

HB5601



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB5601

Introduced 2/9/2024, by Rep. William "Will" Davis

SYNOPSIS AS INTRODUCED:

See Index

Amends various Acts concerning various State programs, State funds, and State fund transfers. Deletes obsolete language and makes technical changes. Effective immediately.

LRB103 38592 MXP 68728 b

A BILL FOR

1 AN ACT concerning State government.

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

4 Article 5.

5 Section 5-5. The State Employees Group Insurance Act of
6 1971 is amended by changing Section 11 as follows:

7 (5 ILCS 375/11) (from Ch. 127, par. 531)

8 Sec. 11. The amount of contribution in any fiscal year
9 from funds other than the General Revenue Fund or the Road Fund
10 shall be at the same contribution rate as the General Revenue
11 Fund or the Road Fund ~~except that, in State Fiscal Year 2009,~~
12 ~~no contributions shall be required from the FY09 Budget Relief~~
13 ~~Fund.~~ Contributions and payments for life insurance shall be
14 deposited in the Group Insurance Premium Fund. Contributions
15 and payments for health coverages and other benefits shall be
16 deposited in the Health Insurance Reserve Fund. Federal funds
17 which are available for cooperative extension purposes shall
18 also be charged for the contributions which are made for
19 retired employees formerly employed in the Cooperative
20 Extension Service. In the case of departments or any division
21 thereof receiving a fraction of its requirements for
22 administration from the Federal Government, the contributions

1 hereunder shall be such fraction of the amount determined
2 under the provisions hereof and the remainder shall be
3 contributed by the State.

4 Every department which has members paid from funds other
5 than the General Revenue Fund shall cooperate with the
6 Department of Central Management Services and the Governor's
7 Office of Management and Budget in order to assure that the
8 specified proportion of the State's cost for group life
9 insurance, the program of health benefits and other employee
10 benefits is paid by such funds; except that contributions
11 under this Act need not be paid from any other fund where both
12 the Director of Central Management Services and the Director
13 of the Governor's Office of Management and Budget have
14 designated in writing that the necessary contributions are
15 included in the General Revenue Fund contribution amount.

16 Universities having employees who are compensated out of
17 the following funds or sources are not required to submit the
18 contribution described in this Section for such employees:

19 (1) income funds, as described in Sections 6a-1,
20 6a-1a, 6a-1b, 6a-1c, 6a-1d, 6a-1e, 6a-1f, 6a-1g, and 6d of
21 the State Finance Act, including tuition, laboratory, and
22 library fees and any interest earned on those fees;

23 (2) local auxiliary funds, as described in the
24 Legislative Audit Commission's University Guidelines, as
25 published on November 17, 2020, including the following:

26 (i) funds from auxiliary enterprises, which are

1 operations that support the overall objectives of the
2 university but are not directly related to
3 instruction, research, or service organizational
4 units;

5 (ii) funds from auxiliary activities, which are
6 functions that are self-supporting, in whole or in
7 part, and are directly related to instruction,
8 research, or service units;

9 (3) the Agricultural Premium Fund as established by
10 Section 5.01 of the State Finance Act;

11 (4) appropriations from the General Revenue Fund,
12 Education Assistance Fund, or other State appropriations
13 that are made for the purposes of instruction, research,
14 public service, or economic development;

15 (5) funds to the University of Illinois Hospital for
16 health care professional services that are performed by
17 University of Illinois faculty or University of Illinois
18 health care programs established under the University of
19 Illinois Hospital Act; or

20 (6) funds designated for the Cooperative Extension
21 Service, as defined in Section 3 of the County Cooperative
22 Extension Law.

23 If an employee of a university is partially compensated
24 from the funds or sources of funds identified in paragraphs
25 (1) through (6) above, universities shall be required to
26 submit a pro rata contribution for the portion of the

1 employee's compensation that is derived out of funds or
2 sources other than those identified in paragraphs (1) through
3 (6) above.

4 The Department of Central Management Services may conduct
5 a post-payment review of university reimbursements to assess
6 or address any discrepancies. Universities shall cooperate
7 with the Department of Central Management Services during any
8 post-payment review, that may require universities to provide
9 documentation to support payment calculations or funding
10 sources used for calculating reimbursements. The Department of
11 Central Management Services reserves the right to reconcile
12 any discrepancies in reimbursement subtotals or total
13 obligations and to notify universities of all final
14 reconciliations, which shall include the Department of Central
15 Management Services calculations and the amount of any credits
16 or obligations that may be due.

17 For each employee of the Illinois Toll Highway Authority
18 covered under this Act whose eligibility for such coverage is
19 as an annuitant, the Authority shall annually contribute an
20 amount, as determined by the Director of the Department of
21 Central Management Services, that represents the average
22 employer's share of the cost of retiree coverage per
23 participating employee in the State Employees Group Insurance
24 Program.

25 (Source: P.A. 102-1071, eff. 6-10-22; 102-1115, eff. 1-9-23.)

1 Section 5-10. The Illinois Act on the Aging is amended by
2 changing Section 4.01 as follows:

3 (20 ILCS 105/4.01) (from Ch. 23, par. 6104.01)

4 Sec. 4.01. Additional powers and duties of the Department.
5 In addition to powers and duties otherwise provided by law,
6 the Department shall have the following powers and duties:

7 (1) To evaluate all programs, services, and facilities for
8 the aged and for minority senior citizens within the State and
9 determine the extent to which present public or private
10 programs, services and facilities meet the needs of the aged.

11 (2) To coordinate and evaluate all programs, services, and
12 facilities for the Aging and for minority senior citizens
13 presently furnished by State agencies and make appropriate
14 recommendations regarding such services, programs and
15 facilities to the Governor and/or the General Assembly.

16 (2-a) To request, receive, and share information
17 electronically through the use of data-sharing agreements for
18 the purpose of (i) establishing and verifying the initial and
19 continuing eligibility of older adults to participate in
20 programs administered by the Department; (ii) maximizing
21 federal financial participation in State assistance
22 expenditures; and (iii) investigating allegations of fraud or
23 other abuse of publicly funded benefits. Notwithstanding any
24 other law to the contrary, but only for the limited purposes
25 identified in the preceding sentence, this paragraph (2-a)

1 expressly authorizes the exchanges of income, identification,
2 and other pertinent eligibility information by and among the
3 Department and the Social Security Administration, the
4 Department of Employment Security, the Department of
5 Healthcare and Family Services, the Department of Human
6 Services, the Department of Revenue, the Secretary of State,
7 the U.S. Department of Veterans Affairs, and any other
8 governmental entity. The confidentiality of information
9 otherwise shall be maintained as required by law. In addition,
10 the Department on Aging shall verify employment information at
11 the request of a community care provider for the purpose of
12 ensuring program integrity under the Community Care Program.

13 (3) To function as the sole State agency to develop a
14 comprehensive plan to meet the needs of the State's senior
15 citizens and the State's minority senior citizens.

16 (4) To receive and disburse State and federal funds made
17 available directly to the Department including those funds
18 made available under the Older Americans Act and the Senior
19 Community Service Employment Program for providing services
20 for senior citizens and minority senior citizens or for
21 purposes related thereto, and shall develop and administer any
22 State Plan for the Aging required by federal law.

23 (5) To solicit, accept, hold, and administer in behalf of
24 the State any grants or legacies of money, securities, or
25 property to the State of Illinois for services to senior
26 citizens and minority senior citizens or purposes related

1 thereto.

2 (6) To provide consultation and assistance to communities,
3 area agencies on aging, and groups developing local services
4 for senior citizens and minority senior citizens.

5 (7) To promote community education regarding the problems
6 of senior citizens and minority senior citizens through
7 institutes, publications, radio, television and the local
8 press.

9 (8) To cooperate with agencies of the federal government
10 in studies and conferences designed to examine the needs of
11 senior citizens and minority senior citizens and to prepare
12 programs and facilities to meet those needs.

13 (9) To establish and maintain information and referral
14 sources throughout the State when not provided by other
15 agencies.

16 (10) To provide the staff support that may reasonably be
17 required by the Council.

18 (11) To make and enforce rules and regulations necessary
19 and proper to the performance of its duties.

20 (12) To establish and fund programs or projects or
21 experimental facilities that are specially designed as
22 alternatives to institutional care.

23 (13) To develop a training program to train the counselors
24 presently employed by the Department's aging network to
25 provide Medicare beneficiaries with counseling and advocacy in
26 Medicare, private health insurance, and related health care

1 coverage plans. The Department shall report to the General
2 Assembly on the implementation of the training program on or
3 before December 1, 1986.

4 (14) To make a grant to an institution of higher learning
5 to study the feasibility of establishing and implementing an
6 affirmative action employment plan for the recruitment,
7 hiring, training and retraining of persons 60 or more years
8 old for jobs for which their employment would not be precluded
9 by law.

10 (15) To present one award annually in each of the
11 categories of community service, education, the performance
12 and graphic arts, and the labor force to outstanding Illinois
13 senior citizens and minority senior citizens in recognition of
14 their individual contributions to either community service,
15 education, the performance and graphic arts, or the labor
16 force. The awards shall be presented to 4 senior citizens and
17 minority senior citizens selected from a list of 44 nominees
18 compiled annually by the Department. Nominations shall be
19 solicited from senior citizens' service providers, area
20 agencies on aging, senior citizens' centers, and senior
21 citizens' organizations. The Department shall establish a
22 central location within the State to be designated as the
23 Senior Illinoisans Hall of Fame for the public display of all
24 the annual awards, or replicas thereof.

25 (16) To establish multipurpose senior centers through area
26 agencies on aging and to fund those new and existing

1 multipurpose senior centers through area agencies on aging,
2 the establishment and funding to begin in such areas of the
3 State as the Department shall designate by rule and as
4 specifically appropriated funds become available.

5 (17) (Blank).

6 (18) To develop a pamphlet in English and Spanish which
7 may be used by physicians licensed to practice medicine in all
8 of its branches pursuant to the Medical Practice Act of 1987,
9 pharmacists licensed pursuant to the Pharmacy Practice Act,
10 and Illinois residents 65 years of age or older for the purpose
11 of assisting physicians, pharmacists, and patients in
12 monitoring prescriptions provided by various physicians and to
13 aid persons 65 years of age or older in complying with
14 directions for proper use of pharmaceutical prescriptions. The
15 pamphlet may provide space for recording information including
16 but not limited to the following:

17 (a) name and telephone number of the patient;

18 (b) name and telephone number of the prescribing
19 physician;

20 (c) date of prescription;

21 (d) name of drug prescribed;

22 (e) directions for patient compliance; and

23 (f) name and telephone number of dispensing pharmacy.

24 In developing the pamphlet, the Department shall consult
25 with the Illinois State Medical Society, the Center for
26 Minority Health Services, the Illinois Pharmacists Association

1 and senior citizens organizations. The Department shall
2 distribute the pamphlets to physicians, pharmacists and
3 persons 65 years of age or older or various senior citizen
4 organizations throughout the State.

5 (19) To conduct a study of the feasibility of implementing
6 the Senior Companion Program throughout the State.

7 (20) The reimbursement rates paid through the community
8 care program for chore housekeeping services and home care
9 aides shall be the same.

10 (21) (Blank). ~~From funds appropriated to the Department~~
11 ~~from the Meals on Wheels Fund, a special fund in the State~~
12 ~~treasury that is hereby created, and in accordance with State~~
13 ~~and federal guidelines and the intrastate funding formula, to~~
14 ~~make grants to area agencies on aging, designated by the~~
15 ~~Department, for the sole purpose of delivering meals to~~
16 ~~homebound persons 60 years of age and older.~~

17 (22) To distribute, through its area agencies on aging,
18 information alerting seniors on safety issues regarding
19 emergency weather conditions, including extreme heat and cold,
20 flooding, tornadoes, electrical storms, and other severe storm
21 weather. The information shall include all necessary
22 instructions for safety and all emergency telephone numbers of
23 organizations that will provide additional information and
24 assistance.

25 (23) To develop guidelines for the organization and
26 implementation of Volunteer Services Credit Programs to be

1 administered by Area Agencies on Aging or community based
2 senior service organizations. The Department shall hold public
3 hearings on the proposed guidelines for public comment,
4 suggestion, and determination of public interest. The
5 guidelines shall be based on the findings of other states and
6 of community organizations in Illinois that are currently
7 operating volunteer services credit programs or demonstration
8 volunteer services credit programs. The Department shall offer
9 guidelines for all aspects of the programs including, but not
10 limited to, the following:

11 (a) types of services to be offered by volunteers;

12 (b) types of services to be received upon the
13 redemption of service credits;

14 (c) issues of liability for the volunteers and the
15 administering organizations;

16 (d) methods of tracking service credits earned and
17 service credits redeemed;

18 (e) issues of time limits for redemption of service
19 credits;

20 (f) methods of recruitment of volunteers;

21 (g) utilization of community volunteers, community
22 service groups, and other resources for delivering
23 services to be received by service credit program clients;

24 (h) accountability and assurance that services will be
25 available to individuals who have earned service credits;
26 and

1 (i) volunteer screening and qualifications.

2 The Department shall submit a written copy of the guidelines
3 to the General Assembly by July 1, 1998.

4 (24) To function as the sole State agency to receive and
5 disburse State and federal funds for providing adult
6 protective services in a domestic living situation in
7 accordance with the Adult Protective Services Act.

8 (25) To hold conferences, trainings, and other programs
9 for which the Department shall determine by rule a reasonable
10 fee to cover related administrative costs. Rules to implement
11 the fee authority granted by this paragraph (25) must be
12 adopted in accordance with all provisions of the Illinois
13 Administrative Procedure Act and all rules and procedures of
14 the Joint Committee on Administrative Rules; any purported
15 rule not so adopted, for whatever reason, is unauthorized.

16 (Source: P.A. 98-8, eff. 5-3-13; 98-49, eff. 7-1-13; 98-380,
17 eff. 8-16-13; 98-756, eff. 7-16-14; 99-331, eff. 1-1-16.)

18 Section 5-15. The Renewable Energy, Energy Efficiency, and
19 Coal Resources Development Law of 1997 is amended by changing
20 Section 6-3 as follows:

21 (20 ILCS 687/6-3)

22 (Section scheduled to be repealed on December 31, 2025)

23 Sec. 6-3. Renewable energy resources program.

24 (a) The Environmental Protection Agency, to be called the

1 "Agency" hereinafter in this Law, shall administer the
2 Renewable Energy Resources Program to provide grants, loans,
3 and other incentives to foster investment in and the
4 development and use of renewable energy resources.

5 (b) The Agency may, by administrative rule, establish and
6 adjust eligibility criteria for grants, loans, and other
7 incentives to foster investment in and the development and use
8 of renewable energy resources. The criteria should promote the
9 goal of fostering investment in and the development and use,
10 in Illinois, of renewable energy resources.

11 (c) The Agency may accept applications for grants, loans,
12 and other incentives to foster investment in and the
13 development and use of renewable energy resources.

14 (d) To the extent that funds are available and
15 appropriated, the Agency shall provide grants, loans, and
16 other incentives to applicants that meet the criteria
17 specified by the Agency.

18 (e) (Blank).

19 (f) As used in this Law, "renewable energy resources"
20 includes energy from wind, solar thermal energy, photovoltaic
21 cells and panels, dedicated crops grown for energy production
22 and organic waste biomass, hydropower that does not involve
23 new construction or significant expansion of hydropower dams,
24 and other such alternative sources of environmentally
25 preferable energy. "Renewable energy resources" does not
26 include, however, energy from the incineration or burning of

1 waste wood, tires, garbage, general household, institutional
2 and commercial waste, industrial lunchroom or office waste,
3 landscape waste, or construction or demolition debris.

4 (g) (Blank). ~~There is created the Energy Efficiency~~
5 ~~Investment Fund as a special fund in the State Treasury, to be~~
6 ~~administered by the Agency to support the development of~~
7 ~~technologies for wind, biomass, and solar power in Illinois.~~
8 ~~The Agency may accept private and public funds, including~~
9 ~~federal funds, for deposit into the Fund.~~

10 (Source: P.A. 102-444, eff. 8-20-21.)

11 (20 ILCS 1135/Act rep.)

12 Section 5-20. The Superconducting Super Collider Act is
13 repealed.

14 Section 5-25. The Illinois Commission on Volunteerism and
15 Community Service Act is amended by changing Section 4.5 as
16 follows:

17 (20 ILCS 1345/4.5)

18 Sec. 4.5. Serve Illinois Commission Fund; creation. The
19 Serve Illinois Commission Fund is created as a special fund in
20 the State treasury. All federal grant moneys awarded in
21 support of the activities authorized under this Act to the
22 Department of Human Services or the Commission may be
23 deposited into the Serve Illinois Commission Fund. In addition

1 to federal grant moneys, the Department and the Commission may
2 accept and deposit into the Serve Illinois Commission Fund any
3 other funds, grants, gifts, and bequests from any source,
4 public or private, in support of the activities authorized
5 under this Act. Appropriations from the Serve Illinois
6 Commission Fund shall be used for operations, grants, and
7 other purposes as authorized by this Act. ~~Upon written~~
8 ~~notification by the Secretary of Human Services, the State~~
9 ~~Comptroller shall direct and the State Treasurer shall~~
10 ~~transfer any remaining balance in the Federal National~~
11 ~~Community Services Grant Fund to the Serve Illinois Commission~~
12 ~~Fund.~~

13 (Source: P.A. 102-699, eff. 4-19-22.)

14 Section 5-30. The Mental Health and Developmental
15 Disabilities Administrative Act is amended by changing
16 Sections 18.4 and 18.5 as follows:

17 (20 ILCS 1705/18.4)

18 Sec. 18.4. Community Mental Health Medicaid Trust Fund;
19 reimbursement.

20 (a) The Community Mental Health Medicaid Trust Fund is
21 hereby created in the State Treasury.

22 (b) Amounts paid to the State during each State fiscal
23 year by the federal government under Title XIX or Title XXI of
24 the Social Security Act for services delivered by community

1 mental health providers, and any interest earned thereon,
2 shall be deposited 100% into the Community Mental Health
3 Medicaid Trust Fund. Not more than \$4,500,000 of the Community
4 Mental Health Medicaid Trust Fund may be used by the
5 Department of Human Services' Division of Mental Health for
6 oversight and administration of community mental health
7 services, and of that amount no more than \$1,000,000 may be
8 used for the support of community mental health service
9 initiatives. The remainder shall be used for the purchase of
10 community mental health services.

11 (b-5) Whenever a State mental health facility operated by
12 the Department is closed and the real estate on which the
13 facility is located is sold by the State, the net proceeds of
14 the sale of the real estate shall be deposited into the
15 Community Mental Health Medicaid Trust Fund and used for the
16 purposes enumerated in subsections (c) and (c-1) of Section
17 4.6 of the Community Services Act; ~~however, under subsection~~
18 ~~(c) of Section 4.6 of the Community Services Act, the~~
19 ~~Department may set aside a portion of the net proceeds of the~~
20 ~~sale of the real estate for deposit into the Human Services~~
21 ~~Priority Capital Program Fund. The portion set aside shall be~~
22 ~~used for the purposes enumerated in Section 6z-71 of the State~~
23 ~~Finance Act.~~

24 (c) The Department shall reimburse community mental health
25 providers for services provided to eligible individuals.
26 Moneys in the Trust Fund may be used for that purpose.

1 (c-5) The Community Mental Health Medicaid Trust Fund is
2 not subject to administrative charge-backs.

3 (c-10) The Department of Human Services shall annually
4 report to the Governor and the General Assembly, by September
5 1, on both the total revenue deposited into the Trust Fund and
6 the total expenditures made from the Trust Fund for the
7 previous fiscal year. This report shall include detailed
8 descriptions of both revenues and expenditures regarding the
9 Trust Fund from the previous fiscal year. This report shall be
10 presented by the Secretary of Human Services to the
11 appropriate Appropriations Committee in the House of
12 Representatives, as determined by the Speaker of the House,
13 and in the Senate, as determined by the President of the
14 Senate. This report shall be made available to the public and
15 shall be published on the Department of Human Services'
16 website in an appropriate location, a minimum of one week
17 prior to presentation of the report to the General Assembly.

18 (d) As used in this Section:

19 "Trust Fund" means the Community Mental Health Medicaid
20 Trust Fund.

21 "Community mental health provider" means a community
22 agency that is funded by the Department to provide a service.

23 "Service" means a mental health service provided pursuant
24 to the provisions of administrative rules adopted by the
25 Department and funded by or claimed through the Department of
26 Human Services' Division of Mental Health.

1 (Source: P.A. 97-333, eff. 8-12-11; 98-815, eff. 8-1-14.)

2 (20 ILCS 1705/18.5)

3 Sec. 18.5. Community Developmental Disability Services
4 Medicaid Trust Fund; reimbursement.

5 (a) The Community Developmental Disability Services
6 Medicaid Trust Fund is hereby created in the State treasury.

7 (b) Beginning in State fiscal year 2019, funds in any
8 fiscal year in amounts not exceeding a total of \$60,000,000
9 paid to the State by the federal government under Title XIX or
10 Title XXI of the Social Security Act for services delivered by
11 community developmental disability services providers shall be
12 deposited into the Community Developmental Disability Services
13 Medicaid Trust Fund to pay for Medicaid-reimbursed community
14 developmental disability services provided to eligible
15 individuals.

16 (b-5) (Blank).

17 (b-7) The Community Developmental Disability Services
18 Medicaid Trust Fund is not subject to administrative
19 charge-backs.

20 (b-9) (Blank).

21 (b-10) Whenever a State developmental disabilities
22 facility operated by the Department is closed and the real
23 estate on which the facility is located is sold by the State,
24 the net proceeds of the sale of the real estate shall be
25 deposited into the Community Developmental Disability Services

1 Medicaid Trust Fund and used for the purposes enumerated in
2 subsections (c) and (d) of Section 4.6 of the Community
3 Services Act; ~~however, under subsection (e) of Section 4.6 of~~
4 ~~the Community Services Act, the Department may set aside a~~
5 ~~portion of the net proceeds of the sale of the real estate for~~
6 ~~deposit into the Human Services Priority Capital Program Fund.~~
7 ~~The portion set aside shall be used for the purposes~~
8 ~~enumerated in Section 6z-71 of the State Finance Act.~~

9 (c) For purposes of this Section:

10 "Trust Fund" means the Community Developmental Disability
11 Services Medicaid Trust Fund.

12 "Medicaid-reimbursed developmental disability services"
13 means services provided by a community developmental
14 disability provider under an agreement with the Department
15 that is eligible for reimbursement under the federal Title XIX
16 program or Title XXI program.

17 "Provider" means a qualified entity as defined in the
18 State's Home and Community-Based Services Waiver for Persons
19 with Developmental Disabilities that is funded by the
20 Department to provide a Medicaid-reimbursed service.

21 (Source: P.A. 100-587, eff. 6-4-18.)

22 Section 5-35. The State Fire Marshal Act is amended by
23 changing Section 2.7 as follows:

24 (20 ILCS 2905/2.7)

1 Sec. 2.7. Small Fire-fighting and Ambulance Service
2 Equipment Grant Program.

3 (a) The Office shall establish and administer a Small
4 Fire-fighting and Ambulance Service Equipment Grant Program to
5 award grants to fire departments, fire protection districts,
6 and volunteer, non-profit, stand alone ambulance services for
7 the purchase of small fire-fighting and ambulance equipment.

8 (b) (Blank).

9 (b-1) (Blank). ~~The Fire Service and Small Equipment Fund~~
10 ~~is dissolved. Any moneys remaining in the Fund on the~~
11 ~~effective date of this amendatory Act of the 97th General~~
12 ~~Assembly shall be transferred to the Fire Prevention Fund.~~

13 (c) As used in this Section, "small fire-fighting and
14 ambulance equipment" includes, without limitation, turnout
15 gear, air packs, thermal imaging cameras, jaws of life,
16 defibrillators, communications equipment, including but not
17 limited to pagers and radios, and other fire-fighting or life
18 saving equipment, as determined by the State Fire Marshal.

19 (d) The Office shall adopt any rules necessary for the
20 implementation and administration of this Section.

21 (Source: P.A. 96-386, eff. 8-13-09; 97-901, eff. 1-1-13.)

22 Section 5-40. The Historic Preservation Act is amended by
23 changing Section 16 as follows:

24 (20 ILCS 3405/16) (from Ch. 127, par. 2716)

1 Sec. 16. The Department shall have the following
2 additional powers:

3 (a) To hire agents and employees necessary to carry
4 out the duties and purposes of this Act.

5 (b) To take all measures necessary to erect, maintain,
6 preserve, restore, and conserve all State Historic Sites
7 and State Memorials, except when supervision and
8 maintenance is otherwise provided by law. This
9 authorization includes the power to enter into contracts,
10 acquire and dispose of real and personal property, and
11 enter into leases of real and personal property. The
12 Department has the power to acquire, for purposes
13 authorized by law, any real property in fee simple subject
14 to a life estate in the seller in not more than 3 acres of
15 the real property acquired, subject to the restrictions
16 that the life estate shall be used for residential
17 purposes only and that it shall be non-transferable.

18 (c) To provide recreational facilities, including
19 campsites, lodges and cabins, trails, picnic areas, and
20 related recreational facilities, at all sites under the
21 jurisdiction of the Department.

22 (d) To lay out, construct, and maintain all needful
23 roads, parking areas, paths or trails, bridges, camp or
24 lodge sites, picnic areas, lodges and cabins, and any
25 other structures and improvements necessary and
26 appropriate in any State historic site or easement

1 thereto; and to provide water supplies, heat and light,
2 and sanitary facilities for the public and living quarters
3 for the custodians and keepers of State historic sites.

4 (e) To grant licenses and rights-of-way within the
5 areas controlled by the Department for the construction,
6 operation, and maintenance upon, under or across the
7 property, of facilities for water, sewage, telephone,
8 telegraph, electric, gas, or other public service, subject
9 to the terms and conditions as may be determined by the
10 Department.

11 (f) To authorize the officers, employees, and agents
12 of the Department, for the purposes of investigation and
13 to exercise the rights, powers, and duties vested and that
14 may be vested in it, to enter and cross all lands and
15 waters in this State, doing no damage to private property.

16 (g) To transfer jurisdiction of or exchange any realty
17 under the control of the Department to any other
18 Department of the State Government, or to any agency of
19 the Federal Government, or to acquire or accept Federal
20 lands, when any transfer, exchange, acquisition, or
21 acceptance is advantageous to the State and is approved in
22 writing by the Governor.

23 (h) To erect, supervise, and maintain all public
24 monuments and memorials erected by the State, except when
25 the supervision and maintenance of public monuments and
26 memorials is otherwise provided by law.

1 (i) To accept, hold, maintain, and administer, as
2 trustee, property given in trust for educational or
3 historic purposes for the benefit of the People of the
4 State of Illinois and to dispose of any property under the
5 terms of the instrument creating the trust.

6 (j) To lease concessions on any property under the
7 jurisdiction of the Department for a period not exceeding
8 25 years and to lease a concession complex at Lincoln's
9 New Salem State Historic Site for which a cash incentive
10 has been authorized under Section 5.1 of this Act for a
11 period not to exceed 40 years. All leases, for whatever
12 period, shall be made subject to the written approval of
13 the Governor. All concession leases extending for a period
14 in excess of 10 years, will contain provisions for the
15 Department to participate, on a percentage basis, in the
16 revenues generated by any concession operation.

17 The Department is authorized to allow for provisions
18 for a reserve account and a leasehold account within
19 Department concession lease agreements for the purpose of
20 setting aside revenues for the maintenance,
21 rehabilitation, repair, improvement, and replacement of
22 the concession facility, structure, and equipment of the
23 Department that are part of the leased premises.

24 The lessee shall be required to pay into the reserve
25 account a percentage of gross receipts, as set forth in
26 the lease, to be set aside and expended in a manner

1 acceptable to the Department by the concession lessee for
2 the purpose of ensuring that an appropriate amount of the
3 lessee's moneys are provided by the lessee to satisfy the
4 lessee's incurred responsibilities for the operation of
5 the concession facility under the terms and conditions of
6 the concession lease.

7 The lessee account shall allow for the amortization of
8 certain authorized expenses that are incurred by the
9 concession lessee but that are not an obligation of the
10 lessee under the terms and conditions of the lease
11 agreement. The Department may allow a reduction of up to
12 50% of the monthly rent due for the purpose of enabling the
13 recoupment of the lessee's authorized expenditures during
14 the term of the lease.

15 (k) To sell surplus agricultural products grown on
16 land owned by or under the jurisdiction of the Department,
17 when the products cannot be used by the Department.

18 (l) To enforce the laws of the State and the rules and
19 regulations of the Department in or on any lands owned,
20 leased, or managed by the Department.

21 (m) To cooperate with private organizations and
22 agencies of the State of Illinois by providing areas and
23 the use of staff personnel where feasible for the sale of
24 publications on the historic and cultural heritage of the
25 State and craft items made by Illinois craftsmen. These
26 sales shall not conflict with existing concession

1 agreements. The Department is authorized to negotiate with
2 the organizations and agencies for a portion of the monies
3 received from sales to be returned to the Illinois
4 ~~Department's~~ Historic Sites Fund for the furtherance of
5 interpretive and restoration programs.

6 (n) To establish local bank or savings and loan
7 association accounts, upon the written authorization of
8 the Director, to temporarily hold income received at any
9 of its properties. The local accounts established under
10 this Section shall be in the name of the Department and
11 shall be subject to regular audits. The balance in a local
12 bank or savings and loan association account shall be
13 forwarded to the Department for deposit with the State
14 Treasurer on Monday of each week if the amount to be
15 deposited in a fund exceeds \$500.

16 No bank or savings and loan association shall receive
17 public funds as permitted by this Section, unless it has
18 complied with the requirements established under Section 6
19 of the Public Funds Investment Act.

20 (o) To accept offers of gifts, gratuities, or grants
21 from the federal government, its agencies, or offices, or
22 from any person, firm, or corporation.

23 (p) To make reasonable rules and regulations as may be
24 necessary to discharge the duties of the Department.

25 (q) With appropriate cultural organizations, to
26 further and advance the goals of the Department.

1 (r) To make grants for the purposes of planning,
2 survey, rehabilitation, restoration, reconstruction,
3 landscaping, and acquisition of Illinois properties (i)
4 designated individually in the National Register of
5 Historic Places, (ii) designated as a landmark under a
6 county or municipal landmark ordinance, or (iii) located
7 within a National Register of Historic Places historic
8 district or a locally designated historic district when
9 the Director determines that the property is of historic
10 significance whenever an appropriation is made therefor by
11 the General Assembly or whenever gifts or grants are
12 received for that purpose and to promulgate regulations as
13 may be necessary or desirable to carry out the purposes of
14 the grants.

15 Grantees may, as prescribed by rule, be required to
16 provide matching funds for each grant. Grants made under
17 this subsection shall be known as Illinois Heritage
18 Grants.

19 Every owner of a historic property, or the owner's
20 agent, is eligible to apply for a grant under this
21 subsection.

22 (s) To establish and implement a pilot program for
23 charging admission to State historic sites. Fees may be
24 charged for special events, admissions, and parking or any
25 combination; fees may be charged at all sites or selected
26 sites. All fees shall be deposited into the Illinois

1 Historic Sites Fund. The Department shall have the
2 discretion to set and adjust reasonable fees at the
3 various sites, taking into consideration various factors,
4 including, but not limited to: cost of services furnished
5 to each visitor, impact of fees on attendance and tourism,
6 and the costs expended collecting the fees. The Department
7 shall keep careful records of the income and expenses
8 resulting from the imposition of fees, shall keep records
9 as to the attendance at each historic site, and shall
10 report to the Governor and General Assembly by January 31
11 after the close of each year. The report shall include
12 information on costs, expenses, attendance, comments by
13 visitors, and any other information the Department may
14 believe pertinent, including:

15 (1) Recommendations as to whether fees should be
16 continued at each State historic site.

17 (2) How the fees should be structured and imposed.

18 (3) Estimates of revenues and expenses associated
19 with each site.

20 (t) To provide for overnight tent and trailer
21 campsites and to provide suitable housing facilities for
22 student and juvenile overnight camping groups. The
23 Department shall charge rates similar to those charged by
24 the Department for the same or similar facilities and
25 services.

26 (u) To engage in marketing activities designed to

1 promote the sites and programs administered by the
2 Department. In undertaking these activities, the
3 Department may take all necessary steps with respect to
4 products and services, including, but not limited to,
5 retail sales, wholesale sales, direct marketing, mail
6 order sales, telephone sales, advertising and promotion,
7 purchase of product and materials inventory, design,
8 printing and manufacturing of new products, reproductions,
9 and adaptations, copyright and trademark licensing and
10 royalty agreements, and payment of applicable taxes. In
11 addition, the Department shall have the authority to sell
12 advertising in its publications and printed materials. All
13 income from marketing activities shall be deposited into
14 the Illinois Historic Sites Fund.

15 (Source: P.A. 102-1005, eff. 5-27-22.)

16 Section 5-45. The Archaeological and Paleontological
17 Resources Protection Act is amended by changing Section 5 as
18 follows:

19 (20 ILCS 3435/5) (from Ch. 127, par. 133c5)

20 Sec. 5. Penalties. Any violation of Section 3 not
21 involving the disturbance of human remains is a Class A
22 misdemeanor and the violator shall also be subject to a fine
23 not in excess of \$5,000; any subsequent violation is a Class 4
24 felony. Any violation of Section 3 involving disturbance of

1 human remains is a Class 4 felony. Each disturbance of an
2 archaeological site or a paleontological site shall constitute
3 a single offense. Persons convicted of a violation of Section
4 3 shall also be ordered to pay restitution. Such restitution
5 is to be assessed by the circuit court. Restitution may
6 include, but is not limited to:

7 (a) (blank);

8 (b) any and all costs incurred in cleaning, restoring,
9 analyzing, accessioning and curating the recovered
10 materials;

11 (c) any and all costs associated with restoring the
12 land to its original contour;

13 (d) any and all costs associated with recovery of data
14 and analyzing, publishing, accessioning and curating
15 materials when the prohibited activity is so extensive as
16 to preclude the restoration of the archaeological or
17 paleontological site;

18 (e) any and all costs associated with the
19 determination and collection of restitution.

20 When restitution is ordered in a case that is prosecuted
21 by the Attorney General, all restitution shall be deposited
22 into the Illinois Historic Sites Fund; when restitution is
23 ordered in a case that is prosecuted by the State's Attorney,
24 the proceeds shall be deposited into the county fund
25 designated by the county board.

26 (Source: P.A. 103-446, eff. 8-4-23.)

1 Section 5-50. The State Finance Act is amended by changing
2 Sections 5, 6z-82, and 8.8a as follows:

3 (30 ILCS 105/5) (from Ch. 127, par. 141)

4 Sec. 5. Special funds.

5 (a) There are special funds in the State Treasury
6 designated as specified in the Sections which succeed this
7 Section 5 and precede Section 5d ~~6~~.

8 (b) Except as provided in the Illinois Vehicle Hijacking
9 and Motor Vehicle Theft Prevention and Insurance Verification
10 Act, when any special fund in the State Treasury is
11 discontinued by an Act of the General Assembly, any balance
12 remaining therein on the effective date of such Act shall be
13 transferred to the General Revenue Fund, or to such other fund
14 as such Act shall provide. Warrants outstanding against such
15 discontinued fund at the time of the transfer of any such
16 balance therein shall be paid out of the fund to which the
17 transfer was made.

18 (c) When any special fund in the State Treasury has been
19 inactive for 18 months or longer, the Comptroller may
20 terminate the fund, and the balance remaining in such fund
21 shall be transferred by the Comptroller to the General Revenue
22 Fund. When a special fund has been terminated by the
23 Comptroller as provided in this Section, the General Assembly
24 shall repeal or amend all Sections of the statutes creating or

1 otherwise referring to that fund.

2 The Comptroller shall be allowed the discretion to
3 maintain or dissolve any federal trust fund which has been
4 inactive for 18 months or longer.

5 (d) (Blank).

6 (e) (Blank).

7 (Source: P.A. 102-904, eff. 1-1-23; 103-266, eff. 1-1-24.)

8 (30 ILCS 105/6z-82)

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

10 (a) There is created in the State treasury a special fund
11 known as the State Police Operations Assistance Fund. The Fund
12 shall receive revenue under the Criminal and Traffic
13 Assessment Act. The Fund may also receive revenue from grants,
14 donations, appropriations, and any other legal source.

15 (a-5) ~~(Blank)~~. This Fund may charge, collect, and receive
16 fees or moneys as described in Section 15-312 of the Illinois
17 Vehicle Code, and receive all fees received by the Illinois
18 State Police under that Section. The moneys shall be used by
19 the Illinois State Police for its expenses in providing police
20 escorts and commercial vehicle enforcement activities.

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

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

25 (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).

7 (h) (Blank). ~~Notwithstanding any other provision of law,~~
8 ~~in addition to any other transfers that may be provided by law,~~
9 ~~on the effective date of this amendatory Act of the 103rd~~
10 ~~General Assembly, or as soon thereafter as practical, the~~
11 ~~State Comptroller shall direct and the State Treasurer shall~~
12 ~~transfer the remaining balance from the State Police~~
13 ~~Streetgang Related Crime Fund to the State Police Operations~~
14 ~~Assistance Fund. Upon completion of the transfers, the State~~
15 ~~Police Streetgang Related Crime Fund is dissolved, and any~~
16 ~~future deposits into the State Police Streetgang Related Crime~~
17 ~~Fund and any outstanding obligations or liabilities of the~~
18 ~~State Police Streetgang Related Crime Fund pass to the State~~
19 ~~Police Operations Assistance Fund.~~

20 (Source: P.A. 102-16, eff. 6-17-21; 102-505, eff. 8-20-21;
21 102-538, eff. 8-20-21; 102-813, eff. 5-13-22; 103-34, eff.
22 6-9-23; 103-363, eff. 7-28-23; revised 9-7-23.)

23 (30 ILCS 105/8.8a) (from Ch. 127, par. 144.8a)

24 Sec. 8.8a. Appropriations for the sale or transfer of
25 surplus or transferable property by the Department of Central

1 Management Services, and for all other expenses incident to
2 the handling, transportation, maintenance and storage of such
3 surplus property, including personal services and contractual
4 services connected therewith and for expenses incident to the
5 establishment and operation of wastepaper recycling programs
6 by the Department, are payable ~~from the State Surplus Property~~
7 ~~Revolving Fund through the end of State fiscal year 2020, and~~
8 ~~shall be payable~~ from the General Revenue Fund ~~beginning in~~
9 ~~State fiscal year 2021.~~

10 (Source: P.A. 101-636, eff. 6-10-20.)

11 (30 ILCS 105/5.544 rep.)

12 (30 ILCS 105/5.668 rep.)

13 (30 ILCS 105/5.709 rep.)

14 (30 ILCS 105/5.795 rep.)

15 (30 ILCS 105/6p-3 rep.)

16 Section 5-55. The State Finance Act is amended by
17 repealing Sections 5.544, 5.668, 5.709, 5.795, and 6p-3.

18 (30 ILCS 145/Act rep.)

19 Section 5-60. The Heritage Preservation Act is repealed.

20 (30 ILCS 175/Act rep.)

21 Section 5-65. The United States Olympians Assistance Act
22 is repealed.

1 (30 ILCS 190/Act rep.)

2 Section 5-70. The Cash Management and Medicaid
3 Maximization Act of 2011 is repealed.

4 Section 5-75. The Federal Commodity Disbursement Act is
5 amended by changing Section 2 as follows:

6 (30 ILCS 255/2) (from Ch. 127, par. 176c)

7 Sec. 2. Any officer, department or agency of this State
8 who or which shall be designated by the Governor as the State
9 Agency for Surplus Property Utilization is authorized to
10 promulgate regulations for the carrying out of its
11 distribution of surplus funds and commodities. All fees and
12 moneys collected or received by the employees or agents of the
13 State officer or agency who or which is designated as the
14 receiving agency shall be deposited into the General Revenue
15 Fund ~~paid or turned over to and held by the State Treasurer as~~
16 ~~ex officio custodian thereof separate and apart from all~~
17 ~~public funds or moneys of this State and shall be known as the~~
18 ~~Federal account of the State Surplus Property Revolving Fund,~~
19 ~~to be administered by the designated State officer or agency.~~
20 ~~All disbursements from this fund shall be made only upon~~
21 ~~warrants of the State Comptroller drawn upon the Treasurer as~~
22 ~~eustodian of this fund upon vouchers signed by the designated~~
23 ~~State officer or agency, and the Comptroller is hereby~~
24 ~~authorized to draw such warrants upon vouchers so signed. The~~

1 ~~Treasurer shall accept all warrants so signed and shall be~~
2 ~~released from liability for all payments made thereon.~~

3 (Source: P.A. 83-9.)

4 (30 ILCS 750/Art. 2 rep.)

5 Section 5-80. The Build Illinois Act is amended by
6 repealing Article 2.

7 Section 5-85. The School Code is amended by changing
8 Section 27-12.1 as follows:

9 (105 ILCS 5/27-12.1) (from Ch. 122, par. 27-12.1)

10 Sec. 27-12.1. Consumer education.

11 (a) Pupils in the public schools in grades 9 through 12
12 shall be taught and be required to study courses which include
13 instruction in the area of consumer education, including but
14 not necessarily limited to (i) understanding the basic
15 concepts of financial literacy, including consumer debt and
16 installment purchasing (including credit scoring, managing
17 credit debt, and completing a loan application), budgeting,
18 savings and investing, banking (including balancing a
19 checkbook, opening a deposit account, and the use of interest
20 rates), understanding simple contracts, State and federal
21 income taxes, personal insurance policies, the comparison of
22 prices, higher education student loans, identity-theft
23 security, and homeownership (including the basic process of

1 obtaining a mortgage and the concepts of fixed and adjustable
2 rate mortgages, subprime loans, and predatory lending), and
3 (ii) understanding the roles of consumers interacting with
4 agriculture, business, labor unions and government in
5 formulating and achieving the goals of the mixed free
6 enterprise system. The State Board of Education shall devise
7 or approve the consumer education curriculum for grades 9
8 through 12 and specify the minimum amount of instruction to be
9 devoted thereto.

10 (b) (Blank).

11 (c) (Blank). ~~The Financial Literacy Fund is created as a~~
12 ~~special fund in the State treasury. State funds and private~~
13 ~~contributions for the promotion of financial literacy shall be~~
14 ~~deposited into the Financial Literacy Fund. All money in the~~
15 ~~Financial Literacy Fund shall be used, subject to~~
16 ~~appropriation, by the State Board of Education to award grants~~
17 ~~to school districts for the following:~~

18 ~~(1) Defraying the costs of financial literacy training~~
19 ~~for teachers.~~

20 ~~(2) Rewarding a school or teacher who wins or achieves~~
21 ~~results at a certain level of success in a financial~~
22 ~~literacy competition.~~

23 ~~(3) Rewarding a student who wins or achieves results~~
24 ~~at a certain level of success in a financial literacy~~
25 ~~competition.~~

26 ~~(4) Funding activities, including books, games, field~~

1 ~~trips, computers, and other activities, related to~~
2 ~~financial literacy education.~~

3 ~~In awarding grants, every effort must be made to ensure~~
4 ~~that all geographic areas of the State are represented.~~

5 (d) A school board may establish a special fund in which to
6 receive public funds and private contributions for the
7 promotion of financial literacy. Money in the fund shall be
8 used for the following:

9 (1) Defraying the costs of financial literacy training
10 for teachers.

11 (2) Rewarding a school or teacher who wins or achieves
12 results at a certain level of success in a financial
13 literacy competition.

14 (3) Rewarding a student who wins or achieves results
15 at a certain level of success in a financial literacy
16 competition.

17 (4) Funding activities, including books, games, field
18 trips, computers, and other activities, related to
19 financial literacy education.

20 (e) The State Board of Education, upon the next
21 comprehensive review of the Illinois Learning Standards, is
22 urged to include the basic principles of personal insurance
23 policies and understanding simple contracts.

24 (Source: P.A. 99-284, eff. 8-5-15.)

25 Section 5-90. The Community Association Manager Licensing

1 and Disciplinary Act is amended by changing Section 65 as
2 follows:

3 (225 ILCS 427/65)

4 (Section scheduled to be repealed on January 1, 2027)

5 Sec. 65. Fees; Division of Real Estate General Fund.

6 (a) The fees for the administration and enforcement of
7 this Act, including, but not limited to, initial licensure,
8 renewal, and restoration, shall be set by rule of the
9 Department. The fees shall be nonrefundable.

10 (b) In addition to the application fee, applicants for the
11 examination are required to pay, either to the Department or
12 the designated testing service, a fee covering the cost of
13 determining an applicant's eligibility and providing the
14 examination. Failure to appear for the examination on the
15 scheduled date, at the time and place specified, after the
16 applicant's application and fee for examination have been
17 received and acknowledged by the Department or the designated
18 testing service, shall result in the forfeiture of the fee.

19 (c) ~~All~~ All ~~Prior to July 1, 2023, all fees, fines, penalties,~~
20 ~~or other monies received or collected pursuant to this Act~~
21 ~~shall be deposited in the Community Association Manager~~
22 ~~Licensing and Disciplinary Fund. Beginning on July 1, 2023,~~
23 ~~all~~ fees, fines, penalties, or other monies received or
24 collected pursuant to this Act shall be deposited in the
25 Division of Real Estate General Fund.

1 (d) Moneys in ~~the Community Association Manager Licensing~~
2 ~~and Disciplinary Fund~~ and the Division of Real Estate General
3 Fund may be transferred to the Professions Indirect Cost Fund,
4 as authorized under Section 2105-300 of the Department of
5 Professional Regulation Law of the Civil Administrative Code
6 of Illinois.

7 (e) (Blank). ~~Notwithstanding any other provision of law,~~
8 ~~in addition to any other transfers that may be provided by law,~~
9 ~~on July 1, 2023, or as soon thereafter as practical, the State~~
10 ~~Comptroller shall direct and the State Treasurer shall~~
11 ~~transfer the remaining balance from the Community Association~~
12 ~~Manager Licensing and Disciplinary Fund into the Division of~~
13 ~~Real Estate General Fund. Upon completion of the transfer, the~~
14 ~~Community Association Manager Licensing and Disciplinary Fund~~
15 ~~is dissolved, and any future deposits due to that Fund and any~~
16 ~~outstanding obligations or liabilities of that Fund pass to~~
17 ~~the Division of Real Estate General Fund.~~

18 (Source: P.A. 102-20, eff. 1-1-22; 102-970, eff. 5-27-22.)

19 Section 5-95. The Home Inspector License Act is amended by
20 changing Sections 15-5 and 25-5 as follows:

21 (225 ILCS 441/15-5)

22 (Section scheduled to be repealed on January 1, 2027)

23 Sec. 15-5. Unlicensed practice; civil penalty.

24 (a) Any person who practices, offers to practice, attempts

1 to practice, or holds oneself out to practice home inspection
2 or as a home inspector without being licensed under this Act
3 shall, in addition to any other penalty provided by law, pay a
4 civil penalty to the Department in an amount not to exceed
5 \$25,000 for each violation of this Act as determined by the
6 Department. The civil penalty shall be assessed by the
7 Department after a hearing is held in accordance with the
8 provisions of this Act.

9 (b) The Department has the authority and power to
10 investigate any unlicensed activity.

11 (c) A civil penalty shall be paid within 60 days after the
12 effective date of the order imposing the civil penalty. The
13 Department may petition the circuit court for a judgment to
14 enforce the collection of the penalty. ~~Any Prior to July 1,~~
15 ~~2023, any civil penalties collected under this Act shall be~~
16 ~~made payable to the Department and deposited into the Home~~
17 ~~Inspector Administration Fund. Beginning on July 1, 2023, any~~
18 civil penalties collected under this Act shall be made payable
19 to the Department and deposited into the Division of Real
20 Estate General Fund.

21 (Source: P.A. 102-970, eff. 5-27-22.)

22 (225 ILCS 441/25-5)

23 (Section scheduled to be repealed on January 1, 2027)

24 Sec. 25-5. Division of Real Estate General Fund;
25 surcharge.

1 (a) (Blank). ~~The Home Inspector Administration Fund is~~
2 ~~created as a special fund in the State Treasury. Prior to July~~
3 ~~1, 2023, all fees, fines, and penalties received by the~~
4 ~~Department under this Act shall be deposited into the Home~~
5 ~~Inspector Administration Fund. All earnings attributable to~~
6 ~~investment of funds in the Home Inspector Administration Fund~~
7 ~~shall be credited to the Home Inspector Administration Fund.~~
8 ~~Subject to appropriation, the moneys in the Home Inspector~~
9 ~~Administration Fund shall be appropriated to the Department~~
10 ~~for the expenses incurred by the Department in the~~
11 ~~administration of this Act.~~

12 (a-5) The Division of Real Estate General Fund is created
13 as a special fund in the State Treasury. All ~~Beginning on July~~
14 ~~1, 2023, all~~ fees, fines, and penalties received by the
15 Department under this Act shall be deposited into the Division
16 of Real Estate General Fund. All earnings attributable to
17 investment of funds in the Division of Real Estate General
18 Fund shall be credited to the Division of Real Estate General
19 Fund. Subject to appropriation, the moneys in the Division of
20 Real Estate General Fund shall be appropriated to the
21 Department for the expenses incurred by the Department in the
22 administration of this Act.

23 (b) (Blank).

24 (c) (Blank).

25 (c-5) Moneys in ~~the Home Inspection Administration Fund~~
26 ~~and~~ the Division of Real Estate General Fund may be

1 transferred to the Professions Indirect Cost Fund, as
2 authorized under Section 2105-300 of the Department of
3 Professional Regulation Law of the Civil Administrative Code
4 of Illinois.

5 (d) Upon the completion of any audit of the Department, as
6 prescribed by the Illinois State Auditing Act, that includes
7 an audit of ~~the Home Inspector Administration Fund or the~~
8 Division of Real Estate General Fund, the Department shall
9 make the audit report open to inspection by any interested
10 person.

11 (e) (Blank). ~~Notwithstanding any other provision of law,~~
12 ~~in addition to any other transfers that may be provided by law,~~
13 ~~on July 1, 2023, or as soon thereafter as practical, the State~~
14 ~~Comptroller shall direct and the State Treasurer shall~~
15 ~~transfer the remaining balance from the Home Inspector~~
16 ~~Administration Fund into the Division of Real Estate General~~
17 ~~Fund. Upon completion of the transfer, the Home Inspector~~
18 ~~Administration Fund is dissolved, and any future deposits due~~
19 ~~to that Fund and any outstanding obligations or liabilities of~~
20 ~~that Fund pass to the Division of Real Estate General Fund.~~

21 (Source: P.A. 102-970, eff. 5-27-22.)

22 Section 5-100. The Illinois Affordable Housing Act is
23 amended by changing Sections 3 and 7 as follows:

24 (310 ILCS 65/3) (from Ch. 67 1/2, par. 1253)

1 Sec. 3. Definitions. As used in this Act:

2 (a) "Program" means the Illinois Affordable Housing
3 Program.

4 (b) "Trust Fund" means the Illinois Affordable Housing
5 Trust Fund.

6 (b-5) (Blank). ~~"Capital Fund" means the Illinois~~
7 ~~Affordable Housing Capital Fund.~~

8 (c) "Low-income household" means a single person, family
9 or unrelated persons living together whose adjusted income is
10 more than 50%, but less than 80%, of the median income of the
11 area of residence, adjusted for family size, as such adjusted
12 income and median income for the area are determined from time
13 to time by the United States Department of Housing and Urban
14 Development for purposes of Section 8 of the United States
15 Housing Act of 1937.

16 (d) "Very low-income household" means a single person,
17 family or unrelated persons living together whose adjusted
18 income is not more than 50% of the median income of the area of
19 residence, adjusted for family size, as such adjusted income
20 and median income for the area are determined from time to time
21 by the United States Department of Housing and Urban
22 Development for purposes of Section 8 of the United States
23 Housing Act of 1937.

24 (e) "Affordable housing" means residential housing that,
25 so long as the same is occupied by low-income households or
26 very low-income households, requires payment of monthly

1 housing costs, including utilities other than telephone, of no
2 more than 30% of the maximum allowable income as stated for
3 such households as defined in this Section.

4 (f) "Multi-family housing" means a building or buildings
5 providing housing to 5 or more households.

6 (g) "Single-family housing" means a building containing
7 one to 4 dwelling units, including a mobile home as defined in
8 subsection (b) of Section 3 of the Mobile Home Landlord and
9 Tenant Rights Act, as amended.

10 (h) "Community-based organization" means a not-for-profit
11 entity whose governing body includes a majority of members who
12 reside in the community served by the organization.

13 (i) "Advocacy organization" means a not-for-profit
14 organization which conducts, in part or in whole, activities
15 to influence public policy on behalf of low-income or very
16 low-income households.

17 (j) "Program Administrator" means the Illinois Housing
18 Development Authority.

19 (k) "Funding Agent" means the Illinois Department of Human
20 Services.

21 (l) "Commission" means the Affordable Housing Advisory
22 Commission.

23 (m) "Congregate housing" means a building or structure in
24 which 2 or more households, inclusive, share common living
25 areas and may share child care, cleaning, cooking and other
26 household responsibilities.

1 (n) "Eligible applicant" means a proprietorship,
2 partnership, for-profit corporation, not-for-profit
3 corporation or unit of local government which seeks to use
4 fund assets as provided in this Article.

5 (o) "Moderate income household" means a single person,
6 family or unrelated persons living together whose adjusted
7 income is more than 80% but less than 120% of the median income
8 of the area of residence, adjusted for family size, as such
9 adjusted income and median income for the area are determined
10 from time to time by the United States Department of Housing
11 and Urban Development for purposes of Section 8 of the United
12 States Housing Act of 1937.

13 (p) "Affordable Housing Program Trust Fund Bonds or Notes"
14 means the bonds or notes issued by the Program Administrator
15 under the Illinois Housing Development Act to further the
16 purposes of this Act.

17 (q) "Trust Fund Moneys" means all moneys, deposits,
18 revenues, income, interest, dividends, receipts, taxes,
19 proceeds and other amounts or funds deposited or to be
20 deposited into the Trust Fund pursuant to subsection (b) of
21 Section 5-~~(b)~~ of this Act and any proceeds, investments or
22 increase thereof.

23 (r) "Program Escrow" means accounts, except those accounts
24 relating to any Affordable Housing Program Trust Fund Bonds or
25 Notes, designated by the Program Administrator, into which
26 Trust Fund Moneys are deposited.

1 (s) "Common household pet" means a domesticated animal,
2 such as a dog (canis lupus familiaris) or cat (felis catus),
3 which is commonly kept in the home for pleasure rather than for
4 commercial purposes.

5 (Source: P.A. 102-283, eff. 1-1-22; 103-8, eff. 7-1-23.)

6 (310 ILCS 65/7) (from Ch. 67 1/2, par. 1257)

7 Sec. 7. Powers of the Program Administrator. The Program
8 Administrator, in addition to the powers set forth in the
9 Illinois Housing Development Act and the powers identified in
10 Sections 8 and 9 of this Act, has the power to:

11 (a) identify, select and make financing available to
12 eligible applicants from monies in the Trust Fund ~~or the~~
13 ~~Capital Fund~~ or from monies secured by the Trust Fund ~~or~~
14 ~~the Capital Fund~~ for affordable housing for low and very
15 low-income families;

16 (b) purchase first and second mortgages, to make
17 secured, unsecured or deferred repayment loans, to make no
18 interest or low interest loans or to issue grants,
19 payments or subsidies for the predevelopment expenses,
20 acquisition, construction, rehabilitation development,
21 operation, insurance, or retention of projects in support
22 of affordable single family and multi-family housing for
23 low and very low-income households;

24 (c) expend monies for mortgage participation
25 certificates representing an undivided interest in

1 specified, first-lien conventional residential Illinois
2 mortgages which are underwritten, insured, guaranteed or
3 purchased by the Federal Home Loan Mortgage Corporation;

4 (d) fix, determine, charge and collect any fees, costs
5 and expenses, including without limitation, any
6 application fees, commitment or servicing fees, program
7 fees, financing charges, or publication fees in connection
8 with activities under this Act;

9 (e) establish applications, notification procedures,
10 and other forms, and to prepare and issue rules deemed
11 necessary and appropriate to implement this Act with
12 consultation from the Commission; and to issue emergency
13 rules, as necessary, for program implementation needed
14 prior to publication of the first annual plan required by
15 Section 12 of this Act;

16 (f) make and enter into and enforce all loans, loan
17 commitments, contracts and agreements necessary,
18 convenient or desirable to the performance of its duties
19 and the execution of its powers under this Act;

20 (g) consent, subject to the provisions of any contract
21 or agreement with another person, whenever it deems it is
22 necessary or desirable in the fulfillment of the purposes
23 of this Act, to the modification or restructuring of any
24 loan commitment, loan, contract or agreement to which the
25 Program Administrator is a party;

26 (h) acquire by purchase, gift, or foreclosure, but not

1 by condemnation, any real or personal property, or any
2 interest therein, to procure insurance against loss, to
3 enter into any lease of property and to hold, sell,
4 assign, lease, mortgage or otherwise dispose of any real
5 or personal property, or any interest therein, or
6 relinquish any right, title, claim, lien, interest,
7 easement or demand however acquired, and to do any of the
8 foregoing by public or private sale;

9 (i) subject to the provisions of any contract or
10 agreement with another party to collect, enforce the
11 collection of, and foreclose on any property or collateral
12 securing its loan or loans, mortgage or mortgages, and
13 acquire or take possession of such property or collateral
14 and release or relinquish any right, title, claim, lien,
15 interest, easement, or demand in property foreclosed by it
16 or to sell the same at public or private sale, with or
17 without bidding, and otherwise deal with such collateral
18 as may be necessary to protect the interest of the Program
19 Administrator;

20 (j) sell any eligible loan made by the Program
21 Administrator or mortgage interest owned by it, at public
22 or private sale, with or without bidding, either singly or
23 in groups, or in shares of loans or shares of groups of
24 loans, and to deposit and invest the funds derived from
25 such sales in any manner authorized by this Act;

26 (k) provide, contract or arrange, or participate with

1 or enter into agreements with any department, agency or
2 authority of the United States or of this State, or any
3 local unit of government, or any banking institution,
4 insurance company, trust or fiduciary or any foundation or
5 not-for-profit agency for the review, application,
6 servicing, processing or administration of any proposed
7 loan, grant, application, servicing, processing or
8 administration of any proposed loan, grant, agreement, or
9 contract of the Department when such arrangement is in
10 furtherance of this Act;

11 (l) receive and accept any gifts, grants, donations or
12 contributions from any source, of money, property, labor
13 or other things of value, to be held, used and applied to
14 carry out the purposes of this Act subject to including,
15 but not limited to, gifts or grants from any Department or
16 agency of the United States or the State or from any local
17 unit of government, not-for-profit organization or private
18 firm or individual for any purpose consistent with this
19 Act; and

20 (m) exercise such other powers as are necessary or
21 incidental to the administration of this Act or
22 performance of duties under this Act.

23 (Source: P.A. 95-710, eff. 6-1-08.)

24 (310 ILCS 65/5.5 rep.)

25 (310 ILCS 65/8.5 rep.)

1 Section 5-105. The Illinois Affordable Housing Act is
2 amended by repealing Sections 5.5 and 8.5.

3 (410 ILCS 315/2b rep.)

4 Section 5-110. The Communicable Disease Prevention Act is
5 amended by repealing Section 2b.

6 Section 5-115. The Environmental Protection Act is amended
7 by changing Section 58.15 as follows:

8 (415 ILCS 5/58.15)

9 Sec. 58.15. Brownfields Programs.

10 (A) Brownfields Redevelopment Loan Program.

11 (a) The Agency shall establish and administer a revolving
12 loan program to be known as the "Brownfields Redevelopment
13 Loan Program" for the purpose of providing loans to be used for
14 site investigation, site remediation, or both, at brownfields
15 sites. All principal, interest, and penalty payments from
16 loans made under this subsection (A) shall be deposited into
17 the Brownfields Redevelopment Fund and reused in accordance
18 with this Section.

19 (b) General requirements for loans:

20 (1) Loans shall be at or below market interest rates
21 in accordance with a formula set forth in regulations
22 promulgated under subdivision (A)(c) of this subsection
23 (A).

1 (2) Loans shall be awarded subject to availability of
2 funding based on the order of receipt of applications
3 satisfying all requirements as set forth in the
4 regulations promulgated under subdivision (A)(c) of this
5 subsection (A).

6 (3) The maximum loan amount under this subsection (A)
7 for any one project is \$1,000,000.

8 (4) In addition to any requirements or conditions
9 placed on loans by regulation, loan agreements under the
10 Brownfields Redevelopment Loan Program shall include the
11 following requirements:

12 (A) the loan recipient shall secure the loan
13 repayment obligation;

14 (B) completion of the loan repayment shall not
15 exceed 15 years or as otherwise prescribed by Agency
16 rule; and

17 (C) loan agreements shall provide for a confession
18 of judgment by the loan recipient upon default.

19 (5) Loans shall not be used to cover expenses incurred
20 prior to the approval of the loan application.

21 (6) If the loan recipient fails to make timely
22 payments or otherwise fails to meet its obligations as
23 provided in this subsection (A) or implementing
24 regulations, the Agency is authorized to pursue the
25 collection of the amounts past due, the outstanding loan
26 balance, and the costs thereby incurred, either pursuant

1 to the Illinois State Collection Act of 1986 or by any
2 other means provided by law, including the taking of
3 title, by foreclosure or otherwise, to any project or
4 other property pledged, mortgaged, encumbered, or
5 otherwise available as security or collateral.

6 (c) The Agency shall have the authority to enter into any
7 contracts or agreements that may be necessary to carry out its
8 duties or responsibilities under this subsection (A). The
9 Agency shall have the authority to promulgate regulations
10 setting forth procedures and criteria for administering the
11 Brownfields Redevelopment Loan Program. The regulations
12 promulgated by the Agency for loans under this subsection (A)
13 shall include, but need not be limited to, the following
14 elements:

- 15 (1) loan application requirements;
- 16 (2) determination of credit worthiness of the loan
17 applicant;
- 18 (3) types of security required for the loan;
- 19 (4) types of collateral, as necessary, that can be
20 pledged for the loan;
- 21 (5) special loan terms, as necessary, for securing the
22 repayment of the loan;
- 23 (6) maximum loan amounts;
- 24 (7) purposes for which loans are available;
- 25 (8) application periods and content of applications;
- 26 (9) procedures for Agency review of loan applications,

1 loan approvals or denials, and loan acceptance by the loan
2 recipient;

3 (10) procedures for establishing interest rates;

4 (11) requirements applicable to disbursement of loans
5 to loan recipients;

6 (12) requirements for securing loan repayment
7 obligations;

8 (13) conditions or circumstances constituting default;

9 (14) procedures for repayment of loans and delinquent
10 loans including, but not limited to, the initiation of
11 principal and interest payments following loan acceptance;

12 (15) loan recipient responsibilities for work
13 schedules, work plans, reports, and record keeping;

14 (16) evaluation of loan recipient performance,
15 including auditing and access to sites and records;

16 (17) requirements applicable to contracting and
17 subcontracting by the loan recipient, including
18 procurement requirements;

19 (18) penalties for noncompliance with loan
20 requirements and conditions, including stop-work orders,
21 termination, and recovery of loan funds; and

22 (19) indemnification of the State of Illinois and the
23 Agency by the loan recipient.

24 (d) Moneys in the Brownfields Redevelopment Fund may be
25 used as a source of revenue or security for the principal and
26 interest on revenue or general obligation bonds issued by the

1 State or any political subdivision or instrumentality thereof,
2 if the proceeds of those bonds will be deposited into the Fund.

3 (B) Brownfields Site Restoration Program.

4 (a) (1) The Agency must establish and administer a
5 program for the payment of remediation costs to be known as the
6 Brownfields Site Restoration Program. The Agency, through the
7 Program, shall provide Remediation Applicants with financial
8 assistance for the investigation and remediation of abandoned
9 or underutilized properties. The investigation and remediation
10 shall be performed in accordance with this Title XVII of this
11 Act.

12 (2) For each State fiscal year in which funds are made
13 available to the Agency for payment under this subsection (B),
14 the Agency must, subject to the availability of funds,
15 allocate 20% of the funds to be available to Remediation
16 Applicants within counties with populations over 2,000,000.
17 The remaining funds must be made available to all other
18 Remediation Applicants in the State.

19 (3) The Agency must not approve payment in excess of
20 \$750,000 to a Remediation Applicant for remediation costs
21 incurred at a remediation site. Eligibility must be determined
22 based on a minimum capital investment in the redevelopment of
23 the site, and payment amounts must not exceed the net economic
24 benefit to the State of the remediation project. In addition
25 to these limitations, the total payment to be made to an

1 applicant must not exceed an amount equal to 20% of the capital
2 investment at the site.

3 (4) Only those remediation projects for which a No
4 Further Remediation Letter is issued by the Agency after
5 December 31, 2001 are eligible to participate in the
6 Brownfields Site Restoration Program. The program does not
7 apply to any sites that have received a No Further Remediation
8 Letter prior to December 31, 2001 or for costs incurred prior
9 to the Agency approving a site eligible for the Brownfields
10 Site Restoration Program.

11 (5) Brownfields Site Restoration Program funds shall
12 be subject to availability of funding and distributed based on
13 the order of receipt of applications satisfying all
14 requirements as set forth in this Section.

15 (b) Prior to applying to the Agency for payment, a
16 Remediation Applicant shall first submit to the Agency its
17 proposed remediation costs. The Agency shall make a
18 pre-application assessment, which is not to be binding upon
19 future review of the project, relating only to whether the
20 Agency has adequate funding to reimburse the applicant for the
21 remediation costs if the applicant is found to be eligible for
22 reimbursement of remediation costs. If the Agency determines
23 that it is likely to have adequate funding to reimburse the
24 applicant for remediation costs, the Remediation Applicant may
25 then submit to the Agency an application for review of
26 eligibility. The Agency must review the eligibility

1 application to determine whether the Remediation Applicant is
2 eligible for the payment. The application must be on forms
3 prescribed and provided by the Agency. At a minimum, the
4 application must include the following:

5 (1) Information identifying the Remediation Applicant
6 and the site for which the payment is being sought and the
7 date of acceptance into the Site Remediation Program.

8 (2) Information demonstrating that the site for which
9 the payment is being sought is abandoned or underutilized
10 property. "Abandoned property" means real property
11 previously used for, or that has the potential to be used
12 for, commercial or industrial purposes that reverted to
13 the ownership of the State, a county or municipal
14 government, or an agency thereof, through donation,
15 purchase, tax delinquency, foreclosure, default, or
16 settlement, including conveyance by deed in lieu of
17 foreclosure; or privately owned property that has been
18 vacant for a period of not less than 3 years from the time
19 an application is made to the Agency. "Underutilized
20 property" means real property of which less than 35% of
21 the commercially usable space of the property and
22 improvements thereon are used for their most commercially
23 profitable and economically productive uses.

24 (3) Information demonstrating that remediation of the
25 site for which the payment is being sought will result in a
26 net economic benefit to the State of Illinois. The "net

1 economic benefit" must be determined based on factors
2 including, but not limited to, the capital investment, the
3 number of jobs created, the number of jobs retained if it
4 is demonstrated the jobs would otherwise be lost, capital
5 improvements, the number of construction-related jobs,
6 increased sales, material purchases, other increases in
7 service and operational expenditures, and other factors
8 established by the Agency. Priority must be given to sites
9 located in areas with high levels of poverty, where the
10 unemployment rate exceeds the State average, where an
11 enterprise zone exists, or where the area is otherwise
12 economically depressed as determined by the Agency.

13 (4) An application fee in the amount set forth in
14 subdivision (B)(c) for each site for which review of an
15 application is being sought.

16 (c) The fee for eligibility reviews conducted by the
17 Agency under this subsection (B) is \$1,000 for each site
18 reviewed. The application fee must be made payable to the
19 Agency for deposit into the Brownfields Redevelopment Fund.
20 These application fees shall be used by the Agency for
21 administrative expenses incurred under this subsection (B).

22 (d) Within 60 days after receipt by the Agency of an
23 application meeting the requirements of subdivision (B)(b),
24 the Agency must issue a letter to the applicant approving the
25 application, approving the application with modifications, or
26 disapproving the application. If the application is approved

1 or approved with modifications, the Agency's letter must also
2 include its determination of the "net economic benefit" of the
3 remediation project and the maximum amount of the payment to
4 be made available to the applicant for remediation costs. The
5 payment by the Agency under this subsection (B) must not
6 exceed the "net economic benefit" of the remediation project.

7 (e) An application for a review of remediation costs must
8 not be submitted to the Agency unless the Agency has
9 determined the Remediation Applicant is eligible under
10 subdivision (B)(d). If the Agency has determined that a
11 Remediation Applicant is eligible under subdivision (B)(d),
12 the Remediation Applicant may submit an application for
13 payment to the Agency under this subsection (B). Except as
14 provided in subdivision (B)(f), an application for review of
15 remediation costs must not be submitted until a No Further
16 Remediation Letter has been issued by the Agency and recorded
17 in the chain of title for the site in accordance with Section
18 58.10. The Agency must review the application to determine
19 whether the costs submitted are remediation costs and whether
20 the costs incurred are reasonable. The application must be on
21 forms prescribed and provided by the Agency. At a minimum, the
22 application must include the following:

23 (1) Information identifying the Remediation Applicant
24 and the site for which the payment is being sought and the
25 date of acceptance of the site into the Site Remediation
26 Program.

1 (2) A copy of the No Further Remediation Letter with
2 official verification that the letter has been recorded in
3 the chain of title for the site and a demonstration that
4 the site for which the application is submitted is the
5 same site as the one for which the No Further Remediation
6 Letter is issued.

7 (3) A demonstration that the release of the regulated
8 substances of concern for which the No Further Remediation
9 Letter was issued was not caused or contributed to in any
10 material respect by the Remediation Applicant. The Agency
11 must make determinations as to reimbursement availability
12 consistent with rules adopted by the Pollution Control
13 Board for the administration and enforcement of Section
14 58.9 of this Act.

15 (4) A copy of the Agency's letter approving
16 eligibility, including the net economic benefit of the
17 remediation project.

18 (5) An itemization and documentation, including
19 receipts, of the remediation costs incurred.

20 (6) A demonstration that the costs incurred are
21 remediation costs as defined in this Act and rules adopted
22 under this Act.

23 (7) A demonstration that the costs submitted for
24 review were incurred by the Remediation Applicant who
25 received the No Further Remediation Letter.

26 (8) An application fee in the amount set forth in

1 subdivision (B)(j) for each site for which review of
2 remediation costs is requested.

3 (9) Any other information deemed appropriate by the
4 Agency.

5 (f) An application for review of remediation costs may be
6 submitted to the Agency prior to the issuance of a No Further
7 Remediation Letter if the Remediation Applicant has a Remedial
8 Action Plan approved by the Agency under the terms of which the
9 Remediation Applicant will remediate groundwater for more than
10 one year. The Agency must review the application to determine
11 whether the costs submitted are remediation costs and whether
12 the costs incurred are reasonable. The application must be on
13 forms prescribed and provided by the Agency. At a minimum, the
14 application must include the following:

15 (1) Information identifying the Remediation Applicant
16 and the site for which the payment is being sought and the
17 date of acceptance of the site into the Site Remediation
18 Program.

19 (2) A copy of the Agency letter approving the Remedial
20 Action Plan.

21 (3) A demonstration that the release of the regulated
22 substances of concern for which the Remedial Action Plan
23 was approved was not caused or contributed to in any
24 material respect by the Remediation Applicant. The Agency
25 must make determinations as to reimbursement availability
26 consistent with rules adopted by the Pollution Control

1 Board for the administration and enforcement of Section
2 58.9 of this Act.

3 (4) A copy of the Agency's letter approving
4 eligibility, including the net economic benefit of the
5 remediation project.

6 (5) An itemization and documentation, including
7 receipts, of the remediation costs incurred.

8 (6) A demonstration that the costs incurred are
9 remediation costs as defined in this Act and rules adopted
10 under this Act.

11 (7) A demonstration that the costs submitted for
12 review were incurred by the Remediation Applicant who
13 received approval of the Remediation Action Plan.

14 (8) An application fee in the amount set forth in
15 subdivision (B)(j) for each site for which review of
16 remediation costs is requested.

17 (9) Any other information deemed appropriate by the
18 Agency.

19 (g) For a Remediation Applicant seeking a payment under
20 subdivision (B)(f), until the Agency issues a No Further
21 Remediation Letter for the site, no more than 75% of the
22 allowed payment may be claimed by the Remediation Applicant.
23 The remaining 25% may be claimed following the issuance by the
24 Agency of a No Further Remediation Letter for the site. For a
25 Remediation Applicant seeking a payment under subdivision
26 (B)(e), until the Agency issues a No Further Remediation

1 Letter for the site, no payment may be claimed by the
2 Remediation Applicant.

3 (h) (1) Within 60 days after receipt by the Agency of
4 an application meeting the requirements of subdivision (B) (e)
5 or (B) (f), the Agency must issue a letter to the applicant
6 approving, disapproving, or modifying the remediation costs
7 submitted in the application. If an application is disapproved
8 or approved with modification of remediation costs, then the
9 Agency's letter must set forth the reasons for the disapproval
10 or modification.

11 (2) If a preliminary review of a budget plan has been
12 obtained under subdivision (B) (i), the Remediation Applicant
13 may submit, with the application and supporting documentation
14 under subdivision (B) (e) or (B) (f), a copy of the Agency's
15 final determination accompanied by a certification that the
16 actual remediation costs incurred for the development and
17 implementation of the Remedial Action Plan are equal to or
18 less than the costs approved in the Agency's final
19 determination on the budget plan. The certification must be
20 signed by the Remediation Applicant and notarized. Based on
21 that submission, the Agency is not required to conduct further
22 review of the costs incurred for development and
23 implementation of the Remedial Action Plan and may approve
24 costs as submitted.

25 (3) Within 35 days after receipt of an Agency letter
26 disapproving or modifying an application for approval of

1 remediation costs, the Remediation Applicant may appeal the
2 Agency's decision to the Board in the manner provided for the
3 review of permits in Section 40 of this Act.

4 (i) (1) A Remediation Applicant may obtain a
5 preliminary review of estimated remediation costs for the
6 development and implementation of the Remedial Action Plan by
7 submitting a budget plan along with the Remedial Action Plan.
8 The budget plan must be set forth on forms prescribed and
9 provided by the Agency and must include, but is not limited to,
10 line item estimates of the costs associated with each line
11 item (such as personnel, equipment, and materials) that the
12 Remediation Applicant anticipates will be incurred for the
13 development and implementation of the Remedial Action Plan.
14 The Agency must review the budget plan along with the Remedial
15 Action Plan to determine whether the estimated costs submitted
16 are remediation costs and whether the costs estimated for the
17 activities are reasonable.

18 (2) If the Remedial Action Plan is amended by the
19 Remediation Applicant or as a result of Agency action, the
20 corresponding budget plan must be revised accordingly and
21 resubmitted for Agency review.

22 (3) The budget plan must be accompanied by the
23 applicable fee as set forth in subdivision (B) (j).

24 (4) Submittal of a budget plan must be deemed an
25 automatic 60-day waiver of the Remedial Action Plan review
26 deadlines set forth in this subsection (B) and rules adopted

1 under this subsection (B).

2 (5) Within the applicable period of review, the Agency
3 must issue a letter to the Remediation Applicant approving,
4 disapproving, or modifying the estimated remediation costs
5 submitted in the budget plan. If a budget plan is disapproved
6 or approved with modification of estimated remediation costs,
7 the Agency's letter must set forth the reasons for the
8 disapproval or modification.

9 (6) Within 35 days after receipt of an Agency letter
10 disapproving or modifying a budget plan, the Remediation
11 Applicant may appeal the Agency's decision to the Board in the
12 manner provided for the review of permits in Section 40 of this
13 Act.

14 (j) The fees for reviews conducted by the Agency under
15 this subsection (B) are in addition to any other fees or
16 payments for Agency services rendered pursuant to the Site
17 Remediation Program and are as follows:

18 (1) The fee for an application for review of
19 remediation costs is \$1,000 for each site reviewed.

20 (2) The fee for the review of the budget plan
21 submitted under subdivision (B)(i) is \$500 for each site
22 reviewed.

23 The application fee and the fee for the review of the
24 budget plan must be made payable to the State of Illinois, for
25 deposit into the Brownfields Redevelopment Fund.

26 (k) Moneys in the Brownfields Redevelopment Fund may be

1 used for the purposes of this Section, including payment for
2 the costs of administering this subsection (B). ~~Any moneys~~
3 ~~remaining in the Brownfields Site Restoration Program Fund on~~
4 ~~the effective date of this amendatory Act of the 92nd General~~
5 ~~Assembly shall be transferred to the Brownfields Redevelopment~~
6 ~~Fund.~~ Total payments made to all Remediation Applicants by the
7 Agency for purposes of this subsection (B) must not exceed
8 \$1,000,000 in State fiscal year 2002.

9 (l) The Agency is authorized to enter into any contracts
10 or agreements that may be necessary to carry out the Agency's
11 duties and responsibilities under this subsection (B).

12 (m) Within 6 months after July 23, 2002 (the effective
13 date of Public Act 92-715) ~~this amendatory Act of 2002~~, the
14 Department of Commerce and Community Affairs (now Department
15 of Commerce and Economic Opportunity) and the Agency must
16 propose rules prescribing procedures and standards for the
17 administration of this subsection (B). Within 9 months after
18 receipt of the proposed rules, the Board shall adopt on second
19 notice, pursuant to Sections 27 and 28 of this Act and the
20 Illinois Administrative Procedure Act, rules that are
21 consistent with this subsection (B). Prior to the effective
22 date of rules adopted under this subsection (B), the
23 Department of Commerce and Community Affairs (now Department
24 of Commerce and Economic Opportunity) and the Agency may
25 conduct reviews of applications under this subsection (B) and
26 the Agency is further authorized to distribute guidance

1 documents on costs that are eligible or ineligible as
2 remediation costs.

3 (Source: P.A. 102-444, eff. 8-20-21.)

4 Section 5-120. The Radiation Protection Act of 1990 is
5 amended by changing Section 35 as follows:

6 (420 ILCS 40/35) (from Ch. 111 1/2, par. 210-35)

7 (Section scheduled to be repealed on January 1, 2027)

8 Sec. 35. Radiation Protection Fund.

9 (a) All moneys received by the Agency under this Act shall
10 be deposited in the State treasury and shall be set apart in a
11 special fund to be known as the "Radiation Protection Fund".
12 All monies within the Radiation Protection Fund shall be
13 invested by the State Treasurer in accordance with established
14 investment practices. Interest earned by such investment shall
15 be returned to the Radiation Protection Fund. Monies deposited
16 in this Fund shall be expended by the Agency pursuant to
17 appropriation to support the activities of the Agency under
18 this Act and as provided in the Laser System Act of 1997 and
19 the Radon Industry Licensing Act, or to fund any other
20 administrative or operational costs of the Agency.

21 (b) (Blank). ~~On August 15, 1997, all moneys remaining in~~
22 ~~the Federal Facilities Compliance Fund shall be transferred to~~
23 ~~the Radiation Protection Fund.~~

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

1 Section 5-125. The Fire Investigation Act is amended by
2 changing Section 13.1 as follows:

3 (425 ILCS 25/13.1) (from Ch. 127 1/2, par. 17.1)

4 Sec. 13.1. Fire Prevention Fund.

5 (a) There shall be a special fund in the State Treasury
6 known as the Fire Prevention Fund.

7 (b) The following moneys shall be deposited into the Fund:

8 (1) Moneys received by the Department of Insurance
9 under Section 12 of this Act.

10 (2) All fees and reimbursements received by the
11 Office.

12 (3) All receipts from boiler and pressure vessel
13 certification, as provided in Section 13 of the Boiler and
14 Pressure Vessel Safety Act.

15 (4) Such other moneys as may be provided by law.

16 (c) The moneys in the Fire Prevention Fund shall be used,
17 subject to appropriation, for the following purposes:

18 (1) Of the moneys deposited into the fund under
19 Section 12 of this Act, 12.5% shall be available for the
20 maintenance of the Illinois Fire Service Institute and the
21 expenses, facilities, and structures incident thereto, and
22 for making transfers into the General Obligation Bond
23 Retirement and Interest Fund for debt service requirements
24 on bonds issued by the State of Illinois after January 1,

1 1986 for the purpose of constructing a training facility
2 for use by the Institute. An additional 2.5% of the moneys
3 deposited into the Fire Prevention Fund shall be available
4 to the Illinois Fire Service Institute for support of the
5 Cornerstone Training Program.

6 (2) Of the moneys deposited into the Fund under
7 Section 12 of this Act, 10% shall be available for the
8 maintenance of the Chicago Fire Department Training
9 Program and the expenses, facilities, and structures
10 incident thereto, in addition to any moneys payable from
11 the Fund to the City of Chicago pursuant to the Illinois
12 Fire Protection Training Act.

13 (3) For making payments to local governmental agencies
14 and individuals pursuant to Section 10 of the Illinois
15 Fire Protection Training Act.

16 (4) For the maintenance and operation of the Office of
17 the State Fire Marshal, and the expenses incident thereto.

18 (4.5) For the maintenance, operation, and capital
19 expenses of the Mutual Aid Box Alarm System (MABAS).

20 (4.6) For grants awarded under ~~by~~ the Small
21 Fire-fighting and Ambulance Service Equipment Grant
22 Program established by Section 2.7 of the State Fire
23 Marshal Act.

24 (4.7) For grants awarded under the Fire Station
25 Rehabilitation and Construction Grant Program established
26 by Section 2.8 of the State Fire Marshal Act.

1 (5) For any other purpose authorized by law.

2 (c-5) ~~As soon as possible after April 8, 2008 (the~~
3 ~~effective date of Public Act 95-717), the Comptroller shall~~
4 ~~order the transfer and the Treasurer shall transfer \$2,000,000~~
5 ~~from the Fire Prevention Fund to the Fire Service and Small~~
6 ~~Equipment Fund, \$9,000,000 from the Fire Prevention Fund to~~
7 ~~the Fire Truck Revolving Loan Fund, and \$4,000,000 from the~~
8 ~~Fire Prevention Fund to the Ambulance Revolving Loan Fund.~~
9 Beginning on July 1, 2008, each month, or as soon as practical
10 thereafter, ~~an amount equal to \$2 from each fine received~~
11 ~~shall be transferred from the Fire Prevention Fund to the Fire~~
12 ~~Service and Small Equipment Fund,~~ an amount equal to \$1.50
13 from each fine received shall be transferred from the Fire
14 Prevention Fund to the Fire Truck Revolving Loan Fund, and an
15 amount equal to \$4 from each fine received shall be
16 transferred from the Fire Prevention Fund to the Ambulance
17 Revolving Loan Fund. These moneys shall be transferred from
18 the moneys deposited into the Fire Prevention Fund pursuant to
19 Public Act 95-154, together with not more than 25% of any
20 unspent appropriations from the prior fiscal year. These
21 moneys may be allocated to the Fire Truck Revolving Loan Fund
22 ~~and, Ambulance Revolving Loan Fund, and Fire Service and Small~~
23 ~~Equipment Fund~~ at the discretion of the Office for the purpose
24 of implementation of this Act.

25 (d) Any portion of the Fire Prevention Fund remaining
26 unexpended at the end of any fiscal year which is not needed

1 for the maintenance and expenses of the Office or the
2 maintenance and expenses of the Illinois Fire Service
3 Institute shall remain in the Fire Prevention Fund for the
4 exclusive and restricted uses provided in subsections (c) and
5 (c-5) of this Section.

6 (e) The Office shall keep on file an itemized statement of
7 all expenses incurred which are payable from the Fund, other
8 than expenses incurred by the Illinois Fire Service Institute,
9 and shall approve all vouchers issued therefor before they are
10 submitted to the State Comptroller for payment. Such vouchers
11 shall be allowed and paid in the same manner as other claims
12 against the State.

13 (Source: P.A. 102-558, eff. 8-20-21; 103-8, eff. 6-7-23.)

14 Section 5-130. The Illinois Vehicle Code is amended by
15 changing Section 3-626 as follows:

16 (625 ILCS 5/3-626)

17 Sec. 3-626. Korean War Veteran license plates.

18 (a) In addition to any other special license plate, the
19 Secretary, upon receipt of all applicable fees and
20 applications made in the form prescribed by the Secretary of
21 State, may issue special registration plates designated as
22 Korean War Veteran license plates to residents of Illinois who
23 participated in the United States Armed Forces during the
24 Korean War. The special plate issued under this Section shall

1 be affixed only to passenger vehicles of the first division,
2 motorcycles, motor vehicles of the second division weighing
3 not more than 8,000 pounds, and recreational vehicles as
4 defined by Section 1-169 of this Code. Plates issued under
5 this Section shall expire according to the staggered
6 multi-year procedure established by Section 3-414.1 of this
7 Code.

8 (b) The design, color, and format of the plates shall be
9 wholly within the discretion of the Secretary of State. The
10 Secretary may, in his or her discretion, allow the plates to be
11 issued as vanity plates or personalized in accordance with
12 Section 3-405.1 of this Code. The plates are not required to
13 designate "Land Of Lincoln", as prescribed in subsection (b)
14 of Section 3-412 of this Code. The Secretary shall prescribe
15 the eligibility requirements and, in his or her discretion,
16 shall approve and prescribe stickers or decals as provided
17 under Section 3-412.

18 (c) (Blank).

19 (d) (Blank). ~~The Korean War Memorial Construction Fund is~~
20 ~~created as a special fund in the State treasury. All moneys in~~
21 ~~the Korean War Memorial Construction Fund shall, subject to~~
22 ~~appropriation, be used by the Department of Veterans' Affairs~~
23 ~~to provide grants for construction of the Korean War Memorial~~
24 ~~to be located at Oak Ridge Cemetery in Springfield, Illinois.~~
25 ~~Upon the completion of the Memorial, the Department of~~
26 ~~Veterans' Affairs shall certify to the State Treasurer that~~

1 ~~the construction of the Memorial has been completed. At the~~
2 ~~direction of and upon notification of the Secretary of State,~~
3 ~~the State Comptroller shall direct and the State Treasurer~~
4 ~~shall transfer all moneys in the Fund and any future deposits~~
5 ~~into the Fund into the Secretary of State Special License~~
6 ~~Plate Fund. Upon completion of the transfer, the Korean War~~
7 ~~Memorial Construction Fund is dissolved.~~

8 (e) An individual who has been issued Korean War Veteran
9 license plates for a vehicle and who has been approved for
10 benefits under the Senior Citizens and Persons with
11 Disabilities Property Tax Relief Act shall pay the original
12 issuance and the regular annual fee for the registration of
13 the vehicle as provided in Section 3-806.3 of this Code.

14 (Source: P.A. 103-8, eff. 6-7-23.)

15 (710 ILCS 40/10 rep.)

16 Section 5-135. The Reviewing Court Alternative Dispute
17 Resolution Act is amended by repealing Section 10.

18 Section 5-140. The Unified Code of Corrections is amended
19 by changing Section 3-4-1 as follows:

20 (730 ILCS 5/3-4-1) (from Ch. 38, par. 1003-4-1)

21 Sec. 3-4-1. Gifts and Grants; Special Trusts Funds;
22 Department of Corrections Reimbursement and Education Fund.

23 (a) The Department may accept, receive and use, for and in

1 behalf of the State, any moneys, goods or services given for
2 general purposes of this Code by the federal government or
3 from any other source, public or private, including
4 collections from inmates, reimbursement of payments under the
5 Workers' Compensation Act, and commissions from inmate collect
6 call telephone systems under an agreement with the Department
7 of Central Management Services. For these purposes the
8 Department may comply with such conditions and enter into such
9 agreements upon such covenants, terms, and conditions as the
10 Department may deem necessary or desirable, if the agreement
11 is not in conflict with State law.

12 (a-5) Beginning January 1, 2018, the Department of Central
13 Management Services shall contract with the qualified vendor
14 who proposes the lowest per minute rate not exceeding 7 cents
15 per minute for debit, prepaid, collect calls and who does not
16 bill to any party any tax, service charge, or additional fee
17 exceeding the per minute rate, including, but not limited to,
18 any per call surcharge, account set up fee, bill statement
19 fee, monthly account maintenance charge, or refund fee as
20 established by the Federal Communications Commission Order for
21 state prisons in the Matter of Rates for Interstate Inmate
22 Calling Services, Second Report and Order, WC Docket 12-375,
23 FCC 15-136 (adopted Oct. 22, 2015). Telephone services made
24 available through a prepaid or collect call system shall
25 include international calls; those calls shall be made
26 available at reasonable rates subject to Federal

1 Communications Commission rules and regulations, but not to
2 exceed 23 cents per minute. Public Act 99-878 applies to any
3 new or renewal contract for inmate calling services.

4 (b) ~~The On July 1, 1998, the Department of Corrections~~
5 ~~Reimbursement Fund and the Department of Corrections Education~~
6 ~~Fund shall be combined into a single fund to be known as the~~
7 Department of Corrections Reimbursement and Education Fund,
8 ~~which~~ is hereby created as a special fund in the State
9 Treasury. The moneys deposited into the Department of
10 Corrections Reimbursement and Education Fund shall be
11 appropriated to the Department of Corrections for the expenses
12 of the Department.

13 The following shall be deposited into the Department of
14 Corrections Reimbursement and Education Fund:

15 (i) Moneys received or recovered by the Department of
16 Corrections as reimbursement for expenses incurred for the
17 incarceration of committed persons.

18 (ii) Moneys received or recovered by the Department as
19 reimbursement of payments made under the Workers'
20 Compensation Act.

21 (iii) Moneys received by the Department as commissions
22 from inmate collect call telephone systems.

23 (iv) Moneys received or recovered by the Department as
24 reimbursement for expenses incurred by the employment of
25 persons referred to the Department as participants in the
26 federal Job Training Partnership Act programs.

1 (v) Federal moneys, including reimbursement and
2 advances for services rendered or to be rendered and
3 moneys for other than educational purposes, under grant or
4 contract.

5 (vi) Moneys identified for deposit into the Fund under
6 Section 13-44.4 of the School Code.

7 (vii) (Blank). ~~Moneys in the Department of Corrections~~
8 ~~Reimbursement Fund and the Department of Corrections~~
9 ~~Education Fund at the close of business on June 30, 1998.~~

10 (c) The Department of Juvenile Justice Reimbursement and
11 Education Fund is created as a special fund in the State
12 Treasury. The moneys deposited into the Department of Juvenile
13 Justice Reimbursement Fund and Education shall be appropriated
14 to the Department of Juvenile Justice for the expenses of the
15 Department. The following moneys shall be deposited into the
16 Department of Juvenile Justice Reimbursement Fund and
17 Education Fund:

18 (i) received or recovered by the Department of
19 Juvenile Justice as reimbursement for expenses incurred
20 for the incarceration of committed youth;

21 (ii) received or recovered by the Department as
22 reimbursement of payments made under the Workers'
23 Compensation Act;

24 (iii) received or recovered by the Department as
25 reimbursement for expenses incurred by the employment of
26 persons referred to the Department as participants in the

1 federal Job Training Partnership Act programs;

2 (iv) federal moneys, including reimbursement and
3 advances for services rendered or to be rendered and
4 moneys for other than educational purposes, under grant or
5 contract; and

6 (v) moneys identified for deposit into the Fund under
7 Section 13-44.6 of the School Code.

8 (Source: P.A. 102-350, eff. 8-13-21; 102-699, eff. 7-1-22.)

9 (730 ILCS 5/3-2-2.1 rep.)

10 Section 5-145. The Unified Code of Corrections is amended
11 by repealing Section 3-2-2.1.

12 Section 5-150. The Sex Offender Registration Act is
13 amended by changing Section 11 as follows:

14 (730 ILCS 150/11)

15 Sec. 11. Offender Registration Fund. There is created the
16 Offender Registration Fund (formerly known as the Sex Offender
17 Registration Fund). Moneys in the Fund shall be used to cover
18 costs incurred by the criminal justice system to administer
19 this Article and the Murderer and Violent Offender Against
20 Youth Registration Act, and for purposes as authorized under
21 this Section. The Illinois State Police shall establish and
22 promulgate rules and procedures regarding the administration
23 of this Fund. Fifty percent of the moneys in the Fund shall be

1 allocated by the Department for sheriffs' offices and police
2 departments. The remaining moneys in the Fund received under
3 Public Act 101-571 ~~this amendatory Act of the 101st General~~
4 ~~Assembly~~ shall be allocated to the Illinois State Police for
5 education and administration of the Act.

6 ~~Notwithstanding any other provision of law, in addition to~~
7 ~~any other transfers that may be provided by law, on the~~
8 ~~effective date of this amendatory Act of the 103rd General~~
9 ~~Assembly, or as soon thereafter as practical, the State~~
10 ~~Comptroller shall direct and the State Treasurer shall~~
11 ~~transfer the remaining balance from the Sex Offender~~
12 ~~Investigation Fund to the Offender Registration Fund. Upon~~
13 ~~completion of the transfers, the Sex Offender Investigation~~
14 ~~Fund is dissolved, and any future deposits into the Sex~~
15 ~~Offender Investigation Fund and any outstanding obligations or~~
16 ~~liabilities of the Sex Offender Investigation Fund pass to the~~
17 ~~Offender Registration Fund.~~

18 (Source: P.A. 102-538, eff. 8-20-21; 103-34, eff. 6-9-23.)

19 Article 10.

20 Section 10-5. The State Budget Law of the Civil
21 Administrative Code of Illinois is amended by changing Section
22 50-25 as follows:

23 (15 ILCS 20/50-25)

1 Sec. 50-25. Statewide prioritized goals.

2 (a) Definitions. As used in this Section:

3 "Commission" means the Budgeting for Results Commission
4 established by this Section.

5 "Result area" means major organizational categories of
6 State government as defined by the Governor.

7 "Outcome area" means subcategories of result areas that
8 further define, and facilitate the measurement of the result
9 area, as established by the Governor.

10 (b) Statewide prioritized goals. For fiscal year 2025 and
11 each fiscal year thereafter, prior to the submission of the
12 State budget, the Governor, in consultation with the
13 Commission established under this Section, shall: (i) identify
14 statewide result areas that are most important for each State
15 agency of the executive branch under the jurisdiction of the
16 Governor to achieve for the next fiscal year and (ii) identify
17 outcome areas, which further define the statewide result
18 areas, into which State programs and associated spending can
19 be categorized. There must be a reasonable number of annually
20 defined statewide result and outcome areas defining State
21 priorities for the budget. Each result and outcome shall be
22 further defined to facilitate success in achieving that result
23 or outcome.

24 (c) Budgeting for Results Commission. On or after July 31,
25 2024, the Governor shall establish an advisory ~~a~~ commission
26 for the purpose of advising the Governor in the implementation

1 of performance-based budgeting in Illinois State government,
2 setting statewide result and outcome areas, and providing
3 oversight and guidance for comprehensive program assessments
4 and benefit-cost analysis of State agency programs.

5 (1) Membership. The commission shall be composed of
6 voting and non-voting members appointed by the Governor.
7 The commission shall be a well-balanced group and shall be
8 not more than 15 and not less than 8 members. Members
9 appointed by the Governor shall serve a three-year term,
10 beginning and ending on July 1 of each year. Vacancies in
11 Commission membership shall be filled in the same manner
12 as initial appointments. Appointments to fill vacancies
13 occurring before the expiration of a term shall be for the
14 remainder of the term. Members shall serve until their
15 successors are appointed.

16 (2) Bylaws. The commission may adopt bylaws for the
17 regulation of its affairs and the conduct of its business.

18 (3) Quorum. Total membership of the Commission
19 consists of the number of voting members serving on the
20 Commission, not including any vacant positions. A quorum
21 consists of a simple majority of total voting membership
22 and shall be sufficient to conduct the business of the
23 commission, unless stipulated otherwise in the bylaws of
24 the commission. A member may submit a proxy in writing to
25 the Commission Co-Chairs or the Commission Staff Director
26 no later than 24 hours before a scheduled meeting, and

1 that proxy shall count toward the quorum for that meeting
2 only.

3 (4) Chairpersons. Two Co-Chairs of the commission
4 shall be appointed by the Governor. The Co-Chairs shall be
5 one member of the General Assembly and one person who is
6 not a member of the General Assembly.

7 (5) Meetings. The commission shall hold at least 2
8 in-person public meetings during each fiscal year. One
9 meeting shall be held in the City of Chicago and one
10 meeting shall be held in the City of Springfield. The
11 commission may choose by a majority vote of its members to
12 hold one virtual meeting, which is open to the public and
13 over the Internet, in lieu of the 2 in-person public
14 meetings required under this Section.

15 (6) Compensation. Members shall not receive
16 compensation for their services.

17 (7) Annual report. By November 1 of each year, the
18 commission shall submit a report to the Governor and the
19 General Assembly setting forth recommendations with
20 respect to the Governor's implementation of
21 performance-based budgeting in Illinois State government.
22 The report shall be published on the Governor's Office of
23 Management and Budget's website. In its report, the
24 commission shall report on the status of comprehensive
25 program assessments and benefit cost analysis of state
26 agency programs conducted during the prior year.

1 The commission shall also review existing statutory
2 mandates and include in its report recommendations for the
3 repeal or modification of statutory mandates and funds or the
4 State treasury which are out-of-date or unduly burdensome to
5 the operations of State government.

6 The General Assembly may object to the commission's report
7 by passing a joint resolution detailing the General Assembly's
8 objections.

9 (d) In addition, each other constitutional officer of the
10 executive branch, in consultation with the appropriation
11 committees of the General Assembly, shall: (i) prioritize
12 outcomes that are most important for his or her office to
13 achieve for the next fiscal year and (ii) set goals to
14 accomplish those outcomes according to the priority of the
15 outcome. The Governor and each constitutional officer shall
16 separately conduct performance analyses to determine which
17 programs, strategies, and activities will best achieve those
18 desired outcomes. The Governor shall recommend that
19 appropriations be made to State agencies and officers for the
20 next fiscal year based on the agreed upon result and outcome
21 areas. Each agency and officer may develop its own strategies
22 for meeting those goals and shall review and analyze those
23 strategies on a regular basis. The Governor shall also
24 implement procedures to measure annual progress toward the
25 State's statewide results and outcomes and shall develop a
26 statewide reporting system that collects performance data from

1 all programs under the authority of the Governor. Those
2 performance measures and results shall be posted on the
3 Governor's Office of Management and Budget website.

4 (Source: P.A. 102-801, eff. 5-13-22; 103-8, eff. 6-7-23.)

5 Section 10-15. The High Technology School-to-Work Act is
6 amended by changing Sections 20 and 40 as follows:

7 (20 ILCS 701/20)

8 Sec. 20. Coordination with economic development
9 activities. The Department may ~~must~~ coordinate the
10 administration of the High Technology School-to-Work Program,
11 including the targeting of projects, with the Department's
12 technology related planning and economic development
13 initiatives.

14 (Source: P.A. 92-250, eff. 8-3-01.)

15 (20 ILCS 701/40)

16 Sec. 40. Duties. The Department may ~~has the following~~
17 ~~duties:~~

18 (1) Establish ~~To establish~~ and coordinate the High
19 Technology School-to-Work Program.

20 (2) Subject to appropriations, ~~to~~ make grants to local
21 partnerships to administer high technology school-to-work
22 projects.

23 (3) Periodically ~~To periodically~~ identify high

1 technology industries and occupations for which training
2 programs may be developed pursuant to the requirements of
3 this Act.

4 (4) Issue ~~To issue~~ guidelines for submitting grant
5 applications.

6 (5) Adopt ~~To adopt~~, amend, or repeal any rules that
7 may be necessary to administer this Act.

8 (Source: P.A. 92-250, eff. 8-3-01.)

9 (20 ILCS 1305/10-63 rep.)

10 Section 10-20. The Department of Human Services Act is
11 amended by repealing Section 10-63.

12 (20 ILCS 2335/Act rep.)

13 Section 10-25. The Community Health Worker Advisory Board
14 Act is repealed.

15 Section 10-30. The Department of Veterans' Affairs Act is
16 amended by changing Sections 2.07 and 2.13 as follows:

17 (20 ILCS 2805/2.07) (from Ch. 126 1/2, par. 67.07)

18 Sec. 2.07. The Department shall employ and maintain
19 sufficient and qualified staff at the veterans' homes (i) to
20 fill all beds, subject to appropriation, and (ii) to fulfill
21 the requirements of this Act. The Department shall report to
22 the General Assembly, by February ~~January~~ 1, for the reporting

1 period of July 1 through December 31, and August ~~July~~ 1, for
2 the reporting period of January 1 through June 30, of each
3 year, the number of staff employed in providing direct patient
4 care at their veterans' homes, the compliance or noncompliance
5 with staffing standards established by the United States
6 Department of Veterans Affairs for such care, and in the event
7 of noncompliance with such standards, the number of staff
8 required for compliance. For purposes of this Section, a nurse
9 who has a license application pending with the State shall not
10 be deemed unqualified by the Department if the nurse is in
11 compliance with Section 50-15 of the Nurse Practice Act.

12 A veterans home is subject to the Health Care Violence
13 Prevention Act.

14 (Source: P.A. 100-1051, eff. 1-1-19.)

15 (20 ILCS 2805/2.13)

16 Sec. 2.13. Veterans Homes; complaints; communicable
17 disease reports.

18 (a) As used in this Section:

19 "Case" means a person that lived as a resident in a
20 Veterans Home and had an illness due to a communicable
21 disease.

22 "Communicable disease" means an illness due to a specific
23 infectious agent or its toxic products that arises through
24 transmission of that agent or its products from an infected
25 person, animal, or inanimate source to a susceptible host,

1 either directly or indirectly, through an intermediate plant
2 or animal host, a vector, or the inanimate environment.

3 (b) The Department shall submit a bi-annual report to the
4 General Assembly by February ~~January~~ 1, for the reporting
5 period of July 1 through December 31, and August ~~July~~ 1, for
6 the reporting period of January 1 through June 30, of each year
7 about the health and welfare of residents at Veterans Homes.
8 The report shall be filed electronically with the General
9 Assembly, as provided under Section 3.1 of the General
10 Assembly Organization Act, and shall be provided
11 electronically to any member of the General Assembly upon
12 request. Each report shall include, but not be limited to, the
13 following:

14 (1) the number and nature of complaints made by
15 residents, a resident's emergency contacts or next of kin,
16 or a resident's power of attorney during the quarter;

17 (2) information on any epidemic reported at a Veterans
18 Home during the quarter; and

19 (3) the number of cases and information on the cases,
20 including, but not limited to, any dates a resident showed
21 signs and symptoms of having a communicable disease, any
22 dates of a confirmed diagnosis of any resident with a
23 communicable disease, and the action taken by the Veterans
24 Home to eradicate the spread of communicable disease,
25 during the quarter.

26 (Source: P.A. 100-1103, eff. 8-27-18.)

1 Section 10-35. The Governor's Office of Management and
2 Budget Act is amended by changing Section 5.1 as follows:

3 (20 ILCS 3005/5.1) (from Ch. 127, par. 415)

4 Sec. 5.1. Under such regulations as the Governor may
5 prescribe, every State agency, other than State colleges and
6 universities, agencies of legislative and judicial branches of
7 State government, and elected State executive officers not
8 including the Governor, shall file with the Commission on
9 Government Forecasting and Accountability all applications for
10 federal grants, contracts and agreements. ~~The Commission on
11 Government Forecasting and Accountability shall immediately
12 forward all such materials to the Office for the Office's
13 approval. Any application for federal funds which has not
14 received Office approval shall be considered void and any
15 funds received as a result of such application shall be
16 returned to the federal government before they are spent. Each
17 State agency subject to this Section shall, at least 45 days
18 before submitting its application to the federal agency,
19 report in detail to the Commission on Government Forecasting
20 and Accountability what the grant is intended to accomplish
21 and the specific plans for spending the federal dollars
22 received pursuant to the grant. The Commission on Government
23 Forecasting and Accountability shall immediately review such
24 ~~forward such materials to the Office. The Office may approve~~~~

1 ~~the submission of an application to the federal agency in less~~
2 ~~than 45 days after its receipt by the Office when the Office~~
3 ~~determines that the circumstances require an expedited~~
4 ~~application.~~ Such reports of applications and plans of
5 expenditure, which shall include but shall not be limited to:

6 (1) an estimate of both the direct and indirect costs
7 in non-federal revenues of participation in the federal
8 program;

9 (2) the probable length of duration of the program, a
10 schedule of fund receipts and an estimate of the cost to
11 the State of maintaining the program if and when the
12 federal financial assistance or grant is terminated;

13 (3) a list of State or local agencies utilizing the
14 financial assistance as direct recipients or subgrantees;

15 (4) a description of each program proposed to be
16 funded by the financial assistance or grant; and

17 (5) a description of any financial, program or
18 planning commitment on the part of the State required by
19 the federal government as a requirement for receipt of the
20 financial assistance or grant.

21 All State agencies subject to this Section shall
22 immediately file with the Commission on Government Forecasting
23 and Accountability any awards of federal funds and any and all
24 changes in the programs, in awards, in program duration, in
25 schedule of fund receipts, and in estimated costs to the State
26 of maintaining the program if and when federal assistance is

1 terminated, or in direct and indirect costs, of any grant
2 under which they are or expect to be receiving federal funds.
3 The Commission on Government Forecasting and Accountability
4 shall immediately forward such materials to the Office.

5 The ~~Office in cooperation with the~~ Commission on
6 Government Forecasting and Accountability shall develop
7 standard forms and a system of identifying numbers for the
8 applications and reports required by this Section. Upon
9 receipt from the State agencies of each application and
10 report, the Commission on Government Forecasting and
11 Accountability shall promptly designate the appropriate
12 identifying number therefor and communicate such number to the
13 respective State agency, the Comptroller and the Office.

14 Each State agency subject to this Section shall include in
15 each report to the Comptroller of the receipt of federal funds
16 the identifying number applicable to the grant under which
17 such funds are received.

18 (Source: P.A. 100-1148, eff. 12-10-18.)

19 Section 10-40. The Legislative Commission Reorganization
20 Act of 1984 is amended by changing Section 4-2.1 as follows:

21 (25 ILCS 130/4-2.1)

22 Sec. 4-2.1. Federal program functions. The Commission on
23 Government Forecasting and Accountability is established as
24 the information center for the General Assembly in the field

1 of federal-state relations and as State Central Information
2 Reception Agency for the purpose of receiving information from
3 federal agencies under the United States Office of Management
4 and Budget circular A-98 and the United States Department of
5 the Treasury Circular TC-1082 or any successor circulars
6 promulgated under authority of the United States
7 Inter-governmental Cooperation Act of 1968. Its powers and
8 duties in this capacity include, but are not limited to:

9 (a) Compiling and maintaining current information on
10 available and pending federal aid programs for the use of
11 the General Assembly and legislative agencies;

12 (b) Analyzing the relationship of federal aid programs
13 with state and locally financed programs, and assessing
14 the impact of federal aid programs on the State generally;

15 (c) Reporting annually to the General Assembly on the
16 adequacy of programs financed by federal aid in the State,
17 the types and nature of federal aid programs in which
18 State agencies or local governments did not participate,
19 and to make recommendations on such matters;

20 (d) Cooperating with the Governor's Office of
21 Management and Budget and with any State of Illinois
22 offices located in Washington, D.C., in obtaining
23 information concerning federal grant-in-aid legislation
24 and proposals having an impact on the State of Illinois;

25 (e) (Blank); ~~Cooperating with the Governor's Office of~~
26 ~~Management and Budget in developing forms and identifying~~

1 ~~number systems for the documentation of applications,~~
2 ~~awards, receipts and expenditures of federal funds by~~
3 ~~State agencies;~~

4 (f) Receiving from every State agency, other than
5 State colleges and universities, agencies of legislative
6 and judicial branches of State government, and elected
7 State executive officers not including the Governor, all
8 applications for federal grants, contracts and agreements
9 and notification of any awards of federal funds and any
10 and all changes in the programs, in awards, in program
11 duration, in schedule of fund receipts, and in estimated
12 costs to the State of maintaining the program if and when
13 federal assistance is terminated, or in direct and
14 indirect costs, of any grant under which they are or
15 expect to be receiving federal funds;

16 (g) (Blank); and ~~Forwarding to the Governor's Office~~
17 ~~of Management and Budget all documents received under~~
18 ~~paragraph (f) after assigning an appropriate, State~~
19 ~~application identifier number to all applications; and~~

20 (h) Reporting such information as is received under
21 subparagraph (f) to the President and Minority Leader of
22 the Senate and the Speaker and Minority Leader of the
23 House of Representatives and their respective
24 appropriation staffs and to any member of the General
25 Assembly on a monthly basis at the request of the member.

26 The State colleges and universities, the agencies of the

1 legislative and judicial branches of State government, and the
2 elected State executive officers, not including the Governor,
3 shall submit to the Commission on Government Forecasting and
4 Accountability, in a manner prescribed by the Commission on
5 Government Forecasting and Accountability, summaries of
6 applications for federal funds filed and grants of federal
7 funds awarded.

8 (Source: P.A. 100-1148, eff. 12-10-18.)

9 Section 10-45. The Grant Accountability and Transparency
10 Act is amended by changing Sections 15 and 45 as follows:

11 (30 ILCS 708/15)

12 Sec. 15. Definitions. As used in this Act:

13 "Allowable cost" means a cost allowable to a project if:

14 (1) the costs are reasonable and necessary for the
15 performance of the award;

16 (2) the costs are allocable to the specific project;

17 (3) the costs are treated consistently in like
18 circumstances to both federally-financed and other
19 activities of the non-federal entity;

20 (4) the costs conform to any limitations of the cost
21 principles or the sponsored agreement;

22 (5) the costs are accorded consistent treatment; a
23 cost may not be assigned to a State or federal award as a
24 direct cost if any other cost incurred for the same

1 purpose in like circumstances has been allocated to the
2 award as an indirect cost;

3 (6) the costs are determined to be in accordance with
4 generally accepted accounting principles;

5 (7) the costs are not included as a cost or used to
6 meet federal cost-sharing or matching requirements of any
7 other program in either the current or prior period;

8 (8) the costs of one State or federal grant are not
9 used to meet the match requirements of another State or
10 federal grant; and

11 (9) the costs are adequately documented.

12 "Auditee" means any non-federal entity that expends State
13 or federal awards that must be audited.

14 "Auditor" means an auditor who is a public accountant or a
15 federal, State, or local government audit organization that
16 meets the general standards specified in generally-accepted
17 government auditing standards. "Auditor" does not include
18 internal auditors of nonprofit organizations.

19 "Auditor General" means the Auditor General of the State
20 of Illinois.

21 "Award" means financial assistance that provides support
22 or stimulation to accomplish a public purpose. "Awards"
23 include grants and other agreements in the form of money, or
24 property in lieu of money, by the State or federal government
25 to an eligible recipient. "Award" does not include: technical
26 assistance that provides services instead of money; other

1 assistance in the form of loans, loan guarantees, interest
2 subsidies, or insurance; direct payments of any kind to
3 individuals; or contracts that must be entered into and
4 administered under State or federal procurement laws and
5 regulations.

6 "Budget" means the financial plan for the project or
7 program that the awarding agency or pass-through entity
8 approves during the award process or in subsequent amendments
9 to the award. It may include the State or federal and
10 non-federal share or only the State or federal share, as
11 determined by the awarding agency or pass-through entity.

12 "Catalog of Federal Domestic Assistance" or "CFDA" means a
13 database that helps the federal government track all programs
14 it has domestically funded.

15 "Catalog of Federal Domestic Assistance number" or "CFDA
16 number" means the number assigned to a federal program in the
17 CFDA.

18 "Catalog of State Financial Assistance" means the single,
19 authoritative, statewide, comprehensive source document of
20 State financial assistance program information maintained by
21 the Governor's Office of Management and Budget.

22 "Catalog of State Financial Assistance Number" means the
23 number assigned to a State program in the Catalog of State
24 Financial Assistance. The first 3 digits represent the State
25 agency number and the last 4 digits represent the program.

26 "Cluster of programs" means a grouping of closely related

1 programs that share common compliance requirements. The types
2 of clusters of programs are research and development, student
3 financial aid, and other clusters. A "cluster of programs"
4 shall be considered as one program for determining major
5 programs and, with the exception of research and development,
6 whether a program-specific audit may be elected.

7 "Cognizant agency for audit" means the federal agency
8 designated to carry out the responsibilities described in 2
9 CFR 200.513(a).

10 "Contract" means a legal instrument by which a non-federal
11 entity purchases property or services needed to carry out the
12 project or program under an award. "Contract" does not include
13 a legal instrument, even if the non-federal entity considers
14 it a contract, when the substance of the transaction meets the
15 definition of an award or subaward.

16 "Contractor" means an entity that receives a contract.

17 "Cooperative agreement" means a legal instrument of
18 financial assistance between an awarding agency or
19 pass-through entity and a non-federal entity that:

20 (1) is used to enter into a relationship with the
21 principal purpose of transferring anything of value from
22 the awarding agency or pass-through entity to the
23 non-federal entity to carry out a public purpose
24 authorized by law, but is not used to acquire property or
25 services for the awarding agency's or pass-through
26 entity's direct benefit or use; and

1 (2) is distinguished from a grant in that it provides
2 for substantial involvement between the awarding agency or
3 pass-through entity and the non-federal entity in carrying
4 out the activity contemplated by the award.

5 "Cooperative agreement" does not include a cooperative
6 research and development agreement, nor an agreement that
7 provides only direct cash assistance to an individual, a
8 subsidy, a loan, a loan guarantee, or insurance.

9 "Corrective action" means action taken by the auditee that
10 (i) corrects identified deficiencies, (ii) produces
11 recommended improvements, or (iii) demonstrates that audit
12 findings are either invalid or do not warrant auditee action.

13 "Cost objective" means a program, function, activity,
14 award, organizational subdivision, contract, or work unit for
15 which cost data is desired and for which provision is made to
16 accumulate and measure the cost of processes, products, jobs,
17 and capital projects. A "cost objective" may be a major
18 function of the non-federal entity, a particular service or
19 project, an award, or an indirect cost activity.

20 "Cost sharing" means the portion of project costs not paid
21 by State or federal funds, unless otherwise authorized by
22 statute.

23 "Development" is the systematic use of knowledge and
24 understanding gained from research directed toward the
25 production of useful materials, devices, systems, or methods,
26 including design and development of prototypes and processes.

1 "Data Universal Numbering System number" means the 9-digit
2 number established and assigned by Dun and Bradstreet, Inc. to
3 uniquely identify entities and, under federal law, is required
4 for non-federal entities to apply for, receive, and report on
5 a federal award.

6 "Direct costs" means costs that can be identified
7 specifically with a particular final cost objective, such as a
8 State or federal or federal pass-through award or a particular
9 sponsored project, an instructional activity, or any other
10 institutional activity, or that can be directly assigned to
11 such activities relatively easily with a high degree of
12 accuracy.

13 "Equipment" means tangible personal property (including
14 information technology systems) having a useful life of more
15 than one year and a per-unit acquisition cost that equals or
16 exceeds the lesser of the capitalization level established by
17 the non-federal entity for financial statement purposes, or
18 \$5,000.

19 "Executive branch" means that branch of State government
20 that is under the jurisdiction of the Governor.

21 "Federal agency" has the meaning provided for "agency"
22 under 5 U.S.C. 551(1) together with the meaning provided for
23 "agency" by 5 U.S.C. 552(f).

24 "Federal award" means:

25 (1) the federal financial assistance that a
26 non-federal entity receives directly from a federal

1 awarding agency or indirectly from a pass-through entity;

2 (2) the cost-reimbursement contract under the Federal
3 Acquisition Regulations that a non-federal entity receives
4 directly from a federal awarding agency or indirectly from
5 a pass-through entity; or

6 (3) the instrument setting forth the terms and
7 conditions when the instrument is the grant agreement,
8 cooperative agreement, other agreement for assistance
9 covered in 2 CFR 200, Subpart A, Acronyms and Definitions
10 ~~paragraph (b) of 20 CFR 200.40~~, or the cost-reimbursement
11 contract awarded under the Federal Acquisition
12 Regulations.

13 "Federal award" does not include other contracts that a
14 federal agency uses to buy goods or services from a contractor
15 or a contract to operate federal government owned,
16 contractor-operated facilities.

17 "Federal awarding agency" means the federal agency that
18 provides a federal award directly to a non-federal entity.

19 "Federal interest" means, for purposes of 2 CFR 200,
20 Subpart D, Post Federal Award Requirements (Performance and
21 Financial Monitoring and Reporting) ~~2 CFR 200.329~~ or when used
22 in connection with the acquisition or improvement of real
23 property, equipment, or supplies under a federal award, the
24 dollar amount that is the product of the federal share of total
25 project costs and current fair market value of the property,
26 improvements, or both, to the extent the costs of acquiring or

1 improving the property were included as project costs.

2 "Federal program" means any of the following:

3 (1) All federal awards which are assigned a single
4 number in the CFDA.

5 (2) When no CFDA number is assigned, all federal
6 awards to non-federal entities from the same agency made
7 for the same purpose should be combined and considered one
8 program.

9 (3) Notwithstanding paragraphs (1) and (2) of this
10 definition, a cluster of programs. The types of clusters
11 of programs are:

12 (A) research and development;

13 (B) student financial aid; and

14 (C) "other clusters", as described in the
15 definition of "cluster of programs".

16 "Federal share" means the portion of the total project
17 costs that are paid by federal funds.

18 "Final cost objective" means a cost objective which has
19 allocated to it both direct and indirect costs and, in the
20 non-federal entity's accumulation system, is one of the final
21 accumulation points, such as a particular award, internal
22 project, or other direct activity of a non-federal entity.

23 "Financial assistance" means the following:

24 (1) For grants and cooperative agreements, "financial
25 assistance" means assistance that non-federal entities
26 receive or administer in the form of:

- 1 (A) grants;
- 2 (B) cooperative agreements;
- 3 (C) non-cash contributions or donations of
4 property, including donated surplus property;
- 5 (D) direct appropriations;
- 6 (E) food commodities; and
- 7 (F) other financial assistance, except assistance
8 listed in paragraph (2) of this definition.

9 (2) "Financial assistance" includes assistance that
10 non-federal entities receive or administer in the form of
11 loans, loan guarantees, interest subsidies, and insurance.

12 (3) "Financial assistance" does not include amounts
13 received as reimbursement for services rendered to
14 individuals.

15 "Fixed amount awards" means a type of grant agreement
16 under which the awarding agency or pass-through entity
17 provides a specific level of support without regard to actual
18 costs incurred under the award. "Fixed amount awards" reduce
19 some of the administrative burden and record-keeping
20 requirements for both the non-federal entity and awarding
21 agency or pass-through entity. Accountability is based
22 primarily on performance and results.

23 "Foreign public entity" means:

24 (1) a foreign government or foreign governmental
25 entity;

26 (2) a public international organization that is

1 entitled to enjoy privileges, exemptions, and immunities
2 as an international organization under the International
3 Organizations Immunities Act (22 U.S.C. 288-288f);

4 (3) an entity owned, in whole or in part, or
5 controlled by a foreign government; or

6 (4) any other entity consisting wholly or partially of
7 one or more foreign governments or foreign governmental
8 entities.

9 "Foreign organization" means an entity that is:

10 (1) a public or private organization located in a
11 country other than the United States and its territories
12 that are subject to the laws of the country in which it is
13 located, irrespective of the citizenship of project staff
14 or place of performance;

15 (2) a private nongovernmental organization located in
16 a country other than the United States that solicits and
17 receives cash contributions from the general public;

18 (3) a charitable organization located in a country
19 other than the United States that is nonprofit and tax
20 exempt under the laws of its country of domicile and
21 operation, but is not a university, college, accredited
22 degree-granting institution of education, private
23 foundation, hospital, organization engaged exclusively in
24 research or scientific activities, church, synagogue,
25 mosque, or other similar entity organized primarily for
26 religious purposes; or

1 (4) an organization located in a country other than
2 the United States not recognized as a Foreign Public
3 Entity.

4 "Generally Accepted Accounting Principles" has the meaning
5 provided in accounting standards issued by the Government
6 Accounting Standards Board and the Financial Accounting
7 Standards Board.

8 "Generally Accepted Government Auditing Standards" means
9 generally accepted government auditing standards issued by the
10 Comptroller General of the United States that are applicable
11 to financial audits.

12 "Grant agreement" means a legal instrument of financial
13 assistance between an awarding agency or pass-through entity
14 and a non-federal entity that:

15 (1) is used to enter into a relationship, the
16 principal purpose of which is to transfer anything of
17 value from the awarding agency or pass-through entity to
18 the non-federal entity to carry out a public purpose
19 authorized by law and not to acquire property or services
20 for the awarding agency or pass-through entity's direct
21 benefit or use; and

22 (2) is distinguished from a cooperative agreement in
23 that it does not provide for substantial involvement
24 between the awarding agency or pass-through entity and the
25 non-federal entity in carrying out the activity
26 contemplated by the award.

1 "Grant agreement" does not include an agreement that
2 provides only direct cash assistance to an individual, a
3 subsidy, a loan, a loan guarantee, or insurance.

4 "Grant application" means a specified form that is
5 completed by a non-federal entity in connection with a request
6 for a specific funding opportunity or a request for financial
7 support of a project or activity.

8 "Hospital" means a facility licensed as a hospital under
9 the law of any state or a facility operated as a hospital by
10 the United States, a state, or a subdivision of a state.

11 "Illinois Debarred and Suspended List" means the list
12 maintained by the Governor's Office of Management and Budget
13 that contains the names of those individuals and entities that
14 are ineligible, either temporarily or permanently, from
15 receiving an award of grant funds from the State.

16 "Indirect cost" means those costs incurred for a common or
17 joint purpose benefitting more than one cost objective and not
18 readily assignable to the cost objectives specifically
19 benefitted without effort disproportionate to the results
20 achieved.

21 "Inspector General" means the Office of the Executive
22 Inspector General for Executive branch agencies.

23 "Loan" means a State or federal loan or loan guarantee
24 received or administered by a non-federal entity. "Loan" does
25 not include a "program income" as defined in 2 CFR 200, Subpart
26 A, Acronyms and Definitions ~~2 CFR 200.80~~.

1 "Loan guarantee" means any State or federal government
2 guarantee, insurance, or other pledge with respect to the
3 payment of all or a part of the principal or interest on any
4 debt obligation of a non-federal borrower to a non-federal
5 lender, but does not include the insurance of deposits,
6 shares, or other withdrawable accounts in financial
7 institutions.

8 "Local government" has the meaning provided for the term
9 "units of local government" under Section 1 of Article VII of
10 the Illinois Constitution and includes school districts.

11 "Major program" means a federal program determined by the
12 auditor to be a major program in accordance with 2 CFR 200.518
13 or a program identified as a major program by a federal
14 awarding agency or pass-through entity in accordance with 2
15 CFR 200.503(e).

16 "Non-federal entity" means a state, local government,
17 Indian tribe, institution of higher education, or
18 organization, whether nonprofit or for-profit, that carries
19 out a State or federal award as a recipient or subrecipient.

20 "Nonprofit organization" means any corporation, trust,
21 association, cooperative, or other organization, not including
22 institutions of higher education, that:

23 (1) is operated primarily for scientific, educational,
24 service, charitable, or similar purposes in the public
25 interest;

26 (2) is not organized primarily for profit; and

1 (3) uses net proceeds to maintain, improve, or expand
2 the operations of the organization.

3 "Obligations", when used in connection with a non-federal
4 entity's utilization of funds under an award, means orders
5 placed for property and services, contracts and subawards
6 made, and similar transactions during a given period that
7 require payment by the non-federal entity during the same or a
8 future period.

9 "Office of Management and Budget" means the Office of
10 Management and Budget of the Executive Office of the
11 President.

12 "Other clusters" has the meaning provided by the federal
13 Office of Management and Budget in the compliance supplement
14 or has the meaning as it is designated by a state for federal
15 awards the state provides to its subrecipients that meet the
16 definition of a cluster of programs. When designating an
17 "other cluster", a state must identify the federal awards
18 included in the cluster and advise the subrecipients of
19 compliance requirements applicable to the cluster.

20 "Oversight agency for audit" means the federal awarding
21 agency that provides the predominant amount of funding
22 directly to a non-federal entity not assigned a cognizant
23 agency for audit. When there is no direct funding, the
24 awarding agency that is the predominant source of pass-through
25 funding must assume the oversight responsibilities. The duties
26 of the oversight agency for audit and the process for any

1 reassignments are described in 2 CFR 200.513(b).

2 "Pass-through entity" means a non-federal entity that
3 provides a subaward to a subrecipient to carry out part of a
4 program.

5 "Private award" means an award from a person or entity
6 other than a State or federal entity. Private awards are not
7 subject to the provisions of this Act.

8 "Property" means real property or personal property.

9 "Project cost" means total allowable costs incurred under
10 an award and all required cost sharing and voluntary committed
11 cost sharing, including third-party contributions.

12 "Public institutions of higher education" has the meaning
13 provided in Section 1 of the Board of Higher Education Act.

14 "Recipient" means a non-federal entity that receives an
15 award directly from an awarding agency to carry out an
16 activity under a program. "Recipient" does not include
17 subrecipients.

18 "Research and Development" means all research activities,
19 both basic and applied, and all development activities that
20 are performed by non-federal entities.

21 "Single Audit Act" means the federal Single Audit Act
22 Amendments of 1996 (31 U.S.C. 7501-7507).

23 "State agency" means an Executive branch agency. For
24 purposes of this Act, "State agency" does not include public
25 institutions of higher education.

26 "State award" means the financial assistance that a

1 non-federal entity receives from the State and that is funded
2 with either State funds or federal funds; in the latter case,
3 the State is acting as a pass-through entity.

4 "State awarding agency" means a State agency that provides
5 an award to a non-federal entity.

6 "State grant-making agency" has the same meaning as "State
7 awarding agency".

8 "State interest" means the acquisition or improvement of
9 real property, equipment, or supplies under a State award, the
10 dollar amount that is the product of the State share of the
11 total project costs and current fair market value of the
12 property, improvements, or both, to the extent the costs of
13 acquiring or improving the property were included as project
14 costs.

15 "State program" means any of the following:

16 (1) All State awards which are assigned a single
17 number in the Catalog of State Financial Assistance.

18 (2) When no Catalog of State Financial Assistance
19 number is assigned, all State awards to non-federal
20 entities from the same agency made for the same purpose
21 are considered one program.

22 (3) A cluster of programs as defined in this Section.

23 "State share" means the portion of the total project costs
24 that are paid by State funds.

25 "Stop payment order" means a communication from a State
26 grant-making agency to the Office of the Comptroller,

1 following procedures set out by the Office of the Comptroller,
2 causing the cessation of payments to a recipient or
3 subrecipient as a result of the recipient's or subrecipient's
4 failure to comply with one or more terms of the grant or
5 subaward.

6 "Stop payment procedure" means the procedure created by
7 the Office of the Comptroller which effects a stop payment
8 order and the lifting of a stop payment order upon the request
9 of the State grant-making agency.

10 "Student Financial Aid" means federal awards under those
11 programs of general student assistance, such as those
12 authorized by Title IV of the Higher Education Act of 1965, as
13 amended (20 U.S.C. 1070-1099d), that are administered by the
14 United States Department of Education and similar programs
15 provided by other federal agencies. "Student Financial Aid"
16 does not include federal awards under programs that provide
17 fellowships or similar federal awards to students on a
18 competitive basis or for specified studies or research.

19 "Subaward" means a State or federal award provided by a
20 pass-through entity to a subrecipient for the subrecipient to
21 carry out part of a federal award received by the pass-through
22 entity. "Subaward" does not include payments to a contractor
23 or payments to an individual that is a beneficiary of a federal
24 program. A "subaward" may be provided through any form of
25 legal agreement, including an agreement that the pass-through
26 entity considers a contract.

1 "Subrecipient" means a non-federal entity that receives a
2 State or federal subaward from a pass-through entity to carry
3 out part of a federal program. "Subrecipient" does not include
4 an individual that is a beneficiary of such program. A
5 "subrecipient" may also be a recipient of other State or
6 federal awards directly from a State or federal awarding
7 agency.

8 "Suspension" means a post-award action by the State or
9 federal agency or pass-through entity that temporarily
10 withdraws the State or federal agency's or pass-through
11 entity's financial assistance sponsorship under an award,
12 pending corrective action by the recipient or subrecipient or
13 pending a decision to terminate the award.

14 "Uniform Administrative Requirements, Costs Principles,
15 and Audit Requirements for Federal Awards" means those rules
16 applicable to grants contained in 2 CFR 200.

17 "Voluntary committed cost sharing" means cost sharing
18 specifically pledged on a voluntary basis in the proposal's
19 budget or the award on the part of the non-federal entity and
20 that becomes a binding requirement of the award.

21 (Source: P.A. 100-997, eff. 8-20-18.)

22 (30 ILCS 708/45)

23 Sec. 45. Applicability.

24 (a) Except as otherwise provided in this Section, the
25 requirements established under this Act apply to State

1 grant-making agencies that make State and federal pass-through
2 awards to non-federal entities. These requirements apply to
3 all costs related to State and federal pass-through awards.
4 The requirements established under this Act do not apply to
5 private awards, to allocations of State revenues paid over by
6 the Comptroller to units of local government and other taxing
7 districts pursuant to the State Revenue Sharing Act from the
8 Local Government Distributive Fund or the Personal Property
9 Tax Replacement Fund, to allotments of State motor fuel tax
10 revenues distributed by the Department of Transportation to
11 units of local government pursuant to the Motor Fuel Tax Law
12 from the Motor Fuel Tax Fund or the Transportation Renewal
13 Fund, or to awards, including capital appropriated funds, made
14 by the Department of Transportation to units of local
15 government for the purposes of transportation projects
16 utilizing State funds, federal funds, or both State and
17 federal funds. This Act shall recognize that federal and
18 federal pass-through awards from the Department of
19 Transportation to units of local government are governed by
20 and must comply with federal guidelines under 2 CFR Part 200.

21 The changes made by this amendatory Act of the 102nd
22 General Assembly apply to pending actions as well as actions
23 commenced on or after the effective date of this amendatory
24 Act of the 102nd General Assembly.

25 (a-5) Nothing in this Act shall prohibit the use of State
26 funds for purposes of federal match or maintenance of effort.

1 (b) The terms and conditions of State, federal, and
2 pass-through awards apply to subawards and subrecipients
3 unless a particular Section of this Act or the terms and
4 conditions of the State or federal award specifically indicate
5 otherwise. Non-federal entities shall comply with requirements
6 of this Act regardless of whether the non-federal entity is a
7 recipient or subrecipient of a State or federal pass-through
8 award. Pass-through entities shall comply with the
9 requirements set forth under the rules adopted under
10 subsection (a) of Section 20 of this Act, but not to any
11 requirements in this Act directed towards State or federal
12 awarding agencies, unless the requirements of the State or
13 federal awards indicate otherwise.

14 When a non-federal entity is awarded a cost-reimbursement
15 contract, only 2 CFR 200, Subpart D, Post Federal Award
16 Requirements (Subrecipient Monitoring and Management) ~~2 CFR~~
17 ~~200.330 through 200.332~~ are incorporated by reference into the
18 contract. However, when the Cost Accounting Standards are
19 applicable to the contract, they take precedence over the
20 requirements of this Act unless they are in conflict with
21 Subpart F of 2 CFR 200. In addition, costs that are made
22 unallowable under 10 U.S.C. 2324(e) and 41 U.S.C. 4304(a), as
23 described in the Federal Acquisition Regulations, subpart 31.2
24 and subpart 31.603, are always unallowable. For requirements
25 other than those covered in Subpart D of 2 CFR 200, Subpart D,
26 Post Federal Award Requirements (Subrecipient Monitoring and

1 Management) ~~2 CFR 200.330 through 200.332~~, the terms of the
2 contract and the Federal Acquisition Regulations apply.

3 With the exception of Subpart F of 2 CFR 200, which is
4 required by the Single Audit Act, in any circumstances where
5 the provisions of federal statutes or regulations differ from
6 the provisions of this Act, the provision of the federal
7 statutes or regulations govern. This includes, for agreements
8 with Indian tribes, the provisions of the Indian
9 Self-Determination and Education and Assistance Act, as
10 amended, 25 U.S.C. 450-458ddd-2.

11 (c) State grant-making agencies may apply subparts A
12 through E of 2 CFR 200 to for-profit entities, foreign public
13 entities, or foreign organizations, except where the awarding
14 agency determines that the application of these subparts would
15 be inconsistent with the international obligations of the
16 United States or the statute or regulations of a foreign
17 government.

18 (d) 2 CFR 200.101 specifies how 2 CFR 200 is applicable to
19 different types of awards. The same applicability applies to
20 this Act.

21 (e) (Blank).

22 (f) For public institutions of higher education, the
23 provisions of this Act apply only to awards funded by federal
24 pass-through awards from a State agency to public institutions
25 of higher education. This Act shall recognize provisions in 2
26 CFR 200 as applicable to public institutions of higher

1 education, including Appendix III of Part 200 and the cost
2 principles under Subpart E.

3 (g) Each grant-making agency shall enhance its processes
4 to monitor and address noncompliance with reporting
5 requirements and with program performance standards. Where
6 applicable, the process may include a corrective action plan.
7 The monitoring process shall include a plan for tracking and
8 documenting performance-based contracting decisions.

9 (h) Notwithstanding any provision of law to the contrary,
10 grants awarded from federal funds received from the federal
11 Coronavirus State Fiscal Recovery Fund in accordance with
12 Section 9901 of the American Rescue Plan Act of 2021 are
13 subject to the provisions of this Act, but only to the extent
14 required by Section 9901 of the American Rescue Plan Act of
15 2021 and other applicable federal law or regulation.

16 (Source: P.A. 101-81, eff. 7-12-19; 102-16, eff. 6-17-21;
17 102-626, eff. 8-27-21; 102-813, eff. 5-13-22; 102-1092, eff.
18 6-10-22.)

19 Section 10-50. The Illinois State University Law is
20 amended by changing Section 20-170 as follows:

21 (110 ILCS 675/20-170)

22 Sec. 20-170. Administrator and faculty salary and
23 benefits; report. The Board of Trustees shall report to the
24 Board of Higher Education, on or before August ~~July~~ 1 of each

1 year, the base salary and benefits of the president of the
2 university and all administrators, faculty members, and
3 instructors employed by the university from the prior fiscal
4 year. For the purposes of this Section, "benefits" includes
5 without limitation vacation days, sick days, bonuses,
6 annuities, and retirement enhancements.
7 (Source: P.A. 96-266, eff. 1-1-10; 96-1000, eff. 7-2-10.)

8 Article 99.

9 Section 99-99. Effective date. This Act takes effect upon
10 becoming law.

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4	20 ILCS 105/4.01	from Ch. 23, par. 6104.01
5	20 ILCS 687/6-3	
6	20 ILCS 1135/Act rep.	
7	20 ILCS 1345/4.5	
8	20 ILCS 1705/18.4	
9	20 ILCS 1705/18.5	
10	20 ILCS 2905/2.7	
11	20 ILCS 3405/16	from Ch. 127, par. 2716
12	20 ILCS 3435/5	from Ch. 127, par. 133c5
13	30 ILCS 105/5	from Ch. 127, par. 141
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15	30 ILCS 105/8.8a	from Ch. 127, par. 144.8a
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24	30 ILCS 255/2	from Ch. 127, par. 176c
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- 2 30 ILCS 708/45
- 3 110 ILCS 675/20-170