



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

HB3856

Introduced 2/17/2023, by Rep. William "Will" Davis

#### SYNOPSIS AS INTRODUCED:

See Index

Amends the Children and Family Services Act. Authorizes funds that are deposited into the Employment and Training Fund to be used to establish a demonstration project to train individuals to become home child care providers. Repeals a provision that established the Child Care and Development Fund. Amends the Department of Natural Resources Act. Directs gifts, bequests, donations, income from rental property and endowments to be deposited into the DNR Special Projects Fund (rather than the Natural Resources Fund). Specifies that the DNR Special Projects Fund is a trust fund (rather than a special fund in the State treasury). Amends the Department of Professional Regulation Law of the Civil Administrative Code of Illinois. Repeals a provision that prohibited transfers from being made to the Professions Indirect Cost Fund from the Public Pension Regulation Fund. Amends the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois. Changes the fund into which certain certification fees are deposited. Amends the Illinois State Police Law of the Civil Administrative Code of Illinois. Repeals a provision concerning a transfer into the State Police Firearm Services Fund. Amends the State Property Control Act. Repeals a provision concerning a transfer into the State Police Vehicle Fund. Amends the Emergency Medical Services (EMS) Systems Act, the Illinois Public Aid Code, the Medicaid Technical Assistance Act, the Environmental Protection Act, the Electric Vehicle Rebate Act, the Cigarette Fire Safety Standard Act, the Herptiles-Herps Act, and the Unified Code of Corrections. Makes various other fund-related and transfer-related changes. Effective immediately.

LRB103 30981 DTM 57576 b

1 AN ACT concerning State government.

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

4 Section 5. The Children and Family Services Act is amended  
5 by changing Section 34.10 as follows:

6 (20 ILCS 505/34.10) (from Ch. 23, par. 5034.10)

7 Sec. 34.10. Home child care demonstration project;  
8 conversion and renovation grants; Department of Human  
9 Services.

10 (a) The legislature finds that the demand for quality  
11 child care far outweighs the number of safe, quality spaces  
12 for our children. The purpose of this Section is to increase  
13 the number of child care providers by:

14 (1) developing a demonstration project to train  
15 individuals to become home child care providers who are  
16 able to establish and operate their own child care  
17 facility; and

18 (2) providing grants to convert and renovate existing  
19 facilities.

20 (b) The Department of Human Services may from  
21 appropriations from the Child Care Development Block Grant  
22 establish a demonstration project to train individuals to  
23 become home child care providers who are able to establish and

1 operate their own home-based child care facilities. The  
2 Department of Human Services is authorized to use funds for  
3 this purpose from the child care and development funds  
4 deposited into the DHS Special Purposes Trust Fund as  
5 described in Section 12-10 of the Illinois Public Aid Code or  
6 deposited into the Employment and Training Fund as described  
7 in Section 12-10.3 of the Illinois Public Aid Code ~~and, until~~  
8 ~~October 1, 1998, the Child Care and Development Fund created~~  
9 ~~by the 87th General Assembly.~~ As an economic development  
10 program, the project's focus is to foster individual  
11 self-sufficiency through an entrepreneurial approach by the  
12 creation of new jobs and opening of new small home-based child  
13 care businesses. The demonstration project shall involve  
14 coordination among State and county governments and the  
15 private sector, including but not limited to: the community  
16 college system, the Departments of Labor and Commerce and  
17 Economic Opportunity, the State Board of Education, large and  
18 small private businesses, nonprofit programs, unions, and  
19 child care providers in the State.

20 The Department shall submit:

21 (1) a progress report on the demonstration project to  
22 the legislature by one year after January 1, 1992 (the  
23 effective date of Public Act 87-332) ~~this amendatory Act~~  
24 ~~of 1991~~; and

25 (2) a final evaluation report on the demonstration  
26 project, including findings and recommendations, to the

1 legislature by one year after the due date of the progress  
2 report.

3 (c) The Department of Human Services may from  
4 appropriations from the Child Care Development Block Grant  
5 provide grants to family child care providers and center based  
6 programs to convert and renovate existing facilities, to the  
7 extent permitted by federal law, so additional family child  
8 care homes and child care centers can be located in such  
9 facilities.

10 (1) Applications for grants shall be made to the  
11 Department and shall contain information as the Department  
12 shall require by rule. Every applicant shall provide  
13 assurance to the Department that:

14 (A) the facility to be renovated or improved shall  
15 be used as family child care home or child care center  
16 for a continuous period of at least 5 years;

17 (B) any family child care home or child care  
18 center program located in a renovated or improved  
19 facility shall be licensed by the Department;

20 (C) the program shall comply with applicable  
21 federal and State laws prohibiting discrimination  
22 against any person on the basis of race, color,  
23 national origin, religion, creed, or sex;

24 (D) the grant shall not be used for purposes of  
25 entertainment or perquisites;

26 (E) the applicant shall comply with any other

1 requirement the Department may prescribe to ensure  
2 adherence to applicable federal, State, and county  
3 laws;

4 (F) all renovations and improvements undertaken  
5 with funds received under this Section shall comply  
6 with all applicable State and county statutes and  
7 ordinances including applicable building codes and  
8 structural requirements of the Department; and

9 (G) the applicant shall indemnify and save  
10 harmless the State and its officers, agents, and  
11 employees from and against any and all claims arising  
12 out of or resulting from the renovation and  
13 improvements made with funds provided by this Section,  
14 and, upon request of the Department, the applicant  
15 shall procure sufficient insurance to provide that  
16 indemnification.

17 (2) To receive a grant under this Section to convert  
18 an existing facility into a family child care home or  
19 child care center facility, the applicant shall:

20 (A) agree to make available to the Department of  
21 Human Services all records it may have relating to the  
22 operation of any family child care home and child care  
23 center facility, and to allow State agencies to  
24 monitor its compliance with the purpose of this  
25 Section;

26 (B) agree that, if the facility is to be altered or

1 improved, or is to be used by other groups, moneys  
2 appropriated by this Section shall be used for  
3 renovating or improving the facility only to the  
4 proportionate extent that the floor space will be used  
5 by the child care program; and

6 (C) establish, to the satisfaction of the  
7 Department that sufficient funds are available for the  
8 effective use of the facility for the purpose for  
9 which it is being renovated or improved.

10 (3) In selecting applicants for funding, the  
11 Department shall make every effort to ensure that family  
12 child care home or child care center facilities are  
13 equitably distributed throughout the State according to  
14 demographic need. The Department shall give priority  
15 consideration to rural/Downstate areas of the State that  
16 are currently experiencing a shortage of child care  
17 services.

18 (4) In considering applications for grants to renovate  
19 or improve an existing facility used for the operations of  
20 a family child care home or child care center, the  
21 Department shall give preference to applications to  
22 renovate facilities most in need of repair to address  
23 safety and habitability concerns. No grant shall be  
24 disbursed unless an agreement is entered into between the  
25 applicant and the State, by and through the Department.  
26 The agreement shall include the assurances and conditions

1 required by this Section and any other terms which the  
2 Department may require.

3 (Source: P.A. 99-933, eff. 1-27-17.)

4 (20 ILCS 505/5b rep.)

5 Section 10. The Children and Family Services Act is  
6 amended by repealing Section 5b.

7 Section 15. The Department of Natural Resources Act is  
8 amended by changing Section 1-15 as follows:

9 (20 ILCS 801/1-15)

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

11 (a) It shall be the duty of the Department to investigate  
12 practical problems, implement studies, conduct research and  
13 provide assistance, information and data relating to the  
14 technology and administration of the natural history,  
15 entomology, zoology, and botany of this State; the geology and  
16 natural resources of this State; the water and atmospheric  
17 resources of this State; and the archeological and cultural  
18 history of this State.

19 (b) The Department (i) shall obtain, store, and process  
20 relevant data; recommend technological, administrative, and  
21 legislative changes and developments; cooperate with other  
22 federal, state, and local governmental research agencies,  
23 facilities, or institutes in the selection of projects for

1 study; cooperate with the Board of Higher Education and with  
2 the public and private colleges and universities in this State  
3 in developing relevant interdisciplinary approaches to  
4 problems; and evaluate curricula at all levels of education  
5 and provide assistance to instructors and (ii) may sponsor an  
6 annual conference of leaders in government, industry, health,  
7 and education to evaluate the state of this State's  
8 environment and natural resources.

9 (c) The Director, in accordance with the Personnel Code,  
10 shall employ such personnel, provide such facilities, and  
11 contract for such outside services as may be necessary to  
12 carry out the purposes of the Department. Maximum use shall be  
13 made of existing federal and state agencies, facilities, and  
14 personnel in conducting research under this Act.

15 (c-5) The Department may use the services of, and enter  
16 into necessary agreements with, outside entities for the  
17 purpose of evaluating grant applications and for the purpose  
18 of administering or monitoring compliance with grant  
19 agreements. Contracts under this subsection shall not exceed 2  
20 years in length.

21 (d) In addition to its other powers, the Department has  
22 the following powers:

23 (1) To obtain, store, process, and provide data and  
24 information related to the powers and duties of the  
25 Department under this Act. This subdivision (d)(1) does  
26 not give authority to the Department to require reports



1 from nongovernmental sources or entities.

2 (2) To cooperate with and support the Illinois Science  
3 and Technology Advisory Committee and the Illinois  
4 Coalition for the purpose of facilitating the effective  
5 operations and activities of such entities. Support may  
6 include, but need not be limited to, providing space for  
7 the operations of the Committee and the Illinois  
8 Coalition.

9 (e) The Department is authorized to make grants to local  
10 not-for-profit organizations for the purposes of development,  
11 maintenance and study of wetland areas.

12 (f) The Department has the authority to accept, receive  
13 and administer on behalf of the State any gifts, bequests,  
14 donations, income from property rental and endowments. Any  
15 such funds received by the Department shall be deposited into  
16 the DNR Special Projects ~~Natural Resources~~ Fund, a trust  
17 ~~special fund which is hereby created~~ in the State treasury,  
18 and used for the purposes of this Act or, when appropriate, for  
19 such purposes and under such restrictions, terms and  
20 conditions as are predetermined by the donor or grantor of  
21 such funds or property. Any accrued interest from money  
22 deposited into the DNR Special Projects ~~Natural Resources~~ Fund  
23 shall be reinvested into the Fund and used in the same manner  
24 as the principal. The Director shall maintain records which  
25 account for and assure that restricted funds or property are  
26 disbursed or used pursuant to the restrictions, terms or

1 conditions of the donor.

2 (g) The Department shall recognize, preserve, and promote  
3 our special heritage of recreational hunting and trapping by  
4 providing opportunities to hunt and trap in accordance with  
5 the Wildlife Code.

6 (h) Within 5 years after the effective date of this  
7 amendatory Act of the 102nd General Assembly, the Department  
8 shall fly a United States Flag, an Illinois flag, and a POW/MIA  
9 flag at all State parks. Donations may be made by groups and  
10 individuals to the DNR ~~Department's~~ Special Projects Fund for  
11 costs related to the implementation of this subsection.

12 (Source: P.A. 102-388, eff. 1-1-22; 102-699, eff. 4-19-22.)

13 Section 20. The Department of Professional Regulation Law  
14 of the Civil Administrative Code of Illinois is amended by  
15 changing Section 2105-300 as follows:

16 (20 ILCS 2105/2105-300) (was 20 ILCS 2105/61e)

17 Sec. 2105-300. Professions Indirect Cost Fund;  
18 allocations; analyses.

19 (a) Appropriations for the direct and allocable indirect  
20 costs of licensing and regulating each regulated profession,  
21 trade, occupation, or industry are intended to be payable from  
22 the fees and fines that are assessed and collected from that  
23 profession, trade, occupation, or industry, to the extent that  
24 those fees and fines are sufficient. In any fiscal year in

1 which the fees and fines generated by a specific profession,  
2 trade, occupation, or industry are insufficient to finance the  
3 necessary direct and allocable indirect costs of licensing and  
4 regulating that profession, trade, occupation, or industry,  
5 the remainder of those costs shall be financed from  
6 appropriations payable from revenue sources other than fees  
7 and fines. The direct and allocable indirect costs of the  
8 Department identified in its cost allocation plans that are  
9 not attributable to the licensing and regulation of a specific  
10 profession, trade, or occupation, or industry or group of  
11 professions, trades, occupations, or industries shall be  
12 financed from appropriations from revenue sources other than  
13 fees and fines.

14 (b) The Professions Indirect Cost Fund is hereby created  
15 as a special fund in the State Treasury. ~~The Except as provided~~  
16 ~~in subsection (c), the~~ Fund may receive transfers of moneys  
17 authorized by the Department from the cash balances in special  
18 funds that receive revenues from the fees and fines associated  
19 with the licensing of regulated professions, trades,  
20 occupations, and industries by the Department. Moneys in the  
21 Fund shall be invested and earnings on the investments shall  
22 be retained in the Fund. Subject to appropriation, the  
23 Department shall use moneys in the Fund to pay the ordinary and  
24 necessary allocable indirect expenses associated with each of  
25 the regulated professions, trades, occupations, and  
26 industries.

1 (c) Before the beginning of each fiscal year, the  
2 Department shall prepare a cost allocation analysis to be used  
3 in establishing the necessary appropriation levels for each  
4 cost purpose and revenue source. At the conclusion of each  
5 fiscal year, the Department shall prepare a cost allocation  
6 analysis reflecting the extent of the variation between how  
7 the costs were actually financed in that year and the planned  
8 cost allocation for that year. Variations between the planned  
9 and actual cost allocations for the prior fiscal year shall be  
10 adjusted into the Department's planned cost allocation for the  
11 next fiscal year.

12 Each cost allocation analysis shall separately identify  
13 the direct and allocable indirect costs of each regulated  
14 profession, trade, occupation, or industry and the costs of  
15 the Department's general public health and safety purposes.  
16 The analyses shall determine whether the direct and allocable  
17 indirect costs of each regulated profession, trade,  
18 occupation, or industry and the costs of the Department's  
19 general public health and safety purposes are sufficiently  
20 financed from their respective funding sources. The Department  
21 shall prepare the cost allocation analyses in consultation  
22 with the respective regulated professions, trades,  
23 occupations, and industries and shall make copies of the  
24 analyses available to them in a timely fashion.

25 (d) The ~~Except as provided in subsection (c), the~~  
26 Department may direct the State Comptroller and Treasurer to

1 transfer moneys from the special funds that receive fees and  
2 fines associated with regulated professions, trades,  
3 occupations, and industries into the Professions Indirect Cost  
4 Fund in accordance with the Department's cost allocation  
5 analysis plan for the applicable fiscal year. For a given  
6 fiscal year, the Department shall not direct the transfer of  
7 moneys under this subsection from a special fund associated  
8 with a specific regulated profession, trade, occupation, or  
9 industry (or group of professions, trades, occupations, or  
10 industries) in an amount exceeding the allocable indirect  
11 costs associated with that profession, trade, occupation, or  
12 industry (or group of professions, trades, occupations, or  
13 industries) as provided in the cost allocation analysis for  
14 that fiscal year and adjusted for allocation variations from  
15 the prior fiscal year. No direct costs identified in the cost  
16 allocation plan shall be used as a basis for transfers into the  
17 Professions Indirect Cost Fund or for expenditures from the  
18 Fund.

19 (e) (Blank). ~~No transfer may be made to the Professions~~  
20 ~~Indirect Cost Fund under this Section from the Public Pension~~  
21 ~~Regulation Fund.~~

22 (Source: P.A. 99-227, eff. 8-3-15.)

23 Section 25. The Department of Public Health Powers and  
24 Duties Law of the Civil Administrative Code of Illinois is  
25 amended by changing Section 2310-130 as follows:

1 (20 ILCS 2310/2310-130) (was 20 ILCS 2310/55.82)

2 Sec. 2310-130. Medicare or Medicaid certification fee~~+~~  
3 ~~Health Care Facility and Program Survey Fund.~~ To establish and  
4 charge a fee to any facility or program applying to be  
5 certified to participate in the Medicare program under Title  
6 XVIII of the federal Social Security Act or in the Medicaid  
7 program under Title XIX of the federal Social Security Act to  
8 cover the costs associated with the application, inspection,  
9 and survey of the facility or program and processing of the  
10 application. The Department shall establish the fee by rule,  
11 and the fee shall be based only on those application,  
12 inspection, and survey and processing costs not reimbursed to  
13 the State by the federal government. The fee shall be paid by  
14 the facility or program before the application is processed.

15 The fees received by the Department under this Section  
16 shall be deposited into the Long Term Care Monitor/Receiver  
17 ~~Health Care Facility and Program Survey Fund, which is hereby~~  
18 ~~created as a special fund in the State treasury.~~ Moneys in the  
19 Fund shall be appropriated to the Department and may be used  
20 for any costs incurred by the Department, including personnel  
21 costs, in the processing of applications for Medicare or  
22 Medicaid certification.

23 Beginning July 1, 2011, the Department shall employ a  
24 minimum of one surveyor for every 500 licensed long term care  
25 beds. Beginning July 1, 2012, the Department shall employ a

1 minimum of one surveyor for every 400 licensed long term care  
2 beds. Beginning July 1, 2013, the Department shall employ a  
3 minimum of one surveyor for every 300 licensed long term care  
4 beds.

5 The Department shall establish a surveyor development unit  
6 funded from money deposited in the Long Term Care  
7 Monitor/Receiver Fund.

8 (Source: P.A. 96-1372, eff. 7-29-10; 97-489, eff. 1-1-12.)

9 Section 30. The Illinois State Police Law of the Civil  
10 Administrative Code of Illinois is amended by changing Section  
11 2605-595 as follows:

12 (20 ILCS 2605/2605-595)

13 Sec. 2605-595. State Police Firearm Services Fund.

14 (a) There is created in the State treasury a special fund  
15 known as the State Police Firearm Services Fund. The Fund  
16 shall receive revenue under the Firearm Concealed Carry Act,  
17 the Firearm Dealer License Certification Act, and Section 5 of  
18 the Firearm Owners Identification Card Act. The Fund may also  
19 receive revenue from grants, pass-through grants, donations,  
20 appropriations, and any other legal source.

21 (a-5) (Blank). ~~Notwithstanding any other provision of law~~  
22 ~~to the contrary, and in addition to any other transfers that~~  
23 ~~may be provided by law, on the effective date of this~~  
24 ~~amendatory Act of the 102nd General Assembly, or as soon~~

1 ~~thereafter as practical, the State Comptroller shall direct~~  
2 ~~and the State Treasurer shall transfer the remaining balance~~  
3 ~~from the Firearm Dealer License Certification Fund into the~~  
4 ~~State Police Firearm Services Fund. Upon completion of the~~  
5 ~~transfer, the Firearm Dealer License Certification Fund is~~  
6 ~~dissolved, and any future deposits due to that Fund and any~~  
7 ~~outstanding obligations or liabilities of that Fund shall pass~~  
8 ~~to the State Police Firearm Services Fund.~~

9 (b) The Illinois State Police may use moneys in the Fund to  
10 finance any of its lawful purposes, mandates, functions, and  
11 duties under the Firearm Owners Identification Card Act, the  
12 Firearm Dealer License Certification Act, and the Firearm  
13 Concealed Carry Act, including the cost of sending notices of  
14 expiration of Firearm Owner's Identification Cards, concealed  
15 carry licenses, the prompt and efficient processing of  
16 applications under the Firearm Owners Identification Card Act  
17 and the Firearm Concealed Carry Act, the improved efficiency  
18 and reporting of the LEADS and federal NICS law enforcement  
19 data systems, and support for investigations required under  
20 these Acts and law. Any surplus funds beyond what is needed to  
21 comply with the aforementioned purposes shall be used by the  
22 Illinois State Police to improve the Law Enforcement Agencies  
23 Data System (LEADS) and criminal history background check  
24 system.

25 (c) Investment income that is attributable to the  
26 investment of moneys in the Fund shall be retained in the Fund



1 for the uses specified in this Section.

2 (Source: P.A. 102-505, eff. 8-20-21; 102-538, eff. 8-20-21.)

3 (20 ILCS 4005/8.5 rep.)

4 Section 35. The Illinois Vehicle Hijacking and Motor  
5 Vehicle Theft Prevention and Insurance Verification Act is  
6 amended by repealing Section 8.5.

7 Section 40. The State Finance Act is amended by changing  
8 Sections 6p-1, 6p-8, 6z-82, and 8.16b and by adding Sections  
9 5.991 and 5.992 as follows:

10 (30 ILCS 105/5.991 new)

11 Sec. 5.991. The Industrial Biotechnology Human Capital  
12 Fund.

13 (30 ILCS 105/5.992 new)

14 Sec. 5.992. The Industrial Biotechnology Capital  
15 Maintenance Fund.

16 (30 ILCS 105/6p-1) (from Ch. 127, par. 142p1)

17 Sec. 6p-1. The Technology Management Revolving Fund  
18 (formerly known as the Statistical Services Revolving Fund)  
19 shall be initially financed by a transfer of funds from the  
20 General Revenue Fund. Thereafter, all fees and other monies  
21 received by the Department of Innovation and Technology in

1 payment for information technology and related services  
2 rendered pursuant to subsection (e) of Section 1-15 of the  
3 Department of Innovation and Technology Act shall be paid into  
4 the Technology Management Revolving Fund. ~~All On and after~~  
5 ~~July 1, 2017, or after sufficient moneys have been received in~~  
6 ~~the Communications Revolving Fund to pay all Fiscal Year 2017~~  
7 ~~obligations payable from the Fund, whichever is later, all~~  
8 fees and other moneys received by the Department of Innovation  
9 and Technology Central Management Services in payment for  
10 communications services rendered pursuant to the Department of  
11 Innovation and Technology Act Central Management Services Law  
12 ~~of the Civil Administrative Code of Illinois~~ or sale of  
13 surplus State communications equipment shall be paid into the  
14 Technology Management Revolving Fund. The money in this fund  
15 shall be used by the Department of Innovation and Technology  
16 as reimbursement for expenditures incurred in rendering  
17 information technology and related services and, ~~beginning~~  
18 ~~July 1, 2017,~~ as reimbursement for expenditures incurred in  
19 relation to communications services.

20 (Source: P.A. 101-81, eff. 7-12-19; 102-376, eff. 1-1-22.)

21 (30 ILCS 105/6p-8)

22 Sec. 6p-8. Court of Claims Federal Recovery Victim  
23 Compensation Grant Fund. The Court of Claims Federal Recovery  
24 Victim Compensation Grant Fund is created as a special fund in  
25 the State treasury. The Fund shall consist of federal Victims

1 of Crime Act grant funds awarded to the Court of Claims from  
2 the U.S. Department of Justice, Office of Justice Programs,  
3 Office for Victims of Crime for the payment of claims pursuant  
4 to the Crime Victims Compensation Act (740 ILCS 45/). All  
5 moneys in the Fund shall be used for payment of claims pursuant  
6 to the Crime Victims Compensation Act (740 ILCS 45/). The  
7 General Assembly may appropriate moneys from the Court of  
8 Claims Federal Recovery Victim Compensation Grant Fund to the  
9 Court of Claims for the purpose of payment of claims pursuant  
10 to the Crime Victims Compensation Act (740 ILCS 45/). On July  
11 1, 2023, or as soon thereafter as practical, the State  
12 Comptroller shall direct and the State Treasurer shall  
13 transfer the remaining balance from the Court of Claims  
14 Federal Recovery Victim Compensation Grant Fund into the Court  
15 of Claims Federal Grant Fund. Upon completion of the transfer,  
16 the Court of Claims Federal Recovery Victim Compensation Grant  
17 Fund is dissolved, and any future deposits due to that Fund and  
18 any outstanding obligations or liabilities of that Fund shall  
19 pass to the Court of Claims Federal Grant Fund. This Section is  
20 repealed on January 1, 2024.

21 (Source: P.A. 96-959, eff. 7-1-10.)

22 (30 ILCS 105/6z-82)

23 Sec. 6z-82. State Police Operations Assistance Fund.

24 (a) There is created in the State treasury a special fund  
25 known as the State Police Operations Assistance Fund. The Fund

1 shall receive revenue under the Criminal and Traffic  
2 Assessment Act. The Fund may also receive revenue from grants,  
3 donations, appropriations, and any other legal source.

4 (a-5) (Blank). ~~Notwithstanding any other provision of law~~  
5 ~~to the contrary, and in addition to any other transfers that~~  
6 ~~may be provided by law, on August 20, 2021 (the effective date~~  
7 ~~of Public Act 102-505), or as soon thereafter as practical,~~  
8 ~~the State Comptroller shall direct and the State Treasurer~~  
9 ~~shall transfer the remaining balance from the Over Dimensional~~  
10 ~~Load Police Escort Fund into the State Police Operations~~  
11 ~~Assistance Fund. Upon completion of the transfer, the Over~~  
12 ~~Dimensional Load Police Escort Fund is dissolved, and any~~  
13 ~~future deposits due to that Fund and any outstanding~~  
14 ~~obligations or liabilities of that Fund shall pass to the~~  
15 ~~State Police Operations Assistance Fund.~~

16 This Fund may charge, collect, and receive fees or moneys  
17 as described in Section 15-312 of the Illinois Vehicle Code,  
18 and receive all fees received by the Illinois State Police  
19 under that Section. The moneys shall be used by the Illinois  
20 State Police for its expenses in providing police escorts and  
21 commercial vehicle enforcement activities.

22 (b) The Illinois State Police may use moneys in the Fund to  
23 finance any of its lawful purposes or functions.

24 (c) Expenditures may be made from the Fund only as  
25 appropriated by the General Assembly by law.

26 (d) Investment income that is attributable to the

1 investment of moneys in the Fund shall be retained in the Fund  
2 for the uses specified in this Section.

3 (e) The State Police Operations Assistance Fund shall not  
4 be subject to administrative chargebacks.

5 (f) (Blank).

6 (g) (Blank). ~~Notwithstanding any other provision of State~~  
7 ~~law to the contrary, on or after July 1, 2021, in addition to~~  
8 ~~any other transfers that may be provided for by law, at the~~  
9 ~~direction of and upon notification from the Director of the~~  
10 ~~Illinois State Police, the State Comptroller shall direct and~~  
11 ~~the State Treasurer shall transfer amounts not exceeding~~  
12 ~~\$7,000,000 into the State Police Operations Assistance Fund~~  
13 ~~from the State Police Services Fund.~~

14 (Source: P.A. 102-16, eff. 6-17-21; 102-505, eff. 8-20-21;  
15 102-538, eff. 8-20-21; 102-813, eff. 5-13-22.)

16 (30 ILCS 105/8.16b) (from Ch. 127, par. 144.16b)

17 Sec. 8.16b. Appropriations for expenses related to  
18 communications services pursuant to the Civil Administrative  
19 Code of Illinois are payable from the Technology Management  
20 ~~Communications~~ Revolving Fund. However, no contract shall be  
21 entered into or obligation incurred for any expenditure from  
22 the Technology Management ~~Communications~~ Revolving Fund until  
23 after the purpose and amount has been approved in writing by  
24 the Secretary of Innovation and Technology.

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

1 (30 ILCS 105/5.287 rep.)

2 (30 ILCS 105/5.665 rep.)

3 (30 ILCS 105/5.730 rep.)

4 (30 ILCS 105/5.749 rep.)

5 (30 ILCS 105/5.759 rep.)

6 (30 ILCS 105/5.823 rep.)

7 (30 ILCS 105/6p-2 rep.)

8 Section 45. The State Finance Act is amended by repealing  
9 Sections 5.287, 5.665, 5.730, 5.749, 5.759, 5.823, and 6p-2.

10 Section 50. The State Property Control Act is amended by  
11 changing Section 7c as follows:

12 (30 ILCS 605/7c)

13 Sec. 7c. Acquisition of Illinois State Police vehicles.

14 (a) The State Police Vehicle Fund is created as a special  
15 fund in the State treasury. All moneys in the Fund, subject to  
16 appropriation, shall be used by the Illinois State Police:

17 (1) for the acquisition of vehicles for the Illinois  
18 State Police;

19 (2) for debt service on bonds issued to finance the  
20 acquisition of vehicles for the Illinois State Police; or

21 (3) for the maintenance and operation of vehicles for  
22 the Illinois State Police.

23 (b) (Blank). ~~Notwithstanding any other provision of law to~~

1 ~~the contrary, and in addition to any other transfers that may~~  
2 ~~be provided by law, on August 20, 2021 (the effective date of~~  
3 ~~Public Act 102-505), or as soon thereafter as practicable, the~~  
4 ~~State Comptroller shall direct and the State Treasurer shall~~  
5 ~~transfer the remaining balance from the State Police Vehicle~~  
6 ~~Maintenance Fund into the State Police Vehicle Fund. Upon~~  
7 ~~completion of the transfer, the State Police Vehicle~~  
8 ~~Maintenance Fund is dissolved, and any future deposits due to~~  
9 ~~that Fund and any outstanding obligations or liabilities of~~  
10 ~~that Fund shall pass to the State Police Vehicle Fund.~~

11 (Source: P.A. 102-505, eff. 8-20-21; 102-538, eff. 8-20-21;  
12 102-813, eff. 5-13-22.)

13 Section 55. The Emergency Medical Services (EMS) Systems  
14 Act is amended by changing Sections 3.86, 3.116, and 3.220 as  
15 follows:

16 (210 ILCS 50/3.86)

17 Sec. 3.86. Stretcher van providers.

18 (a) In this Section, "stretcher van provider" means an  
19 entity licensed by the Department to provide non-emergency  
20 transportation of passengers on a stretcher in compliance with  
21 this Act or the rules adopted by the Department pursuant to  
22 this Act, utilizing stretcher vans.

23 (b) The Department has the authority and responsibility to  
24 do the following:

1           (1) Require all stretcher van providers, both publicly  
2 and privately owned, to be licensed by the Department.

3           (2) Establish licensing and safety standards and  
4 requirements for stretcher van providers, through rules  
5 adopted pursuant to this Act, including but not limited  
6 to:

7                   (A) Vehicle design, specification, operation, and  
8 maintenance standards.

9                   (B) Safety equipment requirements and standards.

10                   (C) Staffing requirements.

11                   (D) Annual license renewal.

12           (3) License all stretcher van providers that have met  
13 the Department's requirements for licensure.

14           (4) Annually inspect all licensed stretcher van  
15 providers, and relicense providers that have met the  
16 Department's requirements for license renewal.

17           (5) Suspend, revoke, refuse to issue, or refuse to  
18 renew the license of any stretcher van provider, or that  
19 portion of a license pertaining to a specific vehicle  
20 operated by a provider, after an opportunity for a  
21 hearing, when findings show that the provider or one or  
22 more of its vehicles has failed to comply with the  
23 standards and requirements of this Act or the rules  
24 adopted by the Department pursuant to this Act.

25           (6) Issue an emergency suspension order for any  
26 provider or vehicle licensed under this Act when the



1 Director or his or her designee has determined that an  
2 immediate or serious danger to the public health, safety,  
3 and welfare exists. Suspension or revocation proceedings  
4 that offer an opportunity for a hearing shall be promptly  
5 initiated after the emergency suspension order has been  
6 issued.

7 (7) Prohibit any stretcher van provider from  
8 advertising, identifying its vehicles, or disseminating  
9 information in a false or misleading manner concerning the  
10 provider's type and level of vehicles, location, response  
11 times, level of personnel, licensure status, or EMS System  
12 participation.

13 (8) Charge each stretcher van provider a fee, to be  
14 submitted with each application for licensure and license  
15 renewal.

16 (c) A stretcher van provider may provide transport of a  
17 passenger on a stretcher, provided the passenger meets all of  
18 the following requirements:

19 (1) (Blank).

20 (2) He or she needs no medical monitoring or clinical  
21 observation.

22 (3) He or she needs routine transportation to or from  
23 a medical appointment or service if the passenger is  
24 convalescent or otherwise bed-confined and does not  
25 require clinical observation, aid, care, or treatment  
26 during transport.

1 (d) A stretcher van provider may not transport a passenger  
2 who meets any of the following conditions:

3 (1) He or she is being transported to a hospital for  
4 emergency medical treatment.

5 (2) He or she is experiencing an emergency medical  
6 condition or needs active medical monitoring, including  
7 isolation precautions, supplemental oxygen that is not  
8 self-administered, continuous airway management,  
9 suctioning during transport, or the administration of  
10 intravenous fluids during transport.

11 (e) (Blank). ~~The Stretcher Van Licensure Fund is created~~  
12 ~~as a special fund within the State treasury. All fees received~~  
13 ~~by the Department in connection with the licensure of~~  
14 ~~stretcher van providers under this Section shall be deposited~~  
15 ~~into the fund. Moneys in the fund shall be subject to~~  
16 ~~appropriation to the Department for use in implementing this~~  
17 ~~Section.~~

18 (Source: P.A. 96-702, eff. 8-25-09; 96-1469, eff. 1-1-11;  
19 97-689, eff. 6-14-12.)

20 (210 ILCS 50/3.116)

21 Sec. 3.116. Hospital Stroke Care; definitions. As used in  
22 Sections 3.116 through 3.119, 3.130, and 3.200, ~~and 3.226~~ of  
23 this Act:

24 "Acute Stroke-Ready Hospital" means a hospital that has  
25 been designated by the Department as meeting the criteria for

1 providing emergent stroke care. Designation may be provided  
2 after a hospital has been certified or through application and  
3 designation as such.

4 "Certification" or "certified" means certification, using  
5 evidence-based standards, from a nationally recognized  
6 certifying body approved by the Department.

7 "Comprehensive Stroke Center" means a hospital that has  
8 been certified and has been designated as such.

9 "Designation" or "designated" means the Department's  
10 recognition of a hospital as a Comprehensive Stroke Center,  
11 Primary Stroke Center, or Acute Stroke-Ready Hospital.

12 "Emergent stroke care" is emergency medical care that  
13 includes diagnosis and emergency medical treatment of acute  
14 stroke patients.

15 "Emergent Stroke Ready Hospital" means a hospital that has  
16 been designated by the Department as meeting the criteria for  
17 providing emergent stroke care.

18 "Primary Stroke Center" means a hospital that has been  
19 certified by a Department-approved, nationally recognized  
20 certifying body and designated as such by the Department.

21 "Regional Stroke Advisory Subcommittee" means a  
22 subcommittee formed within each Regional EMS Advisory  
23 Committee to advise the Director and the Region's EMS Medical  
24 Directors Committee on the triage, treatment, and transport of  
25 possible acute stroke patients and to select the Region's  
26 representative to the State Stroke Advisory Subcommittee. At

1 minimum, the Regional Stroke Advisory Subcommittee shall  
2 consist of: one representative from the EMS Medical Directors  
3 Committee; one EMS coordinator from a Resource Hospital; one  
4 administrative representative or his or her designee from each  
5 level of stroke care, including Comprehensive Stroke Centers  
6 within the Region, if any, Primary Stroke Centers within the  
7 Region, if any, and Acute Stroke-Ready Hospitals within the  
8 Region, if any; one physician from each level of stroke care,  
9 including one physician who is a neurologist or who provides  
10 advanced stroke care at a Comprehensive Stroke Center in the  
11 Region, if any, one physician who is a neurologist or who  
12 provides acute stroke care at a Primary Stroke Center in the  
13 Region, if any, and one physician who provides acute stroke  
14 care at an Acute Stroke-Ready Hospital in the Region, if any;  
15 one nurse practicing in each level of stroke care, including  
16 one nurse from a Comprehensive Stroke Center in the Region, if  
17 any, one nurse from a Primary Stroke Center in the Region, if  
18 any, and one nurse from an Acute Stroke-Ready Hospital in the  
19 Region, if any; one representative from both a public and a  
20 private vehicle service provider that transports possible  
21 acute stroke patients within the Region; the State-designated  
22 regional EMS Coordinator; and a fire chief or his or her  
23 designee from the EMS Region, if the Region serves a  
24 population of more than 2,000,000. The Regional Stroke  
25 Advisory Subcommittee shall establish bylaws to ensure equal  
26 membership that rotates and clearly delineates committee

1 responsibilities and structure. Of the members first  
2 appointed, one-third shall be appointed for a term of one  
3 year, one-third shall be appointed for a term of 2 years, and  
4 the remaining members shall be appointed for a term of 3 years.  
5 The terms of subsequent appointees shall be 3 years.

6 "State Stroke Advisory Subcommittee" means a standing  
7 advisory body within the State Emergency Medical Services  
8 Advisory Council.

9 (Source: P.A. 102-687, eff. 12-17-21.)

10 (210 ILCS 50/3.220)

11 Sec. 3.220. EMS Assistance Fund.

12 (a) There is hereby created an "EMS Assistance Fund"  
13 within the State treasury, for the purpose of receiving fines  
14 and fees collected by the Illinois Department of Public Health  
15 pursuant to this Act.

16 (b) (Blank).

17 (b-5) All licensing, testing, and certification fees  
18 authorized by this Act, excluding ambulance licensure fees,  
19 within this fund shall be used by the Department for  
20 administration, oversight, and enforcement of activities  
21 authorized under this Act.

22 (c) All other moneys within this fund shall be distributed  
23 by the Department to the EMS Regions for disbursement in  
24 accordance with protocols established in the EMS Region Plans,  
25 for the purposes of organization, development and improvement

1 of Emergency Medical Services Systems, including but not  
2 limited to training of personnel and acquisition, modification  
3 and maintenance of necessary supplies, equipment and vehicles.

4 (d) All fees and fines collected pursuant to this Act  
5 shall be deposited into the EMS Assistance Fund, ~~except that~~  
6 ~~all fees collected under Section 3.86 in connection with the~~  
7 ~~licensure of stretcher van providers shall be deposited into~~  
8 ~~the Stretcher Van Licensure Fund.~~

9 (Source: P.A. 100-201, eff. 8-18-17.)

10 (210 ILCS 50/3.226 rep.)

11 Section 60. The Emergency Medical Services (EMS) Systems  
12 Act is amended by repealing Section 3.226.

13 (225 ILCS 728/27 rep.)

14 Section 65. The Illinois Petroleum Education and Marketing  
15 Act is amended by repealing Section 27.

16 Section 70. The Illinois Public Aid Code is amended by  
17 changing Section 12-10 as follows:

18 (305 ILCS 5/12-10) (from Ch. 23, par. 12-10)

19 Sec. 12-10. DHS Special Purposes Trust Fund; uses. The DHS  
20 Special Purposes Trust Fund, to be held outside the State  
21 Treasury by the State Treasurer as ex-officio custodian, shall  
22 consist of (1) any federal grants received under Section

1 12-4.6 that are not required by Section 12-5 to be paid into  
2 the General Revenue Fund or transferred into the Local  
3 Initiative Fund under Section 12-10.1 or deposited in the  
4 Employment and Training Fund under Section 12-10.3 ~~or in the~~  
5 ~~special account established and maintained in that Fund as~~  
6 ~~provided in that Section;~~ (2) grants, gifts or legacies of  
7 moneys or securities received under Section 12-4.18; (3)  
8 grants received under Section 12-4.19; and (4) funds for child  
9 care and development services that are not deposited into the  
10 Employment and Training Fund under Section 12-10.3.  
11 Disbursements from this Fund shall be only for the purposes  
12 authorized by the aforementioned Sections.

13 Disbursements from this Fund shall be by warrants drawn by  
14 the State Comptroller on receipt of vouchers duly executed and  
15 certified by the Illinois Department of Human Services,  
16 including payment to the Health Insurance Reserve Fund for  
17 group insurance costs at the rate certified by the Department  
18 of Central Management Services.

19 In addition to any other transfers that may be provided  
20 for by law, the State Comptroller shall direct and the State  
21 Treasurer shall transfer from the DHS Special Purposes Trust  
22 Fund into the Governor's Grant Fund such amounts as may be  
23 directed in writing by the Secretary of Human Services.

24 In addition to any other transfers that may be provided  
25 for by law, the State Comptroller shall direct and the State  
26 Treasurer shall transfer from the DHS Special Purposes Trust

1 Fund into the Employment and Training fund such amounts as may  
2 be directed in writing by the Secretary of Human Services.

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

4 Section 75. The Medicaid Technical Assistance Act is  
5 amended by changing Sections 185-20 and 185-25 as follows:

6 (305 ILCS 75/185-20)

7 Sec. 185-20. Federal financial participation. The  
8 Department of Healthcare and Family Services, to the extent  
9 allowable under federal law, shall maximize federal financial  
10 participation for any moneys appropriated to the Department  
11 for the Medicaid Technical Assistance Center. Any federal  
12 financial participation funds obtained in accordance with this  
13 Section shall be used for the further development and  
14 expansion of the Medicaid Technical Assistance Center. All  
15 federal financial participation funds obtained under this  
16 subsection shall be deposited into the Medicaid Technical  
17 Assistance Center Fund created under Section 185-25 ~~25~~.

18 (Source: P.A. 102-4, eff. 4-27-21.)

19 (305 ILCS 75/185-25)

20 Sec. 185-25. Medicaid Technical Assistance Center Fund.  
21 The Medicaid Technical Assistance Center Fund is created as a  
22 special fund in the State treasury. The Fund shall consist of  
23 any moneys appropriated to the Department of Healthcare and



1 Family Services for the purposes of this Act and any federal  
2 financial participation funds obtained as provided under  
3 Section 185-20 ~~20~~. Subject to appropriation, moneys in the  
4 Fund shall be used for carrying out the purposes of this Act  
5 and for no other purpose. All interest earned on the moneys in  
6 the Fund shall be deposited into the Fund.

7 (Source: P.A. 102-4, eff. 4-27-21.)

8 Section 80. The Environmental Protection Act is amended by  
9 changing Section 55.6a as follows:

10 (415 ILCS 5/55.6a)

11 Sec. 55.6a. Emergency Public Health Fund.

12 (a) Moneys ~~Beginning on July 1, 2003, moneys~~ in the  
13 Emergency Public Health Fund, subject to appropriation, shall  
14 be allocated annually as follows: (i) \$300,000 to the  
15 University of Illinois for the purposes described in Section  
16 55.6(c)(6) and (ii) subject to subsection (b) of this Section,  
17 all remaining amounts to the Department of Public Health to be  
18 used to make vector control grants and surveillance grants to  
19 the Cook County Department of Public Health (for areas of the  
20 County excluding the City of Chicago), to the City of Chicago  
21 health department, and to other certified local health  
22 departments. These grants shall be used for expenses related  
23 to West Nile Virus and other vector-borne diseases. The amount  
24 of each grant shall be based on population and need as

1 supported by information submitted to the Department of Public  
2 Health. For the purposes of this Section, need shall be  
3 determined by the Department based primarily upon surveillance  
4 data and the number of positive human cases of West Nile Virus  
5 and other vector-borne diseases occurring during the preceding  
6 year and current year in the county or municipality seeking  
7 the grant.

8 (b) (Blank). ~~Beginning on July 31, 2003, on the last day of~~  
9 ~~each month, the State Comptroller shall order transferred and~~  
10 ~~the State Treasurer shall transfer the fees collected in the~~  
11 ~~previous month pursuant to item (1.5) of subsection (a) of~~  
12 ~~Section 55.8 from the Emergency Public Health Fund to the~~  
13 ~~Communications Revolving Fund. These transfers shall continue~~  
14 ~~until the cumulative total of the transfers is \$3,000,000.~~

15 (Source: P.A. 100-327, eff. 8-24-17.)

16 Section 85. The Electric Vehicle Rebate Act is amended by  
17 changing Section 40 as follows:

18 (415 ILCS 120/40)

19 Sec. 40. Appropriations from the Electric Vehicle Rebate  
20 Fund.

21 (a) User Fees Funds. The Agency shall estimate the amount  
22 of user fees expected to be collected under Section 35 of this  
23 Act for each fiscal year. User fee funds shall be deposited  
24 into and distributed from the Electric Vehicle Rebate

1 ~~Alternate Fuels~~ Fund in the following manner:

2 (1) ~~An~~ In each of fiscal years 1999, 2000, 2001, 2002,  
3 and 2003, an amount not to exceed \$200,000, and beginning  
4 in fiscal year 2004 an annual amount not to exceed  
5 \$225,000, may be appropriated to the Agency from the  
6 Electric Vehicle Rebate ~~Alternate Fuels~~ Fund to pay its  
7 costs of administering the programs authorized by Section  
8 27 of this Act. ~~An~~ Up to \$200,000 may be appropriated to  
9 the Office of the Secretary of State in each of fiscal  
10 years 1999, 2000, 2001, 2002, and 2003 from the ~~Alternate~~  
11 ~~Fuels~~ Fund to pay the Secretary of State's costs of  
12 administering the programs authorized under this Act.  
13 Beginning in fiscal year 2004 and in each fiscal year  
14 thereafter, an amount not to exceed \$225,000 may be  
15 appropriated to the Secretary of State from the Electric  
16 Vehicle Rebate ~~Alternate Fuels~~ Fund to pay the Secretary  
17 of State's costs of administering the programs authorized  
18 under this Act.

19 (2) In fiscal year 2022 and each fiscal year  
20 thereafter, after appropriation of the amounts authorized  
21 by item (1) of subsection (a) of this Section, the  
22 remaining moneys estimated to be collected during each  
23 fiscal year shall be appropriated.

24 (3) (Blank).

25 (4) Moneys appropriated to fund the programs  
26 authorized in Sections 25 and 30 shall be expended only

1 after they have been collected and deposited into the  
2 Electric Vehicle Rebate ~~Alternate Fuels~~ Fund.

3 (b) General Revenue Fund Appropriations. General Revenue  
4 Fund amounts appropriated to and deposited into the Electric  
5 Vehicle Rebate Fund shall be distributed from the Electric  
6 Vehicle Rebate Fund to fund the program authorized in Section  
7 27.

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

9 Section 90. The Cigarette Fire Safety Standard Act is  
10 amended by changing Section 45 as follows:

11 (425 ILCS 8/45)

12 Sec. 45. Penalties.

13 (a) Any manufacturer, wholesale dealer, agent, or other  
14 person or entity who knowingly sells cigarettes wholesale in  
15 violation of item (3) of subsection (a) of Section 10 of this  
16 Act shall be subject to a civil penalty not to exceed \$10,000  
17 for each sale of the cigarettes. Any retail dealer who  
18 knowingly sells cigarettes in violation of Section 10 of this  
19 Act shall be subject to the following: (i) a civil penalty not  
20 to exceed \$500 for each sale or offer for sale of cigarettes,  
21 provided that the total number of cigarettes sold or offered  
22 for sale in such sale does not exceed 1,000 cigarettes; (ii) a  
23 civil penalty not to exceed \$1,000 for each sale or offer for  
24 sale of the cigarettes, provided that the total number of

1 cigarettes sold or offered for sale in such sale exceeds 1,000  
2 cigarettes.

3 (b) In addition to any penalty prescribed by law, any  
4 corporation, partnership, sole proprietor, limited  
5 partnership, or association engaged in the manufacture of  
6 cigarettes that knowingly makes a false certification pursuant  
7 to Section 30 of this Act shall be subject to a civil penalty  
8 not to exceed \$10,000 for each false certification.

9 (c) Upon discovery by the Office of the State Fire  
10 Marshal, the Department of Revenue, the Office of the Attorney  
11 General, or a law enforcement agency that any person offers,  
12 possesses for sale, or has made a sale of cigarettes in  
13 violation of Section 10 of this Act, the Office of the State  
14 Fire Marshal, the Department of Revenue, the Office of the  
15 Attorney General, or the law enforcement agency may seize  
16 those cigarettes possessed in violation of this Act.

17 (d) ~~All The Cigarette Fire Safety Standard Act Fund is~~  
18 ~~established as a special fund in the State treasury. The Fund~~  
19 ~~shall consist of all moneys recovered by the Attorney General~~  
20 ~~from the assessment of civil penalties authorized by this~~  
21 ~~Section shall be deposited into the General Revenue Fund. The~~  
22 ~~moneys in the Fund shall, in addition to any moneys made~~  
23 ~~available for such purpose, be available, subject to~~  
24 ~~appropriation, to the Office of the State Fire Marshal for the~~  
25 ~~purpose of fire safety and prevention programs.~~

26 (e) (Blank). ~~Notwithstanding any other provision of law,~~

1 ~~in addition to any other transfers that may be provided by law,~~  
2 ~~on July 1, 2016, or as soon thereafter as practical, the State~~  
3 ~~Comptroller shall direct and the State Treasurer shall~~  
4 ~~transfer the remaining balance from the Cigarette Fire Safety~~  
5 ~~Standard Act Fund into the General Revenue Fund. Upon~~  
6 ~~completion of the transfers, the Cigarette Fire Safety~~  
7 ~~Standard Act Fund is dissolved, and any future deposits due to~~  
8 ~~that Fund and any outstanding obligations or liabilities of~~  
9 ~~that Fund pass to the General Revenue Fund.~~

10 (Source: P.A. 99-576, eff. 7-15-16.)

11 Section 95. The Herptiles-Herps Act is amended by changing  
12 Sections 5-20, 10-40, 20-30, 25-30, 55-5, 65-5, 90-5, 105-35,  
13 105-55, and 105-75 as follows:

14 (510 ILCS 68/5-20)

15 Sec. 5-20. Propagation of endangered or threatened  
16 species.

17 (a) No person shall take or possess for the purpose of  
18 propagation any of the herptiles listed in the Illinois  
19 Endangered Species Protection Act, the federal Endangered  
20 Species Act of 1973, or administrative rules unless authorized  
21 by a Herptile Endangered and Threatened Species Propagation  
22 permit issued by the Department. For the purpose of  
23 propagation only, a Herptile Endangered and Threatened Species  
24 Propagation permit shall allow a resident of this State to

1 possess, propagate, or sell legally obtained endangered and  
2 threatened herptiles. The Department shall adopt rules  
3 relating to the acquisition, possession, and propagation of  
4 legally obtained endangered and threatened herptiles. The  
5 Department shall determine, by rule, the application, fees,  
6 duration, and other requirements necessary for the issuance or  
7 suspension or revocation of a Herptile Endangered and  
8 Threatened Species Propagation permit. All fees collected from  
9 the issuance of a Herptile Endangered and Threatened Species  
10 Propagation permit shall be deposited into the Illinois  
11 Wildlife Preservation Fund.

12 (b) Any person issued a Herptile Endangered and Threatened  
13 Species Propagation permit by the Department who is in  
14 possession of a threatened or endangered (T/E) herptile  
15 species shall be exempt from an individual's overall  
16 possession limit under the permitting system set forth in this  
17 Act. However, the holder of a Herptile Endangered and  
18 Threatened Species Propagation permit is not exempt from the  
19 species limitations set forth in the administrative rules  
20 regarding the Herptile Endangered and Threatened Species  
21 Propagation permit. Any species occurring on the federal T/E  
22 list also requires a Department permit for possession,  
23 propagation, sale, or offer for sale unless otherwise  
24 permitted under this Act or administrative rule.

25 (c) (Blank).

26 (d) Federally licensed exhibits shall not be exempt from

1 the Illinois Endangered Species Protection Act, this Act, or  
2 administrative rule.

3 (e) Any changes in threatened or endangered species  
4 inventory for herptiles by current, existing Herptile  
5 Endangered and Threatened Species Propagation permit holders  
6 shall be reported to the Department in writing no later than  
7 the first business day after that change occurred.  
8 Applications for permits to possess and take herptiles shall  
9 be reviewed by the Department as provided by this Act or  
10 administrative rule.

11 (f) (Blank).

12 (g) (Blank).

13 (h) (Blank).

14 (i) (Blank).

15 (Source: P.A. 102-315, eff. 1-1-22.)

16 (510 ILCS 68/10-40)

17 Sec. 10-40. Additional regulations. Venomous reptiles  
18 shall not be bred, sold, or offered for sale within this State.  
19 The Department may approve limited transfers among existing  
20 permittees as set forth in administrative rule.

21 As determined by the Department, non-residents may apply  
22 for a permit not to exceed 15 consecutive days to use venomous  
23 reptiles in bona fide educational programs. The fee for the  
24 permit shall be set by administrative rule, and all fees shall  
25 be deposited into the Illinois Wildlife Preservation Fund.



1 (Source: P.A. 102-315, eff. 1-1-22.)

2 (510 ILCS 68/20-30)

3 Sec. 20-30. Additional regulations. Crocodilians shall not  
4 be bred, sold, or offered for sale within this State. However,  
5 the Department may approve, by rule, limited transfers among  
6 existing permittees.

7 As determined by the Department through administrative  
8 rule, non-residents may apply for a permit not to exceed 15  
9 consecutive days to use crocodilians in bona fide educational  
10 programs. The fee for this permit shall be set by  
11 administrative rule, and all fees shall be deposited into the  
12 Illinois Wildlife Preservation Fund.

13 (Source: P.A. 102-315, eff. 1-1-22.)

14 (510 ILCS 68/25-30)

15 Sec. 25-30. Additional regulations. Monitor lizards shall  
16 not be bred, sold, or offered for sale within this State.  
17 However, the Department may approve, by rule, limited  
18 transfers among existing permittees.

19 As determined by the Department, non-residents may apply  
20 for a permit not to exceed 15 consecutive days to use monitor  
21 lizards in bona fide educational programs. The fee for the  
22 permit shall be set by administrative rule, and all fees shall  
23 be deposited into the Illinois Wildlife Preservation Fund.

24 (Source: P.A. 102-315, eff. 1-1-22.)

1 (510 ILCS 68/55-5)

2 Sec. 55-5. Permit application and fees. An applicant for  
3 a Herpetoculture permit must file an application with the  
4 Department on a form provided by the Department. The  
5 application must include all information and requirements as  
6 set forth by administrative rule. The application for these  
7 permits shall be reviewed by the Department to determine if a  
8 permit will be issued.

9 An annual permit renewal must be accompanied by a  
10 non-refundable fee as set by the Department. The annual fee  
11 for a residential Herpetoculture permit shall be set by  
12 administrative rule. The Department shall adopt, by  
13 administrative rule, any additional procedures for the renewal  
14 of a Herpetoculture permit. All fees shall be deposited into  
15 the Illinois Wildlife Preservation Fund.

16 As determined by administrative rule, non-residents may  
17 apply for a permit not to exceed 15 consecutive days to  
18 commercialize herptiles indigenous to this State as outlined  
19 in this Article. The application, procedures, and fee for the  
20 permit and permit renewal shall be set by administrative rule,  
21 and all fees shall be deposited into the Illinois Wildlife  
22 Preservation Fund.

23 (Source: P.A. 102-315, eff. 1-1-22.)

24 (510 ILCS 68/65-5)

1           Sec. 65-5. Permit application and fees. An applicant for a  
2 Herptile Special Use permit must file an application with the  
3 Department on a form provided by the Department. The  
4 application must include all information and requirements as  
5 set forth by administrative rule.

6           The annual fee for a residential Herptile Special Use  
7 permit shall be set by administrative rule. The Herptile  
8 Special Use permit shall not be based on the number of special  
9 use herptile kept by an owner or possessor. All fees shall be  
10 deposited into the Illinois Wildlife Preservation Fund.

11           The Department shall adopt, by administrative rule,  
12 procedures for the renewal of annual Herptile Special Use  
13 permits.

14           Any person possessing and in legal possession of a special  
15 use herptile as stipulated in this Article that no longer  
16 wishes to keep the herptile may be assisted by the Department,  
17 at no charge to them and without prosecution, to place the  
18 special use herptile in a new home, within 30 days after the  
19 effective date of this Act.

20           The Department may issue a Limited Entry permit to an  
21 applicant who: (i) is not a resident of this State; (ii)  
22 complies with the requirements of this Act and all rules  
23 adopted by the Department under the authority of this Act;  
24 (iii) provides proof to the Department that he or she shall,  
25 during the permit term, maintain sufficient liability  
26 insurance coverage; (iv) pays to the Department, along with

1 each application for a Limited Entry permit, a non-refundable  
2 fee as set by administrative rule, which the Department shall  
3 deposit into the Illinois Wildlife Preservation Fund; and (v)  
4 uses the herptile for an activity authorized in the Limited  
5 Entry permit. A Limited Entry permit shall be valid for not  
6 more than 15 consecutive days. The application, review, and  
7 procedures to obtain or renew a Limited Entry permit shall be  
8 set by administrative rule.

9 (Source: P.A. 102-315, eff. 1-1-22.)

10 (510 ILCS 68/90-5)

11 Sec. 90-5. Penalties.

12 (a) Unless otherwise stated in this Act, a violation of  
13 this Act is a Class A misdemeanor.

14 (b) A person who violates Article 85 of this Act is guilty  
15 of a Class A misdemeanor for a first offense and a Class 4  
16 felony for a second or subsequent offense.

17 (c) A person who violates Article 75 of this Act is guilty  
18 of a Class B misdemeanor. A violation of the record keeping  
19 requirement for each individual special use herptile  
20 constitutes a separate offense.

21 (d) Any person who takes, possesses, captures, kills, or  
22 disposes of any herptile protected under this Act in violation  
23 of this Act is guilty of a Class B misdemeanor unless otherwise  
24 stated in this Act.

25 (e) All fines and penalties collected under the authority

1 of this Act or its administrative rules shall be deposited  
2 into the Illinois Wildlife Preservation Fund.

3 (Source: P.A. 102-315, eff. 1-1-22.)

4 (510 ILCS 68/105-35)

5 Sec. 105-35. Collection of fines. All fines provided for  
6 by this Act shall be collected and remitted to the Illinois  
7 ~~Department's~~ Wildlife Preservation Fund, within 30 days after  
8 the collection of the fine, by the clerk of the circuit court  
9 collecting the fines who shall submit at the same time to the  
10 Department a statement of the names of the persons so fined and  
11 the name of the arresting officer, the offense committed, the  
12 amount of the fine, and the date of the conviction.

13 (Source: P.A. 102-315, eff. 1-1-22.)

14 (510 ILCS 68/105-55)

15 Sec. 105-55. Illegal collecting devices; public nuisance.  
16 Every collecting device, including seines, nets, traps,  
17 pillowcases, bags, snake hooks or tongs, or any electrical  
18 device or any other devices including vehicles or conveyance,  
19 watercraft, or aircraft used or operated illegally or  
20 attempted to be used or operated illegally by any person in  
21 taking, transporting, holding, or conveying any herptile life  
22 or any part or parts of a herptile, contrary to this Act,  
23 including administrative rules, shall be deemed a public  
24 nuisance and therefore illegal and subject to seizure and

1       confiscation by any authorized employee of the Department.  
2       Upon the seizure of this item, the Department shall take and  
3       hold the item until disposed of as provided in this Act.

4             Upon the seizure of any device because of its illegal use,  
5       the officer or authorized employee of the Department making  
6       the seizure shall, as soon as reasonably possible, cause a  
7       complaint to be filed before the circuit court and a summons to  
8       be issued requiring the owner or person in possession of the  
9       property to appear in court and show cause why the device  
10       seized should not be forfeited to the State. Upon the return of  
11       the summons duly served or upon posting or publication of  
12       notice as provided in this Act, the court shall proceed to  
13       determine the question of the illegality of the use of the  
14       seized property. Upon judgment being entered that the property  
15       was illegally used, an order shall be entered providing for  
16       the forfeiture of the seized property to the State. The owner  
17       of the property may have a jury determine the illegality of its  
18       use and shall have the right of an appeal as in other civil  
19       cases. Confiscation or forfeiture shall not preclude or  
20       mitigate against prosecution and assessment of penalties  
21       provided in this Act.

22             Upon seizure of any property under circumstances  
23       supporting a reasonable belief that the property was  
24       abandoned, lost, stolen, or otherwise illegally possessed or  
25       used contrary to this Act, except property seized during a  
26       search or arrest, and ultimately returned, destroyed, or

1 otherwise disposed of under order of a court in accordance  
2 with this Act, the authorized employee of the Department shall  
3 make reasonable inquiry and efforts to identify and notify the  
4 owner or other person entitled to possession of the property  
5 and shall return the property after the person provides  
6 reasonable and satisfactory proof of his or her ownership or  
7 right to possession and reimburses the Department for all  
8 reasonable expenses of custody. If the identity or location of  
9 the owner or other person entitled to possession of the  
10 property has not been ascertained within 6 months after the  
11 Department obtains possession, the Department shall effectuate  
12 the sale of the property for cash to the highest bidder at a  
13 public auction. The owner or other person entitled to  
14 possession of the property may claim and recover possession of  
15 the property at any time before its sale at public auction upon  
16 providing reasonable and satisfactory proof of ownership or  
17 right of possession and reimbursing the Department for all  
18 reasonable expenses of custody.

19 Any property forfeited to the State by court order under  
20 this Section may be disposed of by public auction, except that  
21 any property that is the subject of a court order shall not be  
22 disposed of pending appeal of the order. The proceeds of the  
23 sales at auction shall be deposited in the Illinois Wildlife  
24 Preservation Fund.

25 The Department shall pay all costs of posting or  
26 publication of notices required by this Section.

1           Property seized or forfeited under this Section is subject  
2 to reporting under the Seizure and Forfeiture Reporting Act.  
3 (Source: P.A. 102-315, eff. 1-1-22.)

4           (510 ILCS 68/105-75)

5           Sec. 105-75. Illinois Wildlife Preservation Fund;  
6 disposition of money received. All fees, fines, income of  
7 whatever kind or nature derived from herptile activities  
8 regulated by this Act on lands, waters, or both under the  
9 jurisdiction or control of the Department and all penalties  
10 collected under this Act shall be deposited into the State  
11 treasury and shall be set apart in a special fund known as the  
12 Illinois Wildlife Preservation Fund.  
13 (Source: P.A. 102-315, eff. 1-1-22.)

14           Section 100. The Unified Code of Corrections is amended by  
15 changing Sections 5-9-1.4 and 5-9-1.9 as follows:

16           (730 ILCS 5/5-9-1.4) (from Ch. 38, par. 1005-9-1.4)

17           Sec. 5-9-1.4. (a) "Crime laboratory" means any  
18 not-for-profit laboratory registered with the Drug Enforcement  
19 Administration of the United States Department of Justice,  
20 substantially funded by a unit or combination of units of  
21 local government or the State of Illinois, which regularly  
22 employs at least one person engaged in the analysis of  
23 controlled substances, cannabis, methamphetamine, or steroids



1 for criminal justice agencies in criminal matters and provides  
2 testimony with respect to such examinations.

3 (b) (Blank).

4 (c) In addition to any other disposition made pursuant to  
5 the provisions of the Juvenile Court Act of 1987, any minor  
6 adjudicated delinquent for an offense which if committed by an  
7 adult would constitute a violation of the Cannabis Control  
8 Act, the Illinois Controlled Substances Act, the  
9 Methamphetamine Control and Community Protection Act, or the  
10 Steroid Control Act shall be required to pay a criminal  
11 laboratory analysis assessment of \$100 for each adjudication.  
12 Upon verified petition of the minor, the court may suspend  
13 payment of all or part of the assessment if it finds that the  
14 minor does not have the ability to pay the assessment. The  
15 parent, guardian, or legal custodian of the minor may pay some  
16 or all of such assessment on the minor's behalf.

17 (d) All criminal laboratory analysis fees provided for by  
18 this Section shall be collected by the clerk of the court and  
19 forwarded to the appropriate crime laboratory fund as provided  
20 in subsection (f).

21 (e) Crime laboratory funds shall be established as  
22 follows:

23 (1) Any unit of local government which maintains a  
24 crime laboratory may establish a crime laboratory fund  
25 within the office of the county or municipal treasurer.

26 (2) Any combination of units of local government which

1 maintains a crime laboratory may establish a crime  
2 laboratory fund within the office of the treasurer of the  
3 county where the crime laboratory is situated.

4 (3) The State Crime Laboratory Fund is hereby created  
5 as a special fund in the State Treasury. ~~Notwithstanding~~  
6 ~~any other provision of law to the contrary, and in~~  
7 ~~addition to any other transfers that may be provided by~~  
8 ~~law, on August 20, 2021 (the effective date of Public Act~~  
9 ~~102-505), or as soon thereafter as practical, the State~~  
10 ~~Comptroller shall direct and the State Treasurer shall~~  
11 ~~transfer the remaining balance from the State Offender DNA~~  
12 ~~Identification System Fund into the State Crime Laboratory~~  
13 ~~Fund. Upon completion of the transfer, the State Offender~~  
14 ~~DNA Identification System Fund is dissolved, and any~~  
15 ~~future deposits due to that Fund and any outstanding~~  
16 ~~obligations or liabilities of that Fund shall pass to the~~  
17 ~~State Crime Laboratory Fund.~~

18 (f) The analysis assessment provided for in subsection (c)  
19 of this Section shall be forwarded to the office of the  
20 treasurer of the unit of local government that performed the  
21 analysis if that unit of local government has established a  
22 crime laboratory fund, or to the State Crime Laboratory Fund  
23 if the analysis was performed by a laboratory operated by the  
24 Illinois State Police. If the analysis was performed by a  
25 crime laboratory funded by a combination of units of local  
26 government, the analysis assessment shall be forwarded to the

1 treasurer of the county where the crime laboratory is situated  
2 if a crime laboratory fund has been established in that  
3 county. If the unit of local government or combination of  
4 units of local government has not established a crime  
5 laboratory fund, then the analysis assessment shall be  
6 forwarded to the State Crime Laboratory Fund.

7 (g) Moneys deposited into a crime laboratory fund created  
8 pursuant to paragraph (1) or (2) of subsection (e) of this  
9 Section shall be in addition to any allocations made pursuant  
10 to existing law and shall be designated for the exclusive use  
11 of the crime laboratory. These uses may include, but are not  
12 limited to, the following:

13 (1) costs incurred in providing analysis for  
14 controlled substances in connection with criminal  
15 investigations conducted within this State;

16 (2) purchase and maintenance of equipment for use in  
17 performing analyses; and

18 (3) continuing education, training, and professional  
19 development of forensic scientists regularly employed by  
20 these laboratories.

21 (h) Moneys deposited in the State Crime Laboratory Fund  
22 created pursuant to paragraph (3) of subsection (d) of this  
23 Section shall be used by State crime laboratories as  
24 designated by the Director of the Illinois State Police. These  
25 funds shall be in addition to any allocations made pursuant to  
26 existing law and shall be designated for the exclusive use of

1 State crime laboratories or for the sexual assault evidence  
2 tracking system created under Section 50 of the Sexual Assault  
3 Evidence Submission Act. These uses may include those  
4 enumerated in subsection (g) of this Section.

5 (Source: P.A. 101-377, eff. 8-16-19; 102-505, eff. 8-20-21;  
6 102-538, eff. 8-20-21; 102-813, eff. 5-13-22.)

7 (730 ILCS 5/5-9-1.9)

8 Sec. 5-9-1.9. DUI analysis fee.

9 (a) "Crime laboratory" means a not-for-profit laboratory  
10 substantially funded by a single unit or combination of units  
11 of local government or the State of Illinois that regularly  
12 employs at least one person engaged in the DUI analysis of  
13 blood, other bodily substance, and urine for criminal justice  
14 agencies in criminal matters and provides testimony with  
15 respect to such examinations.

16 "DUI analysis" means an analysis of blood, other bodily  
17 substance, or urine for purposes of determining whether a  
18 violation of Section 11-501 of the Illinois Vehicle Code has  
19 occurred.

20 (b) (Blank).

21 (c) In addition to any other disposition made under the  
22 provisions of the Juvenile Court Act of 1987, any minor  
23 adjudicated delinquent for an offense which if committed by an  
24 adult would constitute a violation of Section 11-501 of the  
25 Illinois Vehicle Code shall pay a crime laboratory DUI

1 analysis assessment of \$150 for each adjudication. Upon  
2 verified petition of the minor, the court may suspend payment  
3 of all or part of the assessment if it finds that the minor  
4 does not have the ability to pay the assessment. The parent,  
5 guardian, or legal custodian of the minor may pay some or all  
6 of the assessment on the minor's behalf.

7 (d) All crime laboratory DUI analysis assessments provided  
8 for by this Section shall be collected by the clerk of the  
9 court and forwarded to the appropriate crime laboratory DUI  
10 fund as provided in subsection (f).

11 (e) Crime laboratory funds shall be established as  
12 follows:

13 (1) A unit of local government that maintains a crime  
14 laboratory may establish a crime laboratory DUI fund  
15 within the office of the county or municipal treasurer.

16 (2) Any combination of units of local government that  
17 maintains a crime laboratory may establish a crime  
18 laboratory DUI fund within the office of the treasurer of  
19 the county where the crime laboratory is situated.

20 (3) (Blank).

21 (f) The analysis assessment provided for in subsection (c)  
22 of this Section shall be forwarded to the office of the  
23 treasurer of the unit of local government that performed the  
24 analysis if that unit of local government has established a  
25 crime laboratory DUI fund, or remitted to the State Treasurer  
26 for deposit into the State Crime Laboratory Fund if the

1 analysis was performed by a laboratory operated by the  
2 Illinois State Police. If the analysis was performed by a  
3 crime laboratory funded by a combination of units of local  
4 government, the analysis assessment shall be forwarded to the  
5 treasurer of the county where the crime laboratory is situated  
6 if a crime laboratory DUI fund has been established in that  
7 county. If the unit of local government or combination of  
8 units of local government has not established a crime  
9 laboratory DUI fund, then the analysis assessment shall be  
10 remitted to the State Treasurer for deposit into the State  
11 Crime Laboratory Fund.

12 (g) Moneys deposited into a crime laboratory DUI fund  
13 created under paragraphs (1) and (2) of subsection (e) of this  
14 Section shall be in addition to any allocations made pursuant  
15 to existing law and shall be designated for the exclusive use  
16 of the crime laboratory. These uses may include, but are not  
17 limited to, the following:

18 (1) Costs incurred in providing analysis for DUI  
19 investigations conducted within this State.

20 (2) Purchase and maintenance of equipment for use in  
21 performing analyses.

22 (3) Continuing education, training, and professional  
23 development of forensic scientists regularly employed by  
24 these laboratories.

25 (h) Moneys deposited in the State Crime Laboratory Fund  
26 shall be used by State crime laboratories as designated by the

1 Director of the Illinois State Police. These funds shall be in  
2 addition to any allocations made according to existing law and  
3 shall be designated for the exclusive use of State crime  
4 laboratories. These uses may include those enumerated in  
5 subsection (g) of this Section.

6 (i) (Blank). ~~Notwithstanding any other provision of law to~~  
7 ~~the contrary and in addition to any other transfers that may be~~  
8 ~~provided by law, on June 17, 2021 (the effective date of Public~~  
9 ~~Act 102-16), or as soon thereafter as practical, the State~~  
10 ~~Comptroller shall direct and the State Treasurer shall~~  
11 ~~transfer the remaining balance from the State Police DUI Fund~~  
12 ~~into the State Police Operations Assistance Fund. Upon~~  
13 ~~completion of the transfer, the State Police DUI Fund is~~  
14 ~~dissolved, and any future deposits due to that Fund and any~~  
15 ~~outstanding obligations or liabilities of that Fund shall pass~~  
16 ~~to the State Police Operations Assistance Fund.~~

17 (Source: P.A. 102-16, eff. 6-17-21; 102-145, eff. 7-23-21;  
18 102-538, eff. 8-20-21; 102-813, eff. 5-13-22.)

19 Section 999. Effective date. This Act takes effect upon  
20 becoming law.

1

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2

## Statutes amended in order of appearance

3

20 ILCS 505/34.10 from Ch. 23, par. 5034.10

4

20 ILCS 505/5b rep.

5

20 ILCS 801/1-15

6

20 ILCS 2105/2105-300 was 20 ILCS 2105/61e

7

20 ILCS 2310/2310-130 was 20 ILCS 2310/55.82

8

20 ILCS 2605/2605-595

9

20 ILCS 4005/8.5 rep.

10

30 ILCS 105/5.991 new

11

30 ILCS 105/5.992 new

12

30 ILCS 105/6p-1 from Ch. 127, par. 142p1

13

30 ILCS 105/6p-8

14

30 ILCS 105/6z-82

15

30 ILCS 105/8.16b from Ch. 127, par. 144.16b

16

30 ILCS 105/5.287 rep.

17

30 ILCS 105/5.665 rep.

18

30 ILCS 105/5.730 rep.

19

30 ILCS 105/5.749 rep.

20

30 ILCS 105/5.759 rep.

21

30 ILCS 105/5.823 rep.

22

30 ILCS 105/6p-2 rep.

23

30 ILCS 605/7c

24

210 ILCS 50/3.86

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210 ILCS 50/3.116



- 1 210 ILCS 50/3.220
- 2 210 ILCS 50/3.226 rep.
- 3 225 ILCS 728/27 rep.
- 4 305 ILCS 5/12-10 from Ch. 23, par. 12-10
- 5 305 ILCS 75/185-20
- 6 305 ILCS 75/185-25
- 7 415 ILCS 5/55.6a
- 8 415 ILCS 120/40
- 9 425 ILCS 8/45
- 10 510 ILCS 68/5-20
- 11 510 ILCS 68/10-40
- 12 510 ILCS 68/20-30
- 13 510 ILCS 68/25-30
- 14 510 ILCS 68/55-5
- 15 510 ILCS 68/65-5
- 16 510 ILCS 68/90-5
- 17 510 ILCS 68/105-35
- 18 510 ILCS 68/105-55
- 19 510 ILCS 68/105-75
- 20 730 ILCS 5/5-9-1.4 from Ch. 38, par. 1005-9-1.4
- 21 730 ILCS 5/5-9-1.9