public.

16 (9) To review the final draft of all proposed
17 administrative rules, other than emergency or peremptory
18 ~~preemptory~~ rules and those rules that another advisory
19 body must approve or review within a statutorily defined
20 time period, of the Department after September 19, 1991
21 (the effective date of Public Act 87-633). The Board shall
22 review the proposed rules within 90 days of submission by
23 the Department. The Department shall take into
24 consideration any comments and recommendations of the
25 Board regarding the proposed rules prior to submission to
26 the Secretary of State for initial publication. If the

1 Department disagrees with the recommendations of the
2 Board, it shall submit a written response outlining the
3 reasons for not accepting the recommendations.

4 In the case of proposed administrative rules or
5 amendments to administrative rules regarding immunization
6 of children against preventable communicable diseases
7 designated by the Director under the Communicable Disease
8 Prevention Act, after the Immunization Advisory Committee
9 has made its recommendations, the Board shall conduct 3
10 public hearings, geographically distributed throughout the
11 State. At the conclusion of the hearings, the State Board
12 of Health shall issue a report, including its
13 recommendations, to the Director. The Director shall take
14 into consideration any comments or recommendations made by
15 the Board based on these hearings.

16 (10) To deliver to the Governor for presentation to
17 the General Assembly a State Health Improvement Plan. The
18 first 3 such plans shall be delivered to the Governor on
19 January 1, 2006, January 1, 2009, and January 1, 2016 and
20 then every 5 years thereafter.

21 The Plan shall recommend priorities and strategies to
22 improve the public health system and the health status of
23 Illinois residents, taking into consideration national
24 health objectives and system standards as frameworks for
25 assessment.

26 The Plan shall also take into consideration priorities

1 and strategies developed at the community level through
2 the Illinois Project for Local Assessment of Needs (IPLAN)
3 and any regional health improvement plans that may be
4 developed. The Plan shall focus on prevention as a key
5 strategy for long-term health improvement in Illinois.

6 The Plan shall examine and make recommendations on the
7 contributions and strategies of the public and private
8 sectors for improving health status and the public health
9 system in the State. In addition to recommendations on
10 health status improvement priorities and strategies for
11 the population of the State as a whole, the Plan shall make
12 recommendations regarding priorities and strategies for
13 reducing and eliminating health disparities in Illinois;
14 including racial, ethnic, gender, age, socio-economic, and
15 geographic disparities.

16 The Director of the Illinois Department of Public
17 Health shall appoint a Planning Team that includes a range
18 of public, private, and voluntary sector stakeholders and
19 participants in the public health system. This Team shall
20 include: the directors of State agencies with public
21 health responsibilities (or their designees), including,
22 but not limited to, the Illinois Departments of Public
23 Health and Department of Human Services, representatives
24 of local health departments, representatives of local
25 community health partnerships, and individuals with
26 expertise who represent an array of organizations and

1 constituencies engaged in public health improvement and
2 prevention.

3 The State Board of Health shall hold at least 3 public
4 hearings addressing drafts of the Plan in representative
5 geographic areas of the State. Members of the Planning
6 Team shall receive no compensation for their services, but
7 may be reimbursed for their necessary expenses.

8 Upon the delivery of each State Health Improvement
9 Plan, the Governor shall appoint a SHIP Implementation
10 Coordination Council that includes a range of public,
11 private, and voluntary sector stakeholders and
12 participants in the public health system. The Council
13 shall include the directors of State agencies and entities
14 with public health system responsibilities (or their
15 designees), including, but not limited to, the Department
16 of Public Health, Department of Human Services, Department
17 of Healthcare and Family Services, Environmental
18 Protection Agency, Illinois State Board of Education,
19 Department on Aging, Illinois Violence Prevention
20 Authority, Department of Agriculture, Department of
21 Insurance, Department of Financial and Professional
22 Regulation, Department of Transportation, and Department
23 of Commerce and Economic Opportunity and the Chair of the
24 State Board of Health. The Council shall include
25 representatives of local health departments and
26 individuals with expertise who represent an array of

1 organizations and constituencies engaged in public health
2 improvement and prevention, including non-profit public
3 interest groups, health issue groups, faith community
4 groups, health care providers, businesses and employers,
5 academic institutions, and community-based organizations.
6 The Governor shall endeavor to make the membership of the
7 Council representative of the racial, ethnic, gender,
8 socio-economic, and geographic diversity of the State. The
9 Governor shall designate one State agency representative
10 and one other non-governmental member as co-chairs of the
11 Council. The Governor shall designate a member of the
12 Governor's office to serve as liaison to the Council and
13 one or more State agencies to provide or arrange for
14 support to the Council. The members of the SHIP
15 Implementation Coordination Council for each State Health
16 Improvement Plan shall serve until the delivery of the
17 subsequent State Health Improvement Plan, whereupon a new
18 Council shall be appointed. Members of the SHIP Planning
19 Team may serve on the SHIP Implementation Coordination
20 Council if so appointed by the Governor.

21 The SHIP Implementation Coordination Council shall
22 coordinate the efforts and engagement of the public,
23 private, and voluntary sector stakeholders and
24 participants in the public health system to implement each
25 SHIP. The Council shall serve as a forum for collaborative
26 action; coordinate existing and new initiatives; develop

1 detailed implementation steps, with mechanisms for action;
2 implement specific projects; identify public and private
3 funding sources at the local, State and federal level;
4 promote public awareness of the SHIP; advocate for the
5 implementation of the SHIP; and develop an annual report
6 to the Governor, General Assembly, and public regarding
7 the status of implementation of the SHIP. The Council
8 shall not, however, have the authority to direct any
9 public or private entity to take specific action to
10 implement the SHIP.

11 (11) Upon the request of the Governor, to recommend to
12 the Governor candidates for Director of Public Health when
13 vacancies occur in the position.

14 (12) To adopt bylaws for the conduct of its own
15 business, including the authority to establish ad hoc
16 committees to address specific public health programs
17 requiring resolution.

18 (13) (Blank).

19 Upon appointment, the Board shall elect a chairperson from
20 among its members.

21 Members of the Board shall receive no compensation for
22 serving as members, but ~~compensation for their services at the~~
23 ~~rate of \$150 per day, not to exceed \$10,000 per year, as~~
24 ~~designated by the Director for each day required for~~
25 ~~transacting the business of the Board and~~ shall be reimbursed
26 for necessary expenses incurred in the performance of their

1 duties. The Board shall meet from time to time at the call of
2 the Department, at the call of the chairperson, or upon the
3 request of 3 of its members, but shall not meet less than 4
4 times per year.

5 (b) (Blank).

6 (c) An Advisory Board on Necropsy Service to Coroners,
7 which shall counsel and advise with the Director on the
8 administration of the Autopsy Act. The Advisory Board shall
9 consist of 11 members, including a senior citizen age 60 or
10 over, appointed by the Governor, one of whom shall be
11 designated as chairman by a majority of the members of the
12 Board. In the appointment of the first Board the Governor
13 shall appoint 3 members to serve for terms of 1 year, 3 for
14 terms of 2 years, and 3 for terms of 3 years. The members first
15 appointed under Public Act 83-1538 shall serve for a term of 3
16 years. All members appointed thereafter shall be appointed for
17 terms of 3 years, except that when an appointment is made to
18 fill a vacancy, the appointment shall be for the remaining
19 term of the position vacant. The members of the Board shall be
20 citizens of the State of Illinois. In the appointment of
21 members of the Advisory Board the Governor shall appoint 3
22 members who shall be persons licensed to practice medicine and
23 surgery in the State of Illinois, at least 2 of whom shall have
24 received post-graduate training in the field of pathology; 3
25 members who are duly elected coroners in this State; and 5
26 members who shall have interest and abilities in the field of

1 forensic medicine but who shall be neither persons licensed to
2 practice any branch of medicine in this State nor coroners. In
3 the appointment of medical and coroner members of the Board,
4 the Governor shall invite nominations from recognized medical
5 and coroners organizations in this State respectively. Board
6 members, while serving on business of the Board, shall receive
7 actual necessary travel and subsistence expenses while so
8 serving away from their places of residence.

9 (Source: P.A. 98-463, eff. 8-16-13; 99-527, eff. 1-1-17;
10 revised 7-17-19.)

11 Section 30. The Personnel Code is amended by changing
12 Section 7d as follows:

13 (20 ILCS 415/7d) (from Ch. 127, par. 63b107d)

14 Sec. 7d. Compensation. The chairman and other members of
15 the Commission shall receive no salary for serving as members
16 ~~shall be paid an annual salary of \$8,200 from the third Monday~~
17 ~~in January, 1979 to the third Monday in January, 1980; \$8,700~~
18 ~~from the third Monday in January, 1980 to the third Monday in~~
19 ~~January, 1981; \$9,300 from the third Monday in January, 1981~~
20 ~~to the third Monday in January 1982; \$10,000 from the third~~
21 ~~Monday in January, 1982 to the effective date of this~~
22 ~~amendatory Act of the 91st General Assembly; and \$25,000~~
23 ~~thereafter, or as set by the Compensation Review Board,~~
24 ~~whichever is greater. Other members of the Commission shall~~

1 ~~each be paid an annual salary of \$5,500 from the third Monday~~
2 ~~in January, 1979 to the third Monday in January, 1980; \$6,000~~
3 ~~from the third Monday in January, 1980 to the third Monday in~~
4 ~~January, 1981; \$6,500 from the third Monday in January, 1981~~
5 ~~to the third Monday in January, 1982; \$7,500 from the third~~
6 ~~Monday in January, 1982 to the effective date of this~~
7 ~~amendatory Act of the 91st General Assembly; and \$20,000~~
8 ~~thereafter, or as set by the Compensation Review Board,~~
9 ~~whichever is greater.~~ They shall be entitled to reimbursement
10 for necessary traveling and other official expenditures
11 necessitated by their official duties.

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

13 Section 35. The Illinois Lottery Law is amended by
14 changing Section 6 as follows:

15 (20 ILCS 1605/6) (from Ch. 120, par. 1156)

16 Sec. 6. There is hereby created an independent board to be
17 known as the Lottery Control Board, consisting of 5 members,
18 all of whom shall be citizens of the United States and
19 residents of this State and shall be appointed by the Governor
20 with the advice and consent of the Senate. No more than 3 of
21 the 5 members shall be members of the same political party. A
22 chairman of the Board shall be chosen annually from the
23 membership of the Board by a majority of the members of the
24 Board at the first meeting of the Board each fiscal year.

1 Initial members shall be appointed to the Board by the
2 Governor as follows: one member to serve until July 1, 1974,
3 and until his successor is appointed and qualified; 2 members
4 to serve until July 1, 1975, and until their successors are
5 appointed and qualified; 2 members to serve until July 1,
6 1976, and until their successors are appointed and qualified.
7 As terms of members so appointed expire, their successors
8 shall be appointed for terms to expire the first day in July 3
9 years thereafter, and until their successors are appointed and
10 qualified.

11 Any vacancy in the Board occurring for any reason other
12 than expiration of term, shall be filled for the unexpired
13 term in the same manner as the original appointment.

14 Any member of the Board may be removed by the Governor for
15 neglect of duty, misfeasance, malfeasance, or nonfeasance in
16 office.

17 Board members ~~shall receive as compensation for their~~
18 ~~services \$100 for each day they are in attendance at any~~
19 ~~official board meeting, but in no event shall members receive~~
20 ~~more than \$1,200 per year. They shall receive no other~~
21 compensation for their services, but shall be reimbursed for
22 necessary traveling and other reasonable expenses incurred in
23 the performance of their official duties. Each member shall
24 make a full financial disclosure upon appointment.

25 The Board shall hold at least one meeting each quarter of
26 the fiscal year. In addition, special meetings may be called

1 by the Chairman, any 2 Board members, or the Director of the
2 Department, upon delivery of 72 hours' written notice to the
3 office of each member. All Board meetings shall be open to the
4 public pursuant to the Open Meetings Act.

5 Three members of the Board shall constitute a quorum, and
6 3 votes shall be required for any final determination by the
7 Board. The Board shall keep a complete and accurate record of
8 all its meetings.

9 (Source: P.A. 97-464, eff. 10-15-11; 98-499, eff. 8-16-13.)

10 Section 40. The State Police Act is amended by changing
11 Section 5 as follows:

12 (20 ILCS 2610/5) (from Ch. 121, par. 307.5)

13 Sec. 5. Each member of the Board shall receive no
14 compensation, but shall be reimbursed for ~~the sum of \$125 per~~
15 ~~day for each day during which he is engaged in transacting the~~
16 ~~business of the Board, or an amount set by the Compensation~~
17 ~~Review Board, whichever is greater, and, in addition thereto,~~
18 ~~his~~ actual traveling and other expenses necessarily incurred
19 in discharging the duties of his office; ~~provided, no member~~
20 ~~of the Board shall receive compensation for more than 100 days~~
21 ~~of work in any one fiscal year.~~

22 (Source: P.A. 83-1177.)

23 Section 45. The Property Tax Code is amended by changing

1 Section 7-10 as follows:

2 (35 ILCS 200/7-10)

3 Sec. 7-10. Selection of members. The members of the
4 Property Tax Appeal Board shall be qualified by virtue of 5
5 years experience and training in the field of public finance
6 administration, at least 2 years of which shall be in the field
7 of property appraisal and property tax administration. No more
8 than 3 members of the Board may be members of the same
9 political party. The Chairperson and other members of the
10 Property Tax Appeal Board shall receive no salary for serving
11 as members ~~Chairman of the Property Tax Appeal Board shall~~
12 ~~receive \$28,000 per year, or an amount set by the Compensation~~
13 ~~Review Board, whichever is greater; and each other member of~~
14 ~~the Board shall receive \$22,500 per year, or an amount set by~~
15 ~~the Compensation Review Board, whichever is greater.~~

16 Of the 5 members of the Board the terms of 2 members shall
17 expire on the third Monday in January, 1995; the term of 2
18 members shall expire on the third Monday in January, 1997; and
19 the term of one member shall expire on the third Monday in
20 January, 1999. Members shall be appointed in each odd-numbered
21 year for a 6 year term commencing on the third Monday in
22 January of such year. Each member shall serve until a
23 successor is appointed and qualified.

24 (Source: P.A. 84-1240; 88-455.)

1 Section 50. The Illinois International Port District Act
2 is amended by changing Section 12 as follows:

3 (70 ILCS 1810/12) (from Ch. 19, par. 163)

4 Sec. 12. The governing and administrative body of the
5 District shall be a board consisting of 9 members, to be known
6 as the Illinois International Port District Board. Members of
7 the Board shall be residents of a county whose territory, in
8 whole or in part, is embraced by the District and persons of
9 recognized business ability. The members of the Board shall
10 ~~receive compensation for their services, set by the Board at~~
11 ~~an amount not to exceed \$20,000.00 annually, except the~~
12 ~~Chairman may receive an additional \$5,000.00 annually, if~~
13 ~~approved by the Board. All such compensation shall be paid~~
14 ~~directly from the Port District's operating funds. The members~~
15 ~~shall~~ receive no ~~other~~ compensation whatever, whether in form
16 of salary, per diem allowance or otherwise, for or in
17 connection with his service as a member. The preceding
18 sentence shall not prevent any member from receiving any
19 non-salary benefit of the type received by employees of the
20 District. Each member shall be reimbursed for actual expenses
21 incurred by them in the performance of their duties. Any
22 person who is appointed to the office of secretary or
23 treasurer of the Board may receive compensation for services
24 as such officer, as determined by the Board, provided such
25 person is not a member of the Board. No member of the Board or

1 employee of the District shall have any private financial
2 interest, profit or benefit in any contract, work or business
3 of the District nor in the sale or lease of any property to or
4 from the District.

5 (Source: P.A. 93-250, eff. 7-22-03.)

6 Section 55. The Upper Mississippi River International Port
7 District Act is amended by changing Section 21 as follows:

8 (70 ILCS 1863/21)

9 Sec. 21. Board of Commissioners. The governing and
10 administrative body of the Port District shall be a Board of
11 Commissioners consisting of 5 members, to be known as the
12 Upper Mississippi River International Port District Board. All
13 members of the Board shall be residents of the District and
14 shall be known as Commissioners of the Upper Mississippi River
15 International Port District Board. The members of the Board
16 shall serve without compensation, but ~~may serve with~~
17 ~~compensation not to exceed \$6,000 per year and~~ shall be
18 reimbursed for actual expenses incurred by them in the
19 performance of their duties. No Commissioner of the Board
20 shall have any private financial interest, profit or benefit
21 in any contract, work or business of the District nor in the
22 sale or lease of any property to or from the District, except
23 to the extent allowed under The Public Officer Prohibited
24 Activities Act.

1 (Source: P.A. 96-636, eff. 8-24-09.)

2 Section 60. The Metropolitan Transit Authority Act is
3 amended by changing Sections 19 and 22 as follows:

4 (70 ILCS 3605/19) (from Ch. 111 2/3, par. 319)

5 Sec. 19. The governing and administrative body of the
6 Authority shall be a board consisting of seven members, to be
7 known as Chicago Transit Board. Members of the Board shall be
8 residents of the metropolitan area and persons of recognized
9 business ability. No member of the Board of the Authority
10 shall hold any other office or employment under the Federal,
11 State or any County or any municipal government, or any other
12 unit of local government, except an honorary office without
13 compensation or an office in the National Guard. No employee
14 of the Authority shall hold any other office or employment
15 under the Federal, State or any County or any municipal
16 government, or any other unit of local government, except an
17 office with compensation not exceeding \$15,000 annually or a
18 position in the National Guard or the United States military
19 reserves. Provided, however, that the Chairman may be a member
20 of the Board of the Regional Transportation Authority. No
21 member of the Board or employee of the Authority shall have any
22 private financial interest, profit or benefit in any contract,
23 work or business of the Authority nor in the sale or lease of
24 any property to or from the Authority. ~~The salary of each~~

1 ~~member of the initial Board shall be \$15,000.00 per annum, and~~
2 ~~such salary shall not be increased or diminished during his or~~
3 ~~her term of office. The salaries of successor members of the~~
4 ~~Board shall be fixed by the Board and shall not be increased or~~
5 ~~diminished during their respective terms of office.~~ No Board
6 member shall be allowed any fees, perquisites or emoluments,
7 reward or compensation for his or her services as a member or
8 officer of the Authority ~~aside from his or her salary or~~
9 ~~pension~~, but he or she shall be reimbursed for actual expenses
10 incurred by him or her in the performance of his or her duties.
11 (Source: P.A. 98-709, eff. 7-16-14.)

12 (70 ILCS 3605/22) (from Ch. 111 2/3, par. 322)

13 Sec. 22. As soon as possible after the appointment of the
14 initial members, the board shall organize for the transaction
15 of business, select a chairman and a temporary secretary from
16 its own number, and adopt by-laws, rules and regulations to
17 govern its proceedings. The initial chairman and successors
18 shall be elected by the Board from time to time for the term of
19 his office as a member of the Board or for the term of three
20 years, whichever is shorter. The chairperson of the Board
21 shall receive no salary for his or her services. ~~The Board~~
22 ~~shall fix the salary of the chairman in addition to his salary~~
23 ~~as a member of the Board, which shall not be increased or~~
24 ~~diminished during his term of office as chairman. But if the~~
25 ~~chairman is engaged in any other business or employment during~~

1 ~~his term as chairman, his annual salary shall be not more than~~
2 ~~\$25,000.~~

3 (Source: P.A. 80-937.)

4 Section 65. The Illinois Educational Labor Relations Act
5 is amended by changing Section 5 as follows:

6 (115 ILCS 5/5) (from Ch. 48, par. 1705)

7 Sec. 5. Illinois Educational Labor Relations Board.

8 (a) There is hereby created the Illinois Educational Labor
9 Relations Board.

10 (a-5) Until July 1, 2003 or when all of the new members to
11 be initially appointed under this amendatory Act of the 93rd
12 General Assembly have been appointed by the Governor,
13 whichever occurs later, the Illinois Educational Labor
14 Relations Board shall consist of 7 members, no more than 4 of
15 whom may be of the same political party, who are residents of
16 Illinois appointed by the Governor with the advice and consent
17 of the Senate.

18 The term of each appointed member of the Board who is in
19 office on June 30, 2003 shall terminate at the close of
20 business on that date or when all of the new members to be
21 initially appointed under this amendatory Act of the 93rd
22 General Assembly have been appointed by the Governor,
23 whichever occurs later.

24 (b) Beginning on July 1, 2003 or when all of the new

1 members to be initially appointed under this amendatory Act of
2 the 93rd General Assembly have been appointed by the Governor,
3 whichever occurs later, the Illinois Educational Labor
4 Relations Board shall consist of 5 members appointed by the
5 Governor with the advice and consent of the Senate. No more
6 than 3 members may be of the same political party.

7 The Governor shall appoint to the Board only persons who
8 are residents of Illinois and have had a minimum of 5 years of
9 experience directly related to labor and employment relations
10 in representing educational employers or educational employees
11 in collective bargaining matters. One appointed member shall
12 be designated at the time of his or her appointment to serve as
13 chairman.

14 Of the initial members appointed pursuant to this
15 amendatory Act of the 93rd General Assembly, 2 shall be
16 designated at the time of appointment to serve a term of 6
17 years, 2 shall be designated at the time of appointment to
18 serve a term of 4 years, and the other shall be designated at
19 the time of his or her appointment to serve a term of 4 years,
20 with each to serve until his or her successor is appointed and
21 qualified.

22 Each subsequent member shall be appointed in like manner
23 for a term of 6 years and until his or her successor is
24 appointed and qualified. Each member of the Board is eligible
25 for reappointment. Vacancies shall be filled in the same
26 manner as original appointments for the balance of the

1 unexpired term.

2 (c) The chairperson and other members of the Board shall
3 receive no salary for serving on the Board ~~chairman shall be~~
4 ~~paid \$50,000 per year, or an amount set by the Compensation~~
5 ~~Review Board, whichever is greater. Other members of the Board~~
6 ~~shall each be paid \$45,000 per year, or an amount set by the~~
7 ~~Compensation Review Board, whichever is greater.~~ They shall be
8 entitled to reimbursement for necessary traveling and other
9 official expenditures necessitated by their official duties.

10 Each member shall devote his entire time to the duties of
11 the office, and shall hold no other office or position of
12 profit, nor engage in any other business, employment or
13 vocation.

14 (d) Three members of the Board constitute a quorum and a
15 vacancy on the Board does not impair the right of the remaining
16 members to exercise all of the powers of the Board.

17 (e) Any member of the Board may be removed by the Governor,
18 upon notice, for neglect of duty or malfeasance in office, but
19 for no other cause.

20 (f) The Board may appoint or employ an executive director,
21 attorneys, hearing officers, and such other employees as it
22 deems necessary to perform its functions, except that the
23 Board shall employ a minimum of 8 attorneys and 5
24 investigators. The Board shall prescribe the duties and
25 qualifications of such persons appointed and, subject to the
26 annual appropriation, fix their compensation and provide for

1 reimbursement of actual and necessary expenses incurred in the
2 performance of their duties.

3 (g) The Board may promulgate rules and regulations which
4 allow parties in proceedings before the Board to be
5 represented by counsel or any other person knowledgeable in
6 the matters under consideration.

7 (h) To accomplish the objectives and to carry out the
8 duties prescribed by this Act, the Board may subpoena
9 witnesses, subpoena the production of books, papers, records
10 and documents which may be needed as evidence on any matter
11 under inquiry and may administer oaths and affirmations.

12 In cases of neglect or refusal to obey a subpoena issued to
13 any person, the circuit court in the county in which the
14 investigation or the public hearing is taking place, upon
15 application by the Board, may issue an order requiring such
16 person to appear before the Board or any member or agent of the
17 Board to produce evidence or give testimony. A failure to obey
18 such order may be punished by the court as in civil contempt.

19 Any subpoena, notice of hearing, or other process or
20 notice of the Board issued under the provisions of this Act may
21 be served personally, by registered mail or by leaving a copy
22 at the principal office of the respondent required to be
23 served. A return, made and verified by the individual making
24 such service and setting forth the manner of such service, is
25 proof of service. A post office receipt, when registered mail
26 is used, is proof of service. All process of any court to which

1 application may be made under the provisions of this Act may be
2 served in the county where the persons required to be served
3 reside or may be found.

4 (i) The Board shall adopt, promulgate, amend, or rescind
5 rules and regulations in accordance with the Illinois
6 Administrative Procedure Act as it deems necessary and
7 feasible to carry out this Act.

8 (j) The Board at the end of every State fiscal year shall
9 make a report in writing to the Governor and the General
10 Assembly, stating in detail the work it has done in hearing and
11 deciding cases and otherwise.

12 (Source: P.A. 96-813, eff. 10-30-09.)

13 Section 70. The Public Utilities Act is amended by
14 changing Section 2-104 as follows:

15 (220 ILCS 5/2-104) (from Ch. 111 2/3, par. 2-104)

16 Sec. 2-104. It is declared to be the public policy of this
17 State that the Illinois Commerce Commission established herein
18 is a quasi-judicial body and that the chairperson and each
19 commissioner shall receive no salary for serving on the
20 Commission ~~an annual salary of \$39,000, or such amount as set~~
21 ~~by the Compensation Review Board, whichever is greater. The~~
22 ~~chairman of the Commission shall receive in addition to his~~
23 ~~salary as a commissioner an additional sum of \$8,500 per year,~~
24 ~~or an amount set by the Compensation Review Board, whichever~~

1 ~~is greater, during such time as he shall serve as chairman.~~

2 (Source: P.A. 84-617.)

3 Section 75. The Coal Mining Act is amended by changing
4 Section 8.04 as follows:

5 (225 ILCS 705/8.04) (from Ch. 96 1/2, par. 804)

6 Sec. 8.04. Each miners' examining officer shall receive no
7 compensation for his or her services, but shall receive as
8 ~~compensation for his services the sum of \$7,500 per year or~~
9 ~~such greater sum as may be set by the Compensation Review~~
10 ~~Board. He shall also receive his~~ traveling and other necessary
11 expenses actually expended in the discharge of his or her
12 official duties. ~~Salary and expenses of such officers shall be~~
13 ~~paid monthly.~~ All expense accounts shall be itemized and
14 verified by the examining officer receiving the same, and
15 shall be approved by the Director.

16 (Source: P.A. 85-1333.)

17 Section 80. The Illinois Horse Racing Act of 1975 is
18 amended by changing Section 5 as follows:

19 (230 ILCS 5/5) (from Ch. 8, par. 37-5)

20 Sec. 5. As soon as practicable following the effective
21 date of this amendatory Act of 1995, the Governor shall
22 appoint, with the advice and consent of the Senate, members to

1 the Board as follows: 3 members for terms expiring July 1,
2 1996; 3 members for terms expiring July 1, 1998; and 3 members
3 for terms expiring July 1, 2000. Of the 2 additional members
4 appointed pursuant to this amendatory Act of the 91st General
5 Assembly, the initial term of one member shall expire on July
6 1, 2002 and the initial term of the other member shall expire
7 on July 1, 2004. Thereafter, the terms of office of the Board
8 members shall be 6 years. Incumbent members on the effective
9 date of this amendatory Act of 1995 shall continue to serve
10 only until their successors are appointed and have qualified.

11 Each member of the Board shall receive no compensation for
12 his or her services ~~\$300 per day for each day the Board meets~~
13 ~~and for each day the member conducts a hearing pursuant to~~
14 ~~Section 16 of this Act, provided that no Board member shall~~
15 ~~receive more than \$5,000 in such fees during any calendar~~
16 ~~year, or an amount set by the Compensation Review Board,~~
17 ~~whichever is greater.~~ Members of the Board shall also be
18 reimbursed for all actual and necessary expenses and
19 disbursements incurred in the execution of their official
20 duties.

21 (Source: P.A. 91-357, eff. 7-29-99; 91-798, eff. 7-9-00.)

22 Section 85. The Illinois Gambling Act is amended by
23 changing Section 5 as follows:

24 (230 ILCS 10/5) (from Ch. 120, par. 2405)

1 Sec. 5. Gaming Board.

2 (a) (1) There is hereby established the Illinois Gaming
3 Board, which shall have the powers and duties specified in
4 this Act, and all other powers necessary and proper to fully
5 and effectively execute this Act for the purpose of
6 administering, regulating, and enforcing the system of
7 riverboat and casino gambling established by this Act and
8 gaming pursuant to an organization gaming license issued under
9 this Act. Its jurisdiction shall extend under this Act to
10 every person, association, corporation, partnership and trust
11 involved in riverboat and casino gambling operations and
12 gaming pursuant to an organization gaming license issued under
13 this Act in the State of Illinois.

14 (2) The Board shall consist of 5 members to be appointed by
15 the Governor with the advice and consent of the Senate, one of
16 whom shall be designated by the Governor to be chairperson.
17 Each member shall have a reasonable knowledge of the practice,
18 procedure and principles of gambling operations. Each member
19 shall either be a resident of Illinois or shall certify that he
20 or she will become a resident of Illinois before taking
21 office.

22 On and after the effective date of this amendatory Act of
23 the 101st General Assembly, new appointees to the Board must
24 include the following:

25 (A) One member who has received, at a minimum, a
26 bachelor's degree from an accredited school and at least

1 10 years of verifiable experience in the fields of
2 investigation and law enforcement.

3 (B) One member who is a certified public accountant
4 with experience in auditing and with knowledge of complex
5 corporate structures and transactions.

6 (C) One member who has 5 years' experience as a
7 principal, senior officer, or director of a company or
8 business with either material responsibility for the daily
9 operations and management of the overall company or
10 business or material responsibility for the policy making
11 of the company or business.

12 (D) One member who is an attorney licensed to practice
13 law in Illinois for at least 5 years.

14 Notwithstanding any provision of this subsection (a), the
15 requirements of subparagraphs (A) through (D) of this
16 paragraph (2) shall not apply to any person reappointed
17 pursuant to paragraph (3).

18 No more than 3 members of the Board may be from the same
19 political party. No Board member shall, within a period of one
20 year immediately preceding nomination, have been employed or
21 received compensation or fees for services from a person or
22 entity, or its parent or affiliate, that has engaged in
23 business with the Board, a licensee, or a licensee under the
24 Illinois Horse Racing Act of 1975. Board members must publicly
25 disclose all prior affiliations with gaming interests,
26 including any compensation, fees, bonuses, salaries, and other

1 reimbursement received from a person or entity, or its parent
2 or affiliate, that has engaged in business with the Board, a
3 licensee, or a licensee under the Illinois Horse Racing Act of
4 1975. This disclosure must be made within 30 days after
5 nomination but prior to confirmation by the Senate and must be
6 made available to the members of the Senate.

7 (3) The terms of office of the Board members shall be 3
8 years, except that the terms of office of the initial Board
9 members appointed pursuant to this Act will commence from the
10 effective date of this Act and run as follows: one for a term
11 ending July 1, 1991, 2 for a term ending July 1, 1992, and 2
12 for a term ending July 1, 1993. Upon the expiration of the
13 foregoing terms, the successors of such members shall serve a
14 term for 3 years and until their successors are appointed and
15 qualified for like terms. Vacancies in the Board shall be
16 filled for the unexpired term in like manner as original
17 appointments. Each member of the Board shall be eligible for
18 reappointment at the discretion of the Governor with the
19 advice and consent of the Senate.

20 (4) Each member of the Board shall receive no compensation
21 for his or her services, but shall \$300 for each day the Board
22 meets and for each day the member conducts any hearing
23 pursuant to this Act. Each member of the Board shall also be
24 reimbursed for all actual and necessary expenses and
25 disbursements incurred in the execution of official duties.

26 (5) No person shall be appointed a member of the Board or

1 continue to be a member of the Board who is, or whose spouse,
2 child or parent is, a member of the board of directors of, or a
3 person financially interested in, any gambling operation
4 subject to the jurisdiction of this Board, or any race track,
5 race meeting, racing association or the operations thereof
6 subject to the jurisdiction of the Illinois Racing Board. No
7 Board member shall hold any other public office. No person
8 shall be a member of the Board who is not of good moral
9 character or who has been convicted of, or is under indictment
10 for, a felony under the laws of Illinois or any other state, or
11 the United States.

12 (5.5) No member of the Board shall engage in any political
13 activity. For the purposes of this Section, "political" means
14 any activity in support of or in connection with any campaign
15 for federal, State, or local elective office or any political
16 organization, but does not include activities (i) relating to
17 the support or opposition of any executive, legislative, or
18 administrative action (as those terms are defined in Section 2
19 of the Lobbyist Registration Act), (ii) relating to collective
20 bargaining, or (iii) that are otherwise in furtherance of the
21 person's official State duties or governmental and public
22 service functions.

23 (6) Any member of the Board may be removed by the Governor
24 for neglect of duty, misfeasance, malfeasance, or nonfeasance
25 in office or for engaging in any political activity.

26 (7) Before entering upon the discharge of the duties of

1 his office, each member of the Board shall take an oath that he
2 will faithfully execute the duties of his office according to
3 the laws of the State and the rules and regulations adopted
4 therewith and shall give bond to the State of Illinois,
5 approved by the Governor, in the sum of \$25,000. Every such
6 bond, when duly executed and approved, shall be recorded in
7 the office of the Secretary of State. Whenever the Governor
8 determines that the bond of any member of the Board has become
9 or is likely to become invalid or insufficient, he shall
10 require such member forthwith to renew his bond, which is to be
11 approved by the Governor. Any member of the Board who fails to
12 take oath and give bond within 30 days from the date of his
13 appointment, or who fails to renew his bond within 30 days
14 after it is demanded by the Governor, shall be guilty of
15 neglect of duty and may be removed by the Governor. The cost of
16 any bond given by any member of the Board under this Section
17 shall be taken to be a part of the necessary expenses of the
18 Board.

19 (7.5) For the examination of all mechanical,
20 electromechanical, or electronic table games, slot machines,
21 slot accounting systems, sports wagering systems, and other
22 electronic gaming equipment, and the field inspection of such
23 systems, games, and machines, for compliance with this Act,
24 the Board shall utilize the services of independent outside
25 testing laboratories that have been accredited in accordance
26 with ISO/IEC 17025 by an accreditation body that is a

1 signatory to the International Laboratory Accreditation
2 Cooperation Mutual Recognition Agreement signifying they are
3 qualified to perform such examinations. Notwithstanding any
4 law to the contrary, the Board shall consider the licensing of
5 independent outside testing laboratory applicants in
6 accordance with procedures established by the Board by rule.
7 The Board shall not withhold its approval of an independent
8 outside testing laboratory license applicant that has been
9 accredited as required under this paragraph (7.5) and is
10 licensed in gaming jurisdictions comparable to Illinois. Upon
11 the finalization of required rules, the Board shall license
12 independent testing laboratories and accept the test reports
13 of any licensed testing laboratory of the system's, game's, or
14 machine manufacturer's choice, notwithstanding the existence
15 of contracts between the Board and any independent testing
16 laboratory.

17 (8) The Board shall employ such personnel as may be
18 necessary to carry out its functions and shall determine the
19 salaries of all personnel, except those personnel whose
20 salaries are determined under the terms of a collective
21 bargaining agreement. No person shall be employed to serve the
22 Board who is, or whose spouse, parent or child is, an official
23 of, or has a financial interest in or financial relation with,
24 any operator engaged in gambling operations within this State
25 or any organization engaged in conducting horse racing within
26 this State. For the one year immediately preceding employment,

1 an employee shall not have been employed or received
2 compensation or fees for services from a person or entity, or
3 its parent or affiliate, that has engaged in business with the
4 Board, a licensee, or a licensee under the Illinois Horse
5 Racing Act of 1975. Any employee violating these prohibitions
6 shall be subject to termination of employment.

7 (9) An Administrator shall perform any and all duties that
8 the Board shall assign him. The salary of the Administrator
9 shall be determined by the Board and, in addition, he shall be
10 reimbursed for all actual and necessary expenses incurred by
11 him in discharge of his official duties. The Administrator
12 shall keep records of all proceedings of the Board and shall
13 preserve all records, books, documents and other papers
14 belonging to the Board or entrusted to its care. The
15 Administrator shall devote his full time to the duties of the
16 office and shall not hold any other office or employment.

17 (b) The Board shall have general responsibility for the
18 implementation of this Act. Its duties include, without
19 limitation, the following:

20 (1) To decide promptly and in reasonable order all
21 license applications. Any party aggrieved by an action of
22 the Board denying, suspending, revoking, restricting or
23 refusing to renew a license may request a hearing before
24 the Board. A request for a hearing must be made to the
25 Board in writing within 5 days after service of notice of
26 the action of the Board. Notice of the action of the Board

1 shall be served either by personal delivery or by
2 certified mail, postage prepaid, to the aggrieved party.
3 Notice served by certified mail shall be deemed complete
4 on the business day following the date of such mailing.
5 The Board shall conduct any such hearings promptly and in
6 reasonable order;

7 (2) To conduct all hearings pertaining to civil
8 violations of this Act or rules and regulations
9 promulgated hereunder;

10 (3) To promulgate such rules and regulations as in its
11 judgment may be necessary to protect or enhance the
12 credibility and integrity of gambling operations
13 authorized by this Act and the regulatory process
14 hereunder;

15 (4) To provide for the establishment and collection of
16 all license and registration fees and taxes imposed by
17 this Act and the rules and regulations issued pursuant
18 hereto. All such fees and taxes shall be deposited into
19 the State Gaming Fund;

20 (5) To provide for the levy and collection of
21 penalties and fines for the violation of provisions of
22 this Act and the rules and regulations promulgated
23 hereunder. All such fines and penalties shall be deposited
24 into the Education Assistance Fund, created by Public Act
25 86-0018, of the State of Illinois;

26 (6) To be present through its inspectors and agents

1 any time gambling operations are conducted on any
2 riverboat, in any casino, or at any organization gaming
3 facility for the purpose of certifying the revenue
4 thereof, receiving complaints from the public, and
5 conducting such other investigations into the conduct of
6 the gambling games and the maintenance of the equipment as
7 from time to time the Board may deem necessary and proper;

8 (7) To review and rule upon any complaint by a
9 licensee regarding any investigative procedures of the
10 State which are unnecessarily disruptive of gambling
11 operations. The need to inspect and investigate shall be
12 presumed at all times. The disruption of a licensee's
13 operations shall be proved by clear and convincing
14 evidence, and establish that: (A) the procedures had no
15 reasonable law enforcement purposes, and (B) the
16 procedures were so disruptive as to unreasonably inhibit
17 gambling operations;

18 (8) To hold at least one meeting each quarter of the
19 fiscal year. In addition, special meetings may be called
20 by the Chairman or any 2 Board members upon 72 hours
21 written notice to each member. All Board meetings shall be
22 subject to the Open Meetings Act. Three members of the
23 Board shall constitute a quorum, and 3 votes shall be
24 required for any final determination by the Board. The
25 Board shall keep a complete and accurate record of all its
26 meetings. A majority of the members of the Board shall

1 constitute a quorum for the transaction of any business,
2 for the performance of any duty, or for the exercise of any
3 power which this Act requires the Board members to
4 transact, perform or exercise en banc, except that, upon
5 order of the Board, one of the Board members or an
6 administrative law judge designated by the Board may
7 conduct any hearing provided for under this Act or by
8 Board rule and may recommend findings and decisions to the
9 Board. The Board member or administrative law judge
10 conducting such hearing shall have all powers and rights
11 granted to the Board in this Act. The record made at the
12 time of the hearing shall be reviewed by the Board, or a
13 majority thereof, and the findings and decision of the
14 majority of the Board shall constitute the order of the
15 Board in such case;

16 (9) To maintain records which are separate and
17 distinct from the records of any other State board or
18 commission. Such records shall be available for public
19 inspection and shall accurately reflect all Board
20 proceedings;

21 (10) To file a written annual report with the Governor
22 on or before July 1 each year and such additional reports
23 as the Governor may request. The annual report shall
24 include a statement of receipts and disbursements by the
25 Board, actions taken by the Board, and any additional
26 information and recommendations which the Board may deem

1 valuable or which the Governor may request;

2 (11) (Blank);

3 (12) (Blank);

4 (13) To assume responsibility for administration and
5 enforcement of the Video Gaming Act;

6 (13.1) To assume responsibility for the administration
7 and enforcement of operations at organization gaming
8 facilities pursuant to this Act and the Illinois Horse
9 Racing Act of 1975;

10 (13.2) To assume responsibility for the administration
11 and enforcement of the Sports Wagering Act; and

12 (14) To adopt, by rule, a code of conduct governing
13 Board members and employees that ensure, to the maximum
14 extent possible, that persons subject to this Code avoid
15 situations, relationships, or associations that may
16 represent or lead to a conflict of interest.

17 Internal controls and changes submitted by licensees must
18 be reviewed and either approved or denied with cause within 90
19 days after receipt of submission is deemed final by the
20 Illinois Gaming Board. In the event an internal control
21 submission or change does not meet the standards set by the
22 Board, staff of the Board must provide technical assistance to
23 the licensee to rectify such deficiencies within 90 days after
24 the initial submission and the revised submission must be
25 reviewed and approved or denied with cause within 90 days
26 after the date the revised submission is deemed final by the

1 Board. For the purposes of this paragraph, "with cause" means
2 that the approval of the submission would jeopardize the
3 integrity of gaming. In the event the Board staff has not acted
4 within the timeframe, the submission shall be deemed approved.

5 (c) The Board shall have jurisdiction over and shall
6 supervise all gambling operations governed by this Act. The
7 Board shall have all powers necessary and proper to fully and
8 effectively execute the provisions of this Act, including, but
9 not limited to, the following:

10 (1) To investigate applicants and determine the
11 eligibility of applicants for licenses and to select among
12 competing applicants the applicants which best serve the
13 interests of the citizens of Illinois.

14 (2) To have jurisdiction and supervision over all
15 riverboat gambling operations authorized under this Act
16 and all persons in places where gambling operations are
17 conducted.

18 (3) To promulgate rules and regulations for the
19 purpose of administering the provisions of this Act and to
20 prescribe rules, regulations and conditions under which
21 all gambling operations subject to this Act shall be
22 conducted. Such rules and regulations are to provide for
23 the prevention of practices detrimental to the public
24 interest and for the best interests of riverboat gambling,
25 including rules and regulations regarding the inspection
26 of organization gaming facilities, casinos, and

1 riverboats, and the review of any permits or licenses
2 necessary to operate a riverboat, casino, or organization
3 gaming facility under any laws or regulations applicable
4 to riverboats, casinos, or organization gaming facilities
5 and to impose penalties for violations thereof.

6 (4) To enter the office, riverboats, casinos,
7 organization gaming facilities, and other facilities, or
8 other places of business of a licensee, where evidence of
9 the compliance or noncompliance with the provisions of
10 this Act is likely to be found.

11 (5) To investigate alleged violations of this Act or
12 the rules of the Board and to take appropriate
13 disciplinary action against a licensee or a holder of an
14 occupational license for a violation, or institute
15 appropriate legal action for enforcement, or both.

16 (6) To adopt standards for the licensing of all
17 persons and entities under this Act, as well as for
18 electronic or mechanical gambling games, and to establish
19 fees for such licenses.

20 (7) To adopt appropriate standards for all
21 organization gaming facilities, riverboats, casinos, and
22 other facilities authorized under this Act.

23 (8) To require that the records, including financial
24 or other statements of any licensee under this Act, shall
25 be kept in such manner as prescribed by the Board and that
26 any such licensee involved in the ownership or management

1 of gambling operations submit to the Board an annual
2 balance sheet and profit and loss statement, list of the
3 stockholders or other persons having a 1% or greater
4 beneficial interest in the gambling activities of each
5 licensee, and any other information the Board deems
6 necessary in order to effectively administer this Act and
7 all rules, regulations, orders and final decisions
8 promulgated under this Act.

9 (9) To conduct hearings, issue subpoenas for the
10 attendance of witnesses and subpoenas duces tecum for the
11 production of books, records and other pertinent documents
12 in accordance with the Illinois Administrative Procedure
13 Act, and to administer oaths and affirmations to the
14 witnesses, when, in the judgment of the Board, it is
15 necessary to administer or enforce this Act or the Board
16 rules.

17 (10) To prescribe a form to be used by any licensee
18 involved in the ownership or management of gambling
19 operations as an application for employment for their
20 employees.

21 (11) To revoke or suspend licenses, as the Board may
22 see fit and in compliance with applicable laws of the
23 State regarding administrative procedures, and to review
24 applications for the renewal of licenses. The Board may
25 suspend an owners license or an organization gaming
26 license without notice or hearing upon a determination

1 that the safety or health of patrons or employees is
2 jeopardized by continuing a gambling operation conducted
3 under that license. The suspension may remain in effect
4 until the Board determines that the cause for suspension
5 has been abated. The Board may revoke an owners license or
6 organization gaming license upon a determination that the
7 licensee has not made satisfactory progress toward abating
8 the hazard.

9 (12) To eject or exclude or authorize the ejection or
10 exclusion of, any person from gambling facilities where
11 that person is in violation of this Act, rules and
12 regulations thereunder, or final orders of the Board, or
13 where such person's conduct or reputation is such that his
14 or her presence within the gambling facilities may, in the
15 opinion of the Board, call into question the honesty and
16 integrity of the gambling operations or interfere with the
17 orderly conduct thereof; provided that the propriety of
18 such ejection or exclusion is subject to subsequent
19 hearing by the Board.

20 (13) To require all licensees of gambling operations
21 to utilize a cashless wagering system whereby all players'
22 money is converted to tokens, electronic cards, or chips
23 which shall be used only for wagering in the gambling
24 establishment.

25 (14) (Blank).

26 (15) To suspend, revoke or restrict licenses, to

1 require the removal of a licensee or an employee of a
2 licensee for a violation of this Act or a Board rule or for
3 engaging in a fraudulent practice, and to impose civil
4 penalties of up to \$5,000 against individuals and up to
5 \$10,000 or an amount equal to the daily gross receipts,
6 whichever is larger, against licensees for each violation
7 of any provision of the Act, any rules adopted by the
8 Board, any order of the Board or any other action which, in
9 the Board's discretion, is a detriment or impediment to
10 gambling operations.

11 (16) To hire employees to gather information, conduct
12 investigations and carry out any other tasks contemplated
13 under this Act.

14 (17) To establish minimum levels of insurance to be
15 maintained by licensees.

16 (18) To authorize a licensee to sell or serve
17 alcoholic liquors, wine or beer as defined in the Liquor
18 Control Act of 1934 on board a riverboat or in a casino and
19 to have exclusive authority to establish the hours for
20 sale and consumption of alcoholic liquor on board a
21 riverboat or in a casino, notwithstanding any provision of
22 the Liquor Control Act of 1934 or any local ordinance, and
23 regardless of whether the riverboat makes excursions. The
24 establishment of the hours for sale and consumption of
25 alcoholic liquor on board a riverboat or in a casino is an
26 exclusive power and function of the State. A home rule

1 unit may not establish the hours for sale and consumption
2 of alcoholic liquor on board a riverboat or in a casino.
3 This subdivision (18) is a denial and limitation of home
4 rule powers and functions under subsection (h) of Section
5 6 of Article VII of the Illinois Constitution.

6 (19) After consultation with the U.S. Army Corps of
7 Engineers, to establish binding emergency orders upon the
8 concurrence of a majority of the members of the Board
9 regarding the navigability of water, relative to
10 excursions, in the event of extreme weather conditions,
11 acts of God or other extreme circumstances.

12 (20) To delegate the execution of any of its powers
13 under this Act for the purpose of administering and
14 enforcing this Act and the rules adopted by the Board.

15 (20.5) To approve any contract entered into on its
16 behalf.

17 (20.6) To appoint investigators to conduct
18 investigations, searches, seizures, arrests, and other
19 duties imposed under this Act, as deemed necessary by the
20 Board. These investigators have and may exercise all of
21 the rights and powers of peace officers, provided that
22 these powers shall be limited to offenses or violations
23 occurring or committed in a casino, in an organization
24 gaming facility, or on a riverboat or dock, as defined in
25 subsections (d) and (f) of Section 4, or as otherwise
26 provided by this Act or any other law.

1 (20.7) To contract with the Department of State Police
2 for the use of trained and qualified State police officers
3 and with the Department of Revenue for the use of trained
4 and qualified Department of Revenue investigators to
5 conduct investigations, searches, seizures, arrests, and
6 other duties imposed under this Act and to exercise all of
7 the rights and powers of peace officers, provided that the
8 powers of Department of Revenue investigators under this
9 subdivision (20.7) shall be limited to offenses or
10 violations occurring or committed in a casino, in an
11 organization gaming facility, or on a riverboat or dock,
12 as defined in subsections (d) and (f) of Section 4, or as
13 otherwise provided by this Act or any other law. In the
14 event the Department of State Police or the Department of
15 Revenue is unable to fill contracted police or
16 investigative positions, the Board may appoint
17 investigators to fill those positions pursuant to
18 subdivision (20.6).

19 (21) To adopt rules concerning the conduct of gaming
20 pursuant to an organization gaming license issued under
21 this Act.

22 (22) To have the same jurisdiction and supervision
23 over casinos and organization gaming facilities as the
24 Board has over riverboats, including, but not limited to,
25 the power to (i) investigate, review, and approve
26 contracts as that power is applied to riverboats, (ii)

1 adopt rules for administering the provisions of this Act,
2 (iii) adopt standards for the licensing of all persons
3 involved with a casino or organization gaming facility,
4 (iv) investigate alleged violations of this Act by any
5 person involved with a casino or organization gaming
6 facility, and (v) require that records, including
7 financial or other statements of any casino or
8 organization gaming facility, shall be kept in such manner
9 as prescribed by the Board.

10 (23) To take any other action as may be reasonable or
11 appropriate to enforce this Act and the rules adopted by
12 the Board.

13 (d) The Board may seek and shall receive the cooperation
14 of the Department of State Police in conducting background
15 investigations of applicants and in fulfilling its
16 responsibilities under this Section. Costs incurred by the
17 Department of State Police as a result of such cooperation
18 shall be paid by the Board in conformance with the
19 requirements of Section 2605-400 of the Department of State
20 Police Law.

21 (e) The Board must authorize to each investigator and to
22 any other employee of the Board exercising the powers of a
23 peace officer a distinct badge that, on its face, (i) clearly
24 states that the badge is authorized by the Board and (ii)
25 contains a unique identifying number. No other badge shall be
26 authorized by the Board.

1 (Source: P.A. 100-1152, eff. 12-14-18; 101-31, eff. 6-28-19.)

2 Section 90. The Liquor Control Act of 1934 is amended by
3 changing Section 3-9 as follows:

4 (235 ILCS 5/3-9) (from Ch. 43, par. 105)

5 Sec. 3-9. Compensation of commissioners, secretary, and
6 employees. The chairperson and other commissioners shall
7 receive no compensation for their services ~~chairman of the~~
8 ~~Commission shall receive an annual salary of \$32,000 or such~~
9 ~~greater amount as may be set by the Compensation Review Board.~~
10 ~~The other commissioners shall receive an annual salary of~~
11 ~~\$28,000 or such greater amount as may be set by the~~
12 ~~Compensation Review Board.~~ The secretary of the Commission
13 shall receive an annual salary as set by the Compensation
14 Review Board. All clerks, inspectors, and employees of the
15 Commission shall receive reasonable compensation in an amount
16 fixed by the Commission, subject to the approval in writing of
17 the Governor.

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

19 Section 95. The Environmental Protection Act is amended by
20 changing Section 5 as follows:

21 (415 ILCS 5/5) (from Ch. 111 1/2, par. 1005)

22 Sec. 5. Pollution Control Board.

1 (a) There is hereby created an independent board to be
2 known as the Pollution Control Board.

3 On and after August 11, 2003 (the effective date of Public
4 Act 93-509), the Board shall consist of 5 technically
5 qualified members, no more than 3 of whom may be of the same
6 political party, to be appointed by the Governor with the
7 advice and consent of the Senate. Members shall have
8 verifiable technical, academic, or actual experience in the
9 field of pollution control or environmental law and
10 regulation.

11 One member shall be appointed for a term ending July 1,
12 2004, 2 shall be appointed for terms ending July 1, 2005, and 2
13 shall be appointed for terms ending July 1, 2006. Thereafter,
14 all members shall hold office for 3 years from the first day of
15 July in the year in which they were appointed, except in case
16 of an appointment to fill a vacancy. In case of a vacancy in
17 the office when the Senate is not in session, the Governor may
18 make a temporary appointment until the next meeting of the
19 Senate, when he or she shall nominate some person to fill such
20 office; and any person so nominated, who is confirmed by the
21 Senate, shall hold the office during the remainder of the
22 term.

23 Members of the Board shall hold office until their
24 respective successors have been appointed and qualified. Any
25 member may resign from office, such resignation to take effect
26 when a successor has been appointed and has qualified.

1 Board members and the Chairperson of the Board shall
2 receive no salary for their services ~~shall be paid \$37,000 per~~
3 ~~year or an amount set by the Compensation Review Board,~~
4 ~~whichever is greater, and the Chairman shall be paid \$43,000~~
5 ~~per year or an amount set by the Compensation Review Board,~~
6 ~~whichever is greater.~~ Each member shall devote his or her
7 entire time to the duties of the office, and shall hold no
8 other office or position of profit, nor engage in any other
9 business, employment, or vocation. Each member shall be
10 reimbursed for expenses necessarily incurred and shall make a
11 financial disclosure upon appointment.

12 The Board may employ one assistant for each member and 2
13 assistants for the Chairman. The Board also may employ and
14 compensate hearing officers to preside at hearings under this
15 Act, and such other personnel as may be necessary. Hearing
16 officers shall be attorneys licensed to practice law in
17 Illinois.

18 The Board may have an Executive Director; if so, the
19 Executive Director shall be appointed by the Governor with the
20 advice and consent of the Senate. The salary and duties of the
21 Executive Director shall be fixed by the Board.

22 The Governor shall designate one Board member to be
23 Chairman, who shall serve at the pleasure of the Governor.

24 The Board shall hold at least one meeting each month and
25 such additional meetings as may be prescribed by Board rules.
26 In addition, special meetings may be called by the Chairman or

1 by any 2 Board members, upon delivery of 48 hours written
2 notice to the office of each member. All Board meetings shall
3 be open to the public, and public notice of all meetings shall
4 be given at least 48 hours in advance of each meeting. In
5 emergency situations in which a majority of the Board
6 certifies that exigencies of time require the requirements of
7 public notice and of 24 hour written notice to members may be
8 dispensed with, and Board members shall receive such notice as
9 is reasonable under the circumstances.

10 Three members of the Board shall constitute a quorum to
11 transact business; and the affirmative vote of 3 members is
12 necessary to adopt any order. The Board shall keep a complete
13 and accurate record of all its meetings.

14 (b) The Board shall determine, define and implement the
15 environmental control standards applicable in the State of
16 Illinois and may adopt rules and regulations in accordance
17 with Title VII of this Act.

18 (c) The Board shall have authority to act for the State in
19 regard to the adoption of standards for submission to the
20 United States under any federal law respecting environmental
21 protection. Such standards shall be adopted in accordance with
22 Title VII of the Act and upon adoption shall be forwarded to
23 the Environmental Protection Agency for submission to the
24 United States pursuant to subsections (l) and (m) of Section 4
25 of this Act. Nothing in this paragraph shall limit the
26 discretion of the Governor to delegate authority granted to

1 the Governor under any federal law.

2 (d) The Board shall have authority to conduct proceedings
3 upon complaints charging violations of this Act, any rule or
4 regulation adopted under this Act, any permit or term or
5 condition of a permit, or any Board order; upon administrative
6 citations; upon petitions for variances, adjusted standards,
7 or time-limited water quality standards; upon petitions for
8 review of the Agency's final determinations on permit
9 applications in accordance with Title X of this Act; upon
10 petitions to remove seals under Section 34 of this Act; and
11 upon other petitions for review of final determinations which
12 are made pursuant to this Act or Board rule and which involve a
13 subject which the Board is authorized to regulate. The Board
14 may also conduct other proceedings as may be provided by this
15 Act or any other statute or rule.

16 (e) In connection with any proceeding pursuant to
17 subsection (b) or (d) of this Section, the Board may subpoena
18 and compel the attendance of witnesses and the production of
19 evidence reasonably necessary to resolution of the matter
20 under consideration. The Board shall issue such subpoenas upon
21 the request of any party to a proceeding under subsection (d)
22 of this Section or upon its own motion.

23 (f) The Board may prescribe reasonable fees for permits
24 required pursuant to this Act. Such fees in the aggregate may
25 not exceed the total cost to the Agency for its inspection and
26 permit systems. The Board may not prescribe any permit fees

1 which are different in amount from those established by this
2 Act.

3 (Source: P.A. 99-934, eff. 1-27-17; 99-937, eff. 2-24-17;
4 100-863, eff. 8-14-18.)

5 Section 100. The Firearm Concealed Carry Act is amended by
6 changing Section 20 as follows:

7 (430 ILCS 66/20)

8 Sec. 20. Concealed Carry Licensing Review Board.

9 (a) There is hereby created within the Department of State
10 Police a Concealed Carry Licensing Review Board to consider
11 any objection to an applicant's eligibility to obtain a
12 license under this Act submitted by a law enforcement agency
13 or the Department under Section 15 of this Act. The Board shall
14 consist of 7 commissioners to be appointed by the Governor,
15 with the advice and consent of the Senate, with 3
16 commissioners residing within the First Judicial District and
17 one commissioner residing within each of the 4 remaining
18 Judicial Districts. No more than 4 commissioners shall be
19 members of the same political party. The Governor shall
20 designate one commissioner as the Chairperson. The Board shall
21 consist of:

22 (1) one commissioner with at least 5 years of service
23 as a federal judge;

24 (2) 2 commissioners with at least 5 years of

1 experience serving as an attorney with the United States
2 Department of Justice;

3 (3) 3 commissioners with at least 5 years of
4 experience as a federal agent or employee with
5 investigative experience or duties related to criminal
6 justice under the United States Department of Justice,
7 Drug Enforcement Administration, Department of Homeland
8 Security, or Federal Bureau of Investigation; and

9 (4) one member with at least 5 years of experience as a
10 licensed physician or clinical psychologist with expertise
11 in the diagnosis and treatment of mental illness.

12 (b) The initial terms of the commissioners shall end on
13 January 12, 2015. Thereafter, the commissioners shall hold
14 office for 4 years, with terms expiring on the second Monday in
15 January of the fourth year. Commissioners may be reappointed.
16 Vacancies in the office of commissioner shall be filled in the
17 same manner as the original appointment, for the remainder of
18 the unexpired term. The Governor may remove a commissioner for
19 incompetence, neglect of duty, malfeasance, or inability to
20 serve. Commissioners shall receive no compensation for their
21 services, but ~~compensation in an amount equal to the~~
22 ~~compensation of members of the Executive Ethics Commission and~~
23 may be reimbursed for reasonable expenses actually incurred in
24 the performance of their Board duties, from funds appropriated
25 for that purpose.

26 (c) The Board shall meet at the call of the chairperson as

1 often as necessary to consider objections to applications for
2 a license under this Act. If necessary to ensure the
3 participation of a commissioner, the Board shall allow a
4 commissioner to participate in a Board meeting by electronic
5 communication. Any commissioner participating electronically
6 shall be deemed present for purposes of establishing a quorum
7 and voting.

8 (d) The Board shall adopt rules for the review of
9 objections and the conduct of hearings. The Board shall
10 maintain a record of its decisions and all materials
11 considered in making its decisions. All Board decisions and
12 voting records shall be kept confidential and all materials
13 considered by the Board shall be exempt from inspection except
14 upon order of a court.

15 (e) In considering an objection of a law enforcement
16 agency or the Department, the Board shall review the materials
17 received with the objection from the law enforcement agency or
18 the Department. By a vote of at least 4 commissioners, the
19 Board may request additional information from the law
20 enforcement agency, Department, or the applicant, or the
21 testimony of the law enforcement agency, Department, or the
22 applicant. The Board may require that the applicant submit
23 electronic fingerprints to the Department for an updated
24 background check where the Board determines it lacks
25 sufficient information to determine eligibility. The Board may
26 only consider information submitted by the Department, a law

1 enforcement agency, or the applicant. The Board shall review
2 each objection and determine by a majority of commissioners
3 whether an applicant is eligible for a license.

4 (f) The Board shall issue a decision within 30 days of
5 receipt of the objection from the Department. However, the
6 Board need not issue a decision within 30 days if:

7 (1) the Board requests information from the applicant,
8 including but not limited to electronic fingerprints to be
9 submitted to the Department, in accordance with subsection
10 (e) of this Section, in which case the Board shall make a
11 decision within 30 days of receipt of the required
12 information from the applicant;

13 (2) the applicant agrees, in writing, to allow the
14 Board additional time to consider an objection; or

15 (3) the Board notifies the applicant and the
16 Department that the Board needs an additional 30 days to
17 issue a decision.

18 (g) If the Board determines by a preponderance of the
19 evidence that the applicant poses a danger to himself or
20 herself or others, or is a threat to public safety, then the
21 Board shall affirm the objection of the law enforcement agency
22 or the Department and shall notify the Department that the
23 applicant is ineligible for a license. If the Board does not
24 determine by a preponderance of the evidence that the
25 applicant poses a danger to himself or herself or others, or is
26 a threat to public safety, then the Board shall notify the

1 Department that the applicant is eligible for a license.

2 (h) Meetings of the Board shall not be subject to the Open
3 Meetings Act and records of the Board shall not be subject to
4 the Freedom of Information Act.

5 (i) The Board shall report monthly to the Governor and the
6 General Assembly on the number of objections received and
7 provide details of the circumstances in which the Board has
8 determined to deny licensure based on law enforcement or
9 Department objections under Section 15 of this Act. The report
10 shall not contain any identifying information about the
11 applicants.

12 (Source: P.A. 98-63, eff. 7-9-13; 98-600, eff. 12-6-13.)

13 Section 105. The Amusement Ride and Attraction Safety Act
14 is amended by changing Section 2-5 as follows:

15 (430 ILCS 85/2-5) (from Ch. 111 1/2, par. 4055)

16 Sec. 2-5. The members of the Board shall receive no
17 compensation for their services, but ~~who are appointed by the~~
18 ~~Governor shall receive compensation for their services at the~~
19 ~~rate of \$36 per day for meeting days and~~ shall be entitled to
20 actual and necessary expenses while conducting the business of
21 the Board.

22 (Source: P.A. 83-1240.)

23 Section 110. The Toll Highway Act is amended by changing

1 Sections 4 and 5 as follows:

2 (605 ILCS 10/4) (from Ch. 121, par. 100-4)

3 Sec. 4. Of the directors appointed by the Governor, one
4 such director shall be appointed by the Governor as chairman
5 and shall hold office for 4 years from the date of his
6 appointment, and until his successor shall be duly appointed
7 and qualified, but shall be subject to removal by the Governor
8 for incompetency, neglect of duty or malfeasance. The term of
9 the initial chairman appointed under this amendatory Act of
10 the 100th General Assembly shall end March 1, 2021 and the
11 chairman shall serve until his or her successor is duly
12 appointed and qualified.

13 The chairman shall preside at all meetings of the Board of
14 Directors of the Authority; shall exercise general supervision
15 over all powers, duties, obligations and functions of the
16 Authority; and shall approve or disapprove all resolutions,
17 by-laws, rules, rates and regulations made and established by
18 the Board of Directors, and if he shall approve thereof, he
19 shall sign the same, and such as he shall not approve he shall
20 return to the Board of Directors with his objections thereto
21 in writing at the next regular meeting of the Board of
22 Directors occurring after the passage thereof. Such veto may
23 extend to any one or more items contained in such resolution,
24 by-law, rule, rate or regulation, or to its entirety; and in
25 case the veto extends to a part of such resolution, by-law,

1 rule, rate or regulation, the residue thereof shall take
2 effect and be in force, but in case the chairman shall fail to
3 return any resolution, by-law, rule, rate or regulation with
4 his objections thereto by the time aforesaid, he shall be
5 deemed to have approved the same, and the same shall take
6 effect accordingly. Upon the return of any resolution, by-law,
7 rule, rate or regulation by the chairman, the vote by which the
8 same was passed shall be reconsidered by the Board of
9 Directors, and if upon such reconsideration two-thirds of all
10 the Directors agree by yeas and nays to pass the same, it shall
11 go into effect notwithstanding the chairman's refusal to
12 approve thereof. The process of approving or disapproving all
13 resolutions, by-laws, rules, rates and regulations, as well as
14 the ability of the Board of Directors to override the
15 disapproval of the chairman, under this Section shall be set
16 forth in the Authority's by-laws. Nothing in the Authority's
17 by-laws, rules, or regulations may be contrary to this
18 Section.

19 The chairperson shall no salary for his or her services,
20 but shall receive ~~chairman shall receive a salary of \$18,000~~
21 ~~per annum, or as set by the Compensation Review Board,~~
22 ~~whichever is greater, payable in monthly installments,~~
23 ~~together with~~ reimbursement for necessary expenses incurred in
24 the performance of his duties. The chairman shall be eligible
25 for reappointment.

26 (Source: P.A. 100-1180, eff. 2-28-19.)

1 (605 ILCS 10/5) (from Ch. 121, par. 100-5)

2 Sec. 5. Of the original directors, other than the
3 chairman, so appointed by the Governor, 3 shall hold office
4 for 2 years and 3 shall hold office for 4 years, from the date
5 of their appointment and until their respective successors
6 shall be duly appointed and qualified, but shall be subject to
7 removal by the Governor for incompetency, neglect of duty or
8 malfeasance. In case of vacancies in such offices during the
9 recess of the Senate, the Governor shall make a temporary
10 appointment until the next meeting of the Senate when he shall
11 nominate some person to fill such office and any person so
12 nominated, who is confirmed by the Senate, shall hold office
13 during the remainder of the term and until his successor shall
14 be appointed and qualified. The respective term of the first
15 directors appointed shall be designated by the Governor at the
16 time of appointment, but their successors shall each be
17 appointed for a term of four years, except that any person
18 appointed to fill a vacancy shall serve only for the unexpired
19 term. Directors shall be eligible for reappointment.

20 In making the initial appointments of the 2 additional
21 directors provided for by this amendatory Act of 1980, the
22 respective terms of the 2 additional directors first appointed
23 shall be designated by the Governor at the time of appointment
24 in such manner that the term of one such additional director
25 shall expire at the same time as the terms of 4 of the other

1 directors and the term of the other additional director shall
2 expire at the same time as the terms of 3 of the other
3 directors; thereafter the terms shall be 4 years.

4 Of the initial directors, other than the chairman,
5 appointed under the provisions of this amendatory Act of the
6 100th General Assembly, 4 shall serve terms running through
7 March 1, 2021. The 4 remaining directors shall serve terms
8 running through March 1, 2023. Thereafter the terms of all
9 directors shall be 4 years. Directors shall serve until their
10 respective successors are duly appointed and qualified.
11 Directors shall be eligible for reappointment.

12 Each such director shall receive no salary for his or her
13 services, but ~~, other than ex officio members shall receive an~~
14 ~~annual salary of \$15,000, or as set by the Compensation Review~~
15 ~~Board, whichever is greater, payable in monthly installments,~~
16 ~~and~~ shall be reimbursed for necessary expenses incurred in the
17 performance of his duties.

18 (Source: P.A. 100-1180, eff. 2-28-19.)

19 Section 115. The Unified Code of Corrections is amended by
20 changing Section 3-3-1 as follows:

21 (730 ILCS 5/3-3-1) (from Ch. 38, par. 1003-3-1)

22 Sec. 3-3-1. Establishment and appointment of Prisoner
23 Review Board.

24 (a) There shall be a Prisoner Review Board independent of

1 the Department which shall be:

2 (1) the paroling authority for persons sentenced under
3 the law in effect prior to the effective date of this
4 amendatory Act of 1977;

5 (1.2) the paroling authority for persons eligible for
6 parole review under Section 5-4.5-115;

7 (1.5) (blank);

8 (2) the board of review for cases involving the
9 revocation of sentence credits or a suspension or
10 reduction in the rate of accumulating the credit;

11 (3) the board of review and recommendation for the
12 exercise of executive clemency by the Governor;

13 (4) the authority for establishing release dates for
14 certain prisoners sentenced under the law in existence
15 prior to the effective date of this amendatory Act of
16 1977, in accordance with Section 3-3-2.1 of this Code;

17 (5) the authority for setting conditions for parole
18 and mandatory supervised release under Section 5-8-1(a) of
19 this Code, and determining whether a violation of those
20 conditions warrant revocation of parole or mandatory
21 supervised release or the imposition of other sanctions;
22 and

23 (6) the authority for determining whether a violation
24 of aftercare release conditions warrant revocation of
25 aftercare release.

26 (b) The Board shall consist of 15 persons appointed by the

1 Governor by and with the advice and consent of the Senate. One
2 member of the Board shall be designated by the Governor to be
3 Chairman and shall serve as Chairman at the pleasure of the
4 Governor. The members of the Board shall have had at least 5
5 years of actual experience in the fields of penology,
6 corrections work, law enforcement, sociology, law, education,
7 social work, medicine, psychology, other behavioral sciences,
8 or a combination thereof. At least 6 members so appointed must
9 have at least 3 years experience in the field of juvenile
10 matters. No more than 8 Board members may be members of the
11 same political party.

12 Each member of the Board shall serve on a full-time basis
13 and shall not hold any other salaried public office, whether
14 elective or appointive, nor any other office ~~or position of~~
15 ~~profit, nor engage in any other business, employment, or~~
16 ~~vocation.~~ The Chairperson and other members of the Board shall
17 receive no salary for their services ~~Chairman of the Board~~
18 ~~shall receive \$35,000 a year, or an amount set by the~~
19 ~~Compensation Review Board, whichever is greater, and each~~
20 ~~other member \$30,000, or an amount set by the Compensation~~
21 ~~Review Board, whichever is greater.~~

22 (c) Notwithstanding any other provision of this Section,
23 the term of each member of the Board who was appointed by the
24 Governor and is in office on June 30, 2003 shall terminate at
25 the close of business on that date or when all of the successor
26 members to be appointed pursuant to this amendatory Act of the

1 93rd General Assembly have been appointed by the Governor,
2 whichever occurs later. As soon as possible, the Governor
3 shall appoint persons to fill the vacancies created by this
4 amendatory Act.

5 Of the initial members appointed under this amendatory Act
6 of the 93rd General Assembly, the Governor shall appoint 5
7 members whose terms shall expire on the third Monday in
8 January 2005, 5 members whose terms shall expire on the third
9 Monday in January 2007, and 5 members whose terms shall expire
10 on the third Monday in January 2009. Their respective
11 successors shall be appointed for terms of 6 years from the
12 third Monday in January of the year of appointment. Each
13 member shall serve until his or her successor is appointed and
14 qualified.

15 Any member may be removed by the Governor for
16 incompetence, neglect of duty, malfeasance or inability to
17 serve.

18 (d) The Chairman of the Board shall be its chief executive
19 and administrative officer. The Board may have an Executive
20 Director; if so, the Executive Director shall be appointed by
21 the Governor with the advice and consent of the Senate. The
22 salary and duties of the Executive Director shall be fixed by
23 the Board.

24 (Source: P.A. 100-1182, eff. 6-1-19; 101-288, eff. 1-1-20.)

25 Section 120. The Illinois Human Rights Act is amended by

1 changing Section 8-101 as follows:

2 (775 ILCS 5/8-101) (from Ch. 68, par. 8-101)

3 Sec. 8-101. Illinois Human Rights Commission.

4 (A) Creation; appointments. The Human Rights Commission is
5 created to consist of 7 members appointed by the Governor with
6 the advice and consent of the Senate. No more than 4 members
7 shall be of the same political party. The Governor shall
8 designate one member as chairperson. All appointments shall be
9 in writing and filed with the Secretary of State as a public
10 record.

11 (B) Terms. Of the members first appointed, 4 shall be
12 appointed for a term to expire on the third Monday of January,
13 2021, and 3 (including the Chairperson) shall be appointed for
14 a term to expire on the third Monday of January, 2023.

15 Notwithstanding any provision of this Section to the
16 contrary, the term of office of each member of the Illinois
17 Human Rights Commission is abolished on January 19, 2019.
18 Incumbent members holding a position on the Commission that
19 was created by Public Act 84-115 and whose terms, if not for
20 this amendatory Act of the 100th General Assembly, would have
21 expired January 18, 2021 shall continue to exercise all of the
22 powers and be subject to all of the duties of members of the
23 Commission until June 30, 2019 or until their respective
24 successors are appointed and qualified, whichever is earlier.

25 Thereafter, each member shall serve for a term of 4 years

1 and until his or her successor is appointed and qualified;
2 except that any member chosen to fill a vacancy occurring
3 otherwise than by expiration of a term shall be appointed only
4 for the unexpired term of the member whom he or she shall
5 succeed and until his or her successor is appointed and
6 qualified.

7 (C) Vacancies.

8 (1) In the case of vacancies on the Commission during
9 a recess of the Senate, the Governor shall make a
10 temporary appointment until the next meeting of the Senate
11 when he or she shall appoint a person to fill the vacancy.
12 Any person so nominated and confirmed by the Senate shall
13 hold office for the remainder of the term and until his or
14 her successor is appointed and qualified.

15 (2) If the Senate is not in session at the time this
16 Act takes effect, the Governor shall make temporary
17 appointments to the Commission as in the case of
18 vacancies.

19 (3) Vacancies in the Commission shall not impair the
20 right of the remaining members to exercise all the powers
21 of the Commission. Except when authorized by this Act to
22 proceed through a 3 member panel, a majority of the
23 members of the Commission then in office shall constitute
24 a quorum.

25 (D) Compensation. The Chairperson and other members of the
26 Commission shall receive no compensation for their services,

1 ~~but~~ ~~On and after January 19, 2019, the Chairperson of the~~
2 ~~Commission shall be compensated at the rate of \$125,000 per~~
3 ~~year, or as set by the Compensation Review Board, whichever is~~
4 ~~greater, during his or her service as Chairperson, and each~~
5 ~~other member shall be compensated at the rate of \$119,000 per~~
6 ~~year, or as set by the Compensation Review Board, whichever is~~
7 ~~greater. In addition, all members of the Commission shall be~~
8 reimbursed for expenses actually and necessarily incurred by
9 them in the performance of their duties.

10 (E) Notwithstanding the general supervisory authority of
11 the Chairperson, each commissioner, unless appointed to the
12 special temporary panel created under subsection (H), has the
13 authority to hire and supervise a staff attorney. The staff
14 attorney shall report directly to the individual commissioner.

15 (F) A formal training program for newly appointed
16 commissioners shall be implemented. The training program shall
17 include the following:

18 (1) substantive and procedural aspects of the office
19 of commissioner;

20 (2) current issues in employment and housing
21 discrimination and public accommodation law and practice;

22 (3) orientation to each operational unit of the Human
23 Rights Commission;

24 (4) observation of experienced hearing officers and
25 commissioners conducting hearings of cases, combined with
26 the opportunity to discuss evidence presented and rulings

1 made;

2 (5) the use of hypothetical cases requiring the newly
3 appointed commissioner to issue judgments as a means of
4 evaluating knowledge and writing ability;

5 (6) writing skills; and

6 (7) professional and ethical standards.

7 A formal and ongoing professional development program
8 including, but not limited to, the above-noted areas shall be
9 implemented to keep commissioners informed of recent
10 developments and issues and to assist them in maintaining and
11 enhancing their professional competence. Each commissioner
12 shall complete 20 hours of training in the above-noted areas
13 during every 2 years the commissioner remains in office.

14 (G) Commissioners must meet one of the following
15 qualifications:

16 (1) licensed to practice law in the State of Illinois;

17 (2) at least 3 years of experience as a hearing
18 officer at the Human Rights Commission; or

19 (3) at least 4 years of professional experience
20 working for or dealing with individuals or corporations
21 affected by this Act or similar laws in other
22 jurisdictions, including, but not limited to, experience
23 with a civil rights advocacy group, a fair housing group,
24 a trade association, a union, a law firm, a legal aid
25 organization, an employer's human resources department, an
26 employment discrimination consulting firm, or a municipal

1 human relations agency.

2 The Governor's appointment message, filed with the
3 Secretary of State and transmitted to the Senate, shall state
4 specifically how the experience of a nominee for commissioner
5 meets the requirement set forth in this subsection. The
6 Chairperson must have public or private sector management and
7 budget experience, as determined by the Governor.

8 Each commissioner shall devote full time to his or her
9 duties and any commissioner who is an attorney shall not
10 engage in the practice of law, nor shall any commissioner hold
11 any other office or position of profit under the United States
12 or this State or any municipal corporation or political
13 subdivision of this State, nor engage in any other business,
14 employment, or vocation.

15 (H) Notwithstanding any other provision of this Act, the
16 Governor shall appoint, by and with the consent of the Senate,
17 a special temporary panel of commissioners comprised of 3
18 members. The members shall hold office until the Commission,
19 in consultation with the Governor, determines that the
20 caseload of requests for review has been reduced sufficiently
21 to allow cases to proceed in a timely manner, or for a term of
22 18 months from the date of appointment by the Governor,
23 whichever is earlier. Each of the 3 members shall have only
24 such rights and powers of a commissioner necessary to dispose
25 of the cases assigned to the special panel. Each of the 3
26 members appointed to the special panel shall receive the same

1 salary as other commissioners for the duration of the panel.
2 The panel shall have the authority to hire and supervise a
3 staff attorney who shall report to the panel of commissioners.
4 (Source: P.A. 100-1066, eff. 8-24-18; 101-530, eff. 1-1-20.)

5 Section 125. The Workers' Compensation Act is amended by
6 changing Section 13 as follows:

7 (820 ILCS 305/13) (from Ch. 48, par. 138.13)

8 Sec. 13. There is created an Illinois Workers'
9 Compensation Commission consisting of 10 members to be
10 appointed by the Governor, by and with the consent of the
11 Senate, 3 of whom shall be representative citizens of the
12 employing class operating under this Act and 3 of whom shall be
13 from a labor organization recognized under the National Labor
14 Relations Act or an attorney who has represented labor
15 organizations or has represented employees in workers'
16 compensation cases, and 4 of whom shall be representative
17 citizens not identified with either the employing or employee
18 classes. Not more than 6 members of the Commission shall be of
19 the same political party.

20 One of the members not identified with either the
21 employing or employee classes shall be designated by the
22 Governor as Chairman. The Chairman shall be the chief
23 administrative and executive officer of the Commission; and he
24 or she shall have general supervisory authority over all

1 personnel of the Commission, including arbitrators and
2 Commissioners, and the final authority in all administrative
3 matters relating to the Commissioners, including but not
4 limited to the assignment and distribution of cases and
5 assignment of Commissioners to the panels, except in the
6 promulgation of procedural rules and orders under Section 16
7 and in the determination of cases under this Act.

8 Notwithstanding the general supervisory authority of the
9 Chairman, each Commissioner, except those assigned to the
10 temporary panel, shall have the authority to hire and
11 supervise 2 staff attorneys each. Such staff attorneys shall
12 report directly to the individual Commissioner.

13 A formal training program for newly-appointed
14 Commissioners shall be implemented. The training program shall
15 include the following:

16 (a) substantive and procedural aspects of the office
17 of Commissioner;

18 (b) current issues in workers' compensation law and
19 practice;

20 (c) medical lectures by specialists in areas such as
21 orthopedics, ophthalmology, psychiatry, rehabilitation
22 counseling;

23 (d) orientation to each operational unit of the
24 Illinois Workers' Compensation Commission;

25 (e) observation of experienced arbitrators and
26 Commissioners conducting hearings of cases, combined with

1 the opportunity to discuss evidence presented and rulings
2 made;

3 (f) the use of hypothetical cases requiring the
4 newly-appointed Commissioner to issue judgments as a means
5 to evaluating knowledge and writing ability;

6 (g) writing skills;

7 (h) professional and ethical standards pursuant to
8 Section 1.1 of this Act;

9 (i) detection of workers' compensation fraud and
10 reporting obligations of Commission employees and
11 appointees;

12 (j) standards of evidence-based medical treatment and
13 best practices for measuring and improving quality and
14 health care outcomes in the workers' compensation system,
15 including but not limited to the use of the American
16 Medical Association's "Guides to the Evaluation of
17 Permanent Impairment" and the practice of utilization
18 review; and

19 (k) substantive and procedural aspects of coal
20 workers' pneumoconiosis (black lung) cases.

21 A formal and ongoing professional development program
22 including, but not limited to, the above-noted areas shall be
23 implemented to keep Commissioners informed of recent
24 developments and issues and to assist them in maintaining and
25 enhancing their professional competence. Each Commissioner
26 shall complete 20 hours of training in the above-noted areas

1 during every 2 years such Commissioner shall remain in office.

2 The Commissioner candidates, other than the Chairman, must
3 meet one of the following qualifications: (a) licensed to
4 practice law in the State of Illinois; or (b) served as an
5 arbitrator at the Illinois Workers' Compensation Commission
6 for at least 3 years; or (c) has at least 4 years of
7 professional labor relations experience. The Chairman
8 candidate must have public or private sector management and
9 budget experience, as determined by the Governor.

10 Each Commissioner shall devote full time to his duties and
11 any Commissioner who is an attorney-at-law shall not engage in
12 the practice of law, nor shall any Commissioner hold any other
13 office or position of profit under the United States or this
14 State or any municipal corporation or political subdivision of
15 this State, nor engage in any other business, employment, or
16 vocation.

17 The term of office of each member of the Commission
18 holding office on the effective date of this amendatory Act of
19 1989 is abolished, but the incumbents shall continue to
20 exercise all of the powers and be subject to all of the duties
21 of Commissioners until their respective successors are
22 appointed and qualified.

23 The Illinois Workers' Compensation Commission shall
24 administer this Act.

25 In the promulgation of procedural rules, the determination
26 of cases heard en banc, and other matters determined by the

1 full Commission, the Chairman's vote shall break a tie in the
2 event of a tie vote.

3 The members shall be appointed by the Governor, with the
4 advice and consent of the Senate, as follows:

5 (a) After the effective date of this amendatory Act of
6 1989, 3 members, at least one of each political party, and
7 one of whom shall be a representative citizen of the
8 employing class operating under this Act, one of whom
9 shall be a representative citizen of the class of
10 employees covered under this Act, and one of whom shall be
11 a representative citizen not identified with either the
12 employing or employee classes, shall be appointed to hold
13 office until the third Monday in January of 1993, and
14 until their successors are appointed and qualified, and 4
15 members, one of whom shall be a representative citizen of
16 the employing class operating under this Act, one of whom
17 shall be a representative citizen of the class of
18 employees covered in this Act, and two of whom shall be
19 representative citizens not identified with either the
20 employing or employee classes, one of whom shall be
21 designated by the Governor as Chairman (at least one of
22 each of the two major political parties) shall be
23 appointed to hold office until the third Monday of January
24 in 1991, and until their successors are appointed and
25 qualified.

26 (a-5) Notwithstanding any other provision of this

1 Section, the term of each member of the Commission who was
2 appointed by the Governor and is in office on June 30, 2003
3 shall terminate at the close of business on that date or
4 when all of the successor members to be appointed pursuant
5 to this amendatory Act of the 93rd General Assembly have
6 been appointed by the Governor, whichever occurs later. As
7 soon as possible, the Governor shall appoint persons to
8 fill the vacancies created by this amendatory Act. Of the
9 initial commissioners appointed pursuant to this
10 amendatory Act of the 93rd General Assembly, 3 shall be
11 appointed for terms ending on the third Monday in January,
12 2005, and 4 shall be appointed for terms ending on the
13 third Monday in January, 2007.

14 (a-10) After the effective date of this amendatory Act
15 of the 94th General Assembly, the Commission shall be
16 increased to 10 members. As soon as possible after the
17 effective date of this amendatory Act of the 94th General
18 Assembly, the Governor shall appoint, by and with the
19 consent of the Senate, the 3 members added to the
20 Commission under this amendatory Act of the 94th General
21 Assembly, one of whom shall be a representative citizen of
22 the employing class operating under this Act, one of whom
23 shall be a representative of the class of employees
24 covered under this Act, and one of whom shall be a
25 representative citizen not identified with either the
26 employing or employee classes. Of the members appointed

1 under this amendatory Act of the 94th General Assembly,
2 one shall be appointed for a term ending on the third
3 Monday in January, 2007, and 2 shall be appointed for
4 terms ending on the third Monday in January, 2009, and
5 until their successors are appointed and qualified.

6 (b) Members shall thereafter be appointed to hold
7 office for terms of 4 years from the third Monday in
8 January of the year of their appointment, and until their
9 successors are appointed and qualified. All such
10 appointments shall be made so that the composition of the
11 Commission is in accordance with the provisions of the
12 first paragraph of this Section.

13 The Chairperson and other members of the Commission shall
14 receive no salary for their services ~~Chairman shall receive an~~
15 ~~annual salary of \$42,500, or a salary set by the Compensation~~
16 ~~Review Board, whichever is greater, and each other member~~
17 ~~shall receive an annual salary of \$38,000, or a salary set by~~
18 ~~the Compensation Review Board, whichever is greater.~~

19 In case of a vacancy in the office of a Commissioner during
20 the recess of the Senate, the Governor shall make a temporary
21 appointment until the next meeting of the Senate, when he
22 shall nominate some person to fill such office. Any person so
23 nominated who is confirmed by the Senate shall hold office
24 during the remainder of the term and until his successor is
25 appointed and qualified.

26 The Illinois Workers' Compensation Commission created by

1 this amendatory Act of 1989 shall succeed to all the rights,
2 powers, duties, obligations, records and other property and
3 employees of the Industrial Commission which it replaces as
4 modified by this amendatory Act of 1989 and all applications
5 and reports to actions and proceedings of such prior
6 Industrial Commission shall be considered as applications and
7 reports to actions and proceedings of the Illinois Workers'
8 Compensation Commission created by this amendatory Act of
9 1989.

10 Notwithstanding any other provision of this Act, in the
11 event the Chairman shall make a finding that a member is or
12 will be unavailable to fulfill the responsibilities of his or
13 her office, the Chairman shall advise the Governor and the
14 member in writing and shall designate a certified arbitrator
15 to serve as acting Commissioner. The certified arbitrator
16 shall act as a Commissioner until the member resumes the
17 duties of his or her office or until a new member is appointed
18 by the Governor, by and with the consent of the Senate, if a
19 vacancy occurs in the office of the Commissioner, but in no
20 event shall a certified arbitrator serve in the capacity of
21 Commissioner for more than 6 months from the date of
22 appointment by the Chairman. A finding by the Chairman that a
23 member is or will be unavailable to fulfill the
24 responsibilities of his or her office shall be based upon
25 notice to the Chairman by a member that he or she will be
26 unavailable or facts and circumstances made known to the

1 Chairman which lead him to reasonably find that a member is
2 unavailable to fulfill the responsibilities of his or her
3 office. The designation of a certified arbitrator to act as a
4 Commissioner shall be considered representative of citizens
5 not identified with either the employing or employee classes
6 and the arbitrator shall serve regardless of his or her
7 political affiliation. A certified arbitrator who serves as an
8 acting Commissioner shall have all the rights and powers of a
9 Commissioner, including salary.

10 Notwithstanding any other provision of this Act, the
11 Governor shall appoint a special panel of Commissioners
12 comprised of 3 members who shall be chosen by the Governor, by
13 and with the consent of the Senate, from among the current
14 ranks of certified arbitrators. Three members shall hold
15 office until the Commission in consultation with the Governor
16 determines that the caseload on review has been reduced
17 sufficiently to allow cases to proceed in a timely manner or
18 for a term of 18 months from the effective date of their
19 appointment by the Governor, whichever shall be earlier. The 3
20 members shall be considered representative of citizens not
21 identified with either the employing or employee classes and
22 shall serve regardless of political affiliation. Each of the 3
23 members shall have only such rights and powers of a
24 Commissioner necessary to dispose of those cases assigned to
25 the special panel. Each of the 3 members appointed to the
26 special panel shall receive the same salary as other

1 Commissioners for the duration of the panel.

2 The Commission may have an Executive Director; if so, the
3 Executive Director shall be appointed by the Governor with the
4 advice and consent of the Senate. The salary and duties of the
5 Executive Director shall be fixed by the Commission.

6 On the effective date of this amendatory Act of the 93rd
7 General Assembly, the name of the Industrial Commission is
8 changed to the Illinois Workers' Compensation Commission.
9 References in any law, appropriation, rule, form, or other
10 document: (i) to the Industrial Commission are deemed, in
11 appropriate contexts, to be references to the Illinois
12 Workers' Compensation Commission for all purposes; (ii) to the
13 Industrial Commission Operations Fund are deemed, in
14 appropriate contexts, to be references to the Illinois
15 Workers' Compensation Commission Operations Fund for all
16 purposes; (iii) to the Industrial Commission Operations Fund
17 Fee are deemed, in appropriate contexts, to be references to
18 the Illinois Workers' Compensation Commission Operations Fund
19 Fee for all purposes; and (iv) to the Industrial Commission
20 Operations Fund Surcharge are deemed, in appropriate contexts,
21 to be references to the Illinois Workers' Compensation
22 Commission Operations Fund Surcharge for all purposes.

23 (Source: P.A. 101-384, eff. 1-1-20.)

1 INDEX
2 Statutes amended in order of appearance

3 5 ILCS 290/5 new
4 5 ILCS 315/5 from Ch. 48, par. 1605
5 5 ILCS 430/20-5
6 10 ILCS 5/1A-6.1 from Ch. 46, par. 1A-6.1
7 20 ILCS 5/5-155 was 20 ILCS 5/5.04
8 20 ILCS 5/5-340 was 20 ILCS 5/9.30
9 20 ILCS 5/5-565 was 20 ILCS 5/6.06
10 20 ILCS 415/7d from Ch. 127, par. 63b107d
11 20 ILCS 1605/6 from Ch. 120, par. 1156
12 20 ILCS 2610/5 from Ch. 121, par. 307.5
13 35 ILCS 200/7-10
14 70 ILCS 1810/12 from Ch. 19, par. 163
15 70 ILCS 1863/21
16 70 ILCS 3605/19 from Ch. 111 2/3, par. 319
17 70 ILCS 3605/22 from Ch. 111 2/3, par. 322
18 115 ILCS 5/5 from Ch. 48, par. 1705
19 220 ILCS 5/2-104 from Ch. 111 2/3, par. 2-104
20 225 ILCS 705/8.04 from Ch. 96 1/2, par. 804
21 230 ILCS 5/5 from Ch. 8, par. 37-5
22 230 ILCS 10/5 from Ch. 120, par. 2405
23 235 ILCS 5/3-9 from Ch. 43, par. 105
24 415 ILCS 5/5 from Ch. 111 1/2, par. 1005
25 430 ILCS 66/20

- 1 430 ILCS 85/2-5 from Ch. 111 1/2, par. 4055
- 2 605 ILCS 10/4 from Ch. 121, par. 100-4
- 3 605 ILCS 10/5 from Ch. 121, par. 100-5
- 4 730 ILCS 5/3-3-1 from Ch. 38, par. 1003-3-1
- 5 775 ILCS 5/8-101 from Ch. 68, par. 8-101
- 6 820 ILCS 305/13 from Ch. 48, par. 138.13