



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB0663

Introduced 1/28/2005, by Rep. Thomas Holbrook

SYNOPSIS AS INTRODUCED:

See Index

Amends the Southern Illinois University Management Act. Abolishes the Board of Trustees of Southern Illinois University. Provides that that part of Southern Illinois University associated with the Carbondale campus (except the School of Medicine) shall be known as Southern Illinois University at Carbondale and shall be under the governance and control of the Board of Trustees of Southern Illinois University at Carbondale. Provides that that part of Southern Illinois University associated with the Edwardsville campus (along with the School of Medicine) shall be known as Southern Illinois University at Edwardsville and shall be under the governance and control of the Board of Trustees of Southern Illinois University at Edwardsville. Makes corresponding changes in various Acts. Effective July 1, 2006.

LRB094 05384 RAS 35429 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT regarding education.

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

4 Section 5. The Transportation Cooperation Act of 1971 is
5 amended by changing Section 2 as follows:

6 (5 ILCS 225/2) (from Ch. 111 2/3, par. 602)

7 Sec. 2. For the purposes of this Act:

8 (a) "Railroad passenger service" means any railroad
9 passenger service within the State of Illinois, including the
10 equipment and facilities used in connection therewith, with the
11 exception of the basic system operated by the National Railroad
12 Passenger Corporation pursuant to Title II and Section 403(a)
13 of the Federal Rail Passenger Service Act of 1970.

14 (b) "Federal Railroad Corporation" means the National
15 Railroad Passenger Corporation established pursuant to an Act
16 of Congress known as the "Rail Passenger Service Act of 1970."

17 (c) "Transportation system" means any and all modes of
18 public transportation within the State, including, but not
19 limited to, transportation of persons or property by rapid
20 transit, rail, bus, and aircraft, and all equipment, facilities
21 and property, real and personal, used in connection therewith.

22 (d) "Carrier" means any corporation, authority,
23 partnership, association, person or district authorized to
24 maintain a transportation system within the State with the
25 exception of the Federal Railroad Corporation.

26 (e) "Units of local government" means cities, villages,
27 incorporated towns, counties, municipalities, townships, and
28 special districts, including any district created pursuant to
29 the "Local Mass Transit District Act", approved July 21, 1959,
30 as amended; any Authority created pursuant to the "Metropolitan
31 Transit Authority Act", approved April 12, 1945, as amended;
32 and, any authority, commission or other entity which by virtue

1 of an interstate compact approved by Congress is authorized to
2 provide mass transportation.

3 (f) "Universities" means all public institutions of higher
4 education as defined in an "Act creating a Board of Higher
5 Education, defining its powers and duties, making an
6 appropriation therefor, and repealing an Act herein named",
7 approved August 22, 1961, as amended, and all private
8 institutions of higher education as defined in the Illinois
9 Finance Authority Act.

10 (g) "Department" means the Illinois Department of
11 Transportation, or such other department designated by law to
12 perform the duties and functions of the Illinois Department of
13 Transportation prior to January 1, 1972.

14 (h) "Association" means any Transportation Service
15 Association created pursuant to Section 4 of this Act.

16 (i) "Contracting Parties" means any units of local
17 government or universities which have associated and joined
18 together pursuant to Section 3 of this Act.

19 (j) "Governing authorities" means (1) the city council or
20 similar legislative body of a city; (2) the board of trustees
21 or similar body of a village or incorporated town; (3) the
22 council of a municipality under the commission form of
23 municipal government; (4) the board of trustees in a township;
24 (5) the Board of Trustees of the University of Illinois, the
25 Board of Trustees of Southern Illinois University at
26 Carbondale, the Board of Trustees of Southern Illinois
27 University at Edwardsville, the Board of Trustees of Chicago
28 State University, the Board of Trustees of Eastern Illinois
29 University, the Board of Trustees of Governors State
30 University, the Board of Trustees of Illinois State University,
31 the Board of Trustees of Northeastern Illinois University, the
32 Board of Trustees of Northern Illinois University, the Board of
33 Trustees of Western Illinois University, and the Illinois
34 Community College Board; (6) the county board of a county; and
35 (7) the trustees, commissioners, board members, or directors of
36 a university, special district, authority or similar agency.

1 (Source: P.A. 93-205, eff. 1-1-04.)

2 Section 10. The Official Bond Act is amended by changing
3 Section 14.3 as follows:

4 (5 ILCS 260/14.3) (from Ch. 103, par. 14.3)

5 Sec. 14.3. All departments, boards, bureaus, commissions,
6 authorities, or other units of State government, except the
7 Board of Trustees of Chicago State University, the Board of
8 Trustees of Eastern Illinois University, the Board of Trustees
9 of Governors State University, the Board of Trustees of
10 Illinois State University, the Board of Trustees of
11 Northeastern Illinois University, the Board of Trustees of
12 Northern Illinois University, the Board of Trustees of Western
13 Illinois University, the Board of Trustees of the University of
14 Illinois, ~~and~~ the Board of Trustees of Southern Illinois
15 University at Carbondale, and the Board of Trustees of Southern
16 Illinois University at Edwardsville, that bond officers or
17 employees who are not required by law to obtain bonds to
18 qualify for office or employment, shall effect such bonding
19 through the Department of Central Management Services by
20 inclusion in the blanket bond or bonds or self-insurance
21 program provided for in Sections 14.1 and 14.2 of this Act.

22 (Source: P.A. 89-4, eff. 1-1-96.)

23 Section 15. The Voluntary Payroll Deductions Act of 1983 is
24 amended by changing Sections 4 and 5 as follows:

25 (5 ILCS 340/4) (from Ch. 15, par. 504)

26 Sec. 4. Employee withholding. An employee may authorize
27 the withholding of a portion of his or her salary or wages for
28 contribution to a maximum number of 4 organizations described
29 in paragraphs (b) and (c) of Section 3 of this Act. A
30 department, board, body, agency or commission may direct the
31 State Comptroller to deduct, and the University of Illinois,
32 Southern Illinois University at Carbondale, Southern Illinois

1 University at Edwardsville, Chicago State University, Eastern
2 Illinois University, Governors State University, Illinois
3 State University, Northeastern Illinois University, Northern
4 Illinois University, and Western Illinois University may
5 deduct, upon written request of a State employee, for each
6 regular payroll period, from the salary or wages of the
7 employee the amount specified in the written request for
8 payment to the organization designated by the employee. The
9 moneys so deducted shall be paid over promptly to the
10 organizations designated by the employee by means of warrants
11 drawn by the State Comptroller, the University of Illinois,
12 Southern Illinois University at Carbondale, Southern Illinois
13 University at Edwardsville, Chicago State University, Eastern
14 Illinois University, Governors State University, Illinois
15 State University, Northeastern Illinois University, Northern
16 Illinois University, and Western Illinois University, against
17 the appropriation for personal services of the department,
18 board, body, agency or commission by which such employee is
19 employed.

20 Such deductions may be made notwithstanding that the
21 compensation paid in cash to such employee is thereby reduced
22 below the minimum prescribed by law. Payment to such employee
23 of compensation less such deduction shall constitute a full and
24 complete discharge and acquittance of all claims and demands
25 whatsoever for the services rendered by such employee during
26 the period covered by such payment.

27 Such request for deduction may be withdrawn at any time by
28 filing a written notification of withdrawal with the
29 department, board, body, agency or commission, the University
30 of Illinois, Southern Illinois University at Carbondale,
31 Southern Illinois University at Edwardsville, Chicago State
32 University, Eastern Illinois University, Governors State
33 University, Illinois State University, Northeastern Illinois
34 University, Northern Illinois University, or Western Illinois
35 University, by which such employee is employed.

36 (Source: P.A. 91-896, eff. 7-6-00.)

1 (5 ILCS 340/5) (from Ch. 15, par. 505)

2 Sec. 5. Rules; Advisory Committee. The State Comptroller
3 shall promulgate and issue reasonable rules and regulations as
4 deemed necessary for the administration of this Act.

5 However, all solicitations of State employees for
6 contributions at their workplace and all solicitations of State
7 annuitants for contributions shall be in accordance with rules
8 promulgated by the Governor or his or her designee or other
9 agency as may be designated by the Governor. All solicitations
10 of State annuitants for contributions shall also be in
11 accordance with the rules promulgated by the applicable
12 retirement system.

13 The rules promulgated by the Governor or his or her
14 designee or other agency as designated by the Governor shall
15 include a Code of Campaign Conduct that all qualified
16 organizations and United Funds shall subscribe to in writing,
17 sanctions for violations of the Code of Campaign Conduct,
18 provision for the handling of cash contributions, provision for
19 an Advisory Committee, provisions for the allocation of
20 expenses among the participating organizations, an
21 organizational plan and structure whereby responsibilities are
22 set forth for the appropriate State employees or State
23 annuitants and the participating organizations, and any other
24 matters that are necessary to accomplish the purposes of this
25 Act.

26 The Governor or the Governor's designee shall promulgate
27 rules to establish the composition and the duties of the
28 Advisory Committee. The Governor or the Governor's designee
29 shall make appointments to the Advisory Committee. The powers
30 of the Advisory Committee shall include, at a minimum, the
31 ability to impose the sanctions authorized by rule. Each State
32 agency and each retirement system shall file an annual report
33 that sets forth, for the prior calendar year, (i) the total
34 amount of money contributed to each qualified organization and
35 united fund through both payroll deductions and cash

1 contributions, (ii) the number of employees or State annuitants
2 who have contributed to each qualified organization and united
3 fund, and (iii) any other information required by the rules.
4 The report shall not include the names of any contributing or
5 non-contributing employees or State annuitants. The report
6 shall be filed with the Advisory Committee no later than March
7 15. The report shall be available for inspection.

8 Other constitutional officers, retirement systems, the
9 University of Illinois, Southern Illinois University at
10 Carbondale, Southern Illinois University at Edwardsville,
11 Chicago State University, Eastern Illinois University,
12 Governors State University, Illinois State University,
13 Northeastern Illinois University, Northern Illinois
14 University, and Western Illinois University shall be governed
15 by the rules promulgated pursuant to this Section, unless such
16 entities adopt their own rules governing solicitation of
17 contributions at the workplace.

18 All rules promulgated pursuant to this Section shall not
19 discriminate against one or more qualified organizations or
20 United Funds.

21 (Source: P.A. 90-799, eff. 6-1-99; 91-896, eff. 7-6-00.)

22 Section 20. The State Salary and Annuity Withholding Act is
23 amended by changing Section 2 as follows:

24 (5 ILCS 365/2) (from Ch. 127, par. 352)

25 Sec. 2. Definitions. As used in this Act, unless the
26 context otherwise requires:

27 "Office" means the State Comptroller, the Board of Trustees
28 of the State Universities Retirement System, or the Board of
29 Trustees of any of the following institutions: the University
30 of Illinois, Southern Illinois University at Carbondale,
31 Southern Illinois University at Edwardsville, Chicago State
32 University, Eastern Illinois University, Governors State
33 University, Illinois State University, Northeastern Illinois
34 University, Northern Illinois University, and Western Illinois

1 University.

2 "Department" means any department, board, commission,
3 institution, officer, court, or agency of State government,
4 other than the University of Illinois, Southern Illinois
5 University at Carbondale, Southern Illinois University at
6 Edwardsville, Chicago State University, Eastern Illinois
7 University, Governors State University, Illinois State
8 University, Northeastern Illinois University, Northern
9 Illinois University, and Western Illinois University,
10 receiving State appropriations and having the power to certify
11 payrolls to the Comptroller authorizing payments of salary or
12 wages from appropriations from any State fund or from trust
13 funds held by the State Treasurer; and the Board of Trustees of
14 the General Assembly Retirement System, the Board of Trustees
15 of the State Employees' Retirement System of Illinois, the
16 Board of Trustees of the Teachers' Retirement System of the
17 State of Illinois, and the Board of Trustees of the Judges
18 Retirement System of Illinois created respectively by Articles
19 2, 14, 16, and 18 of the Illinois Pension Code.

20 "Employee" means any regular officer or employee who
21 receives salary or wages for personal service rendered to the
22 State of Illinois and, for the purpose of deduction for the
23 purchase of United States Savings Bonds, includes any State
24 contractual employee.

25 "Annuitant" means a person receiving a retirement annuity
26 or disability benefits under Article 2, 14, 15, 16, or 18 of
27 the Illinois Pension Code.

28 "Annuity" means the retirement annuity or disability
29 benefits received by an annuitant.

30 (Source: P.A. 89-4, eff. 1-1-96; 90-14, eff. 7-1-97; 90-448,
31 eff. 8-16-97.)

32 Section 25. The State Employment Records Act is amended by
33 changing Section 10 as follows:

34 (5 ILCS 410/10)

1 Sec. 10. Definitions. As used in this Act:

2 (a) "Agency work force" means those persons employed by a
3 State agency who are part of the State work force.

4 (b) "Contractual services employee" means a person
5 employed by the State, or a State supported institution of
6 higher education, under a written contract and paid by a State
7 system CO-2 voucher (or its administrative equivalent) whose
8 daily duties and responsibilities are directly or indirectly
9 supervised or managed by a person paid by a payroll warrant (or
10 its administrative equivalent) funded by State funds or pass
11 through funds.

12 (c) "Agency" or "State agency" means those entities
13 included in the definition of "State agencies" in the Illinois
14 State Auditing Act.

15 (d) "Minority" means a person who is:

16 (1) African American (a person having origins in any of
17 the black racial groups in Africa);

18 (2) Hispanic (a person of Spanish or Portuguese culture
19 with origins in Mexico, South or Central America, or the
20 Caribbean Islands, regardless of race);

21 (3) Asian American (a person having origins in any of
22 the original peoples of the Far East, Southeast Asia, the
23 Indian Subcontinent or the Pacific Islands); or

24 (4) Native American (a person having origins in any of
25 the original peoples of North America).

26 (e) "Professional employee" means a person employed to
27 perform employment duties requiring academic training,
28 evidenced by a graduate or advanced degree from an accredited
29 institution of higher education, and who, in the performance of
30 those employment duties, may only engage in active practice of
31 the academic training received when licensed or certified by
32 the State of Illinois.

33 (f) "State employee" means any person employed within the
34 State work force.

35 (g) "State work force" means all persons employed by the
36 State of Illinois as evidenced by:

1 (1) the total number of all payroll warrants (or their
2 administrative equivalent) issued by the Comptroller to
3 pay:

4 (i) persons subject to the Personnel Code; and

5 (ii) for the sole purpose of providing accurate
6 statistical information, all persons exempt from the
7 Personnel Code; and

8 (2) the total number of payroll warrants (or their
9 administrative equivalent) funded by State appropriation
10 which are issued by educational institutions governed by
11 the Board of Trustees of the University of Illinois, the
12 Board of Trustees of Southern Illinois University at
13 Carbondale, the Board of Trustees of Southern Illinois
14 University at Edwardsville, the Board of Trustees of
15 Chicago State University, the Board of Trustees of Eastern
16 Illinois University, the Board of Trustees of Governors
17 State University, the Board of Trustees of Illinois State
18 University, the Board of Trustees of Northeastern Illinois
19 University, the Board of Trustees of Northern Illinois
20 University, and the Board of Trustees of Western Illinois
21 University ~~the Board of Governors of State Colleges and~~
22 ~~Universities, and the Board of Regents; and~~

23 (3) the total number of contractual payroll system CO-2
24 vouchers (or their administrative equivalent) funded by
25 State revenues and issued by:

26 (i) the State Comptroller; and

27 (ii) the issuing agents of the educational
28 institutions listed in subdivision (2) of this
29 subsection (g).

30 "State work force" does not, however, include persons holding
31 elective State office.

32 (Source: P.A. 87-1211.)

33 Section 30. The Illinois Governmental Ethics Act is amended
34 by changing Section 4A-101 as follows:

1 (5 ILCS 420/4A-101) (from Ch. 127, par. 604A-101)

2 Sec. 4A-101. Persons required to file. The following
3 persons shall file verified written statements of economic
4 interests, as provided in this Article:

5 (a) Members of the General Assembly and candidates for
6 nomination or election to the General Assembly.

7 (b) Persons holding an elected office in the Executive
8 Branch of this State, and candidates for nomination or
9 election to these offices.

10 (c) Members of a Commission or Board created by the
11 Illinois Constitution, and candidates for nomination or
12 election to such Commission or Board.

13 (d) Persons whose appointment to office is subject to
14 confirmation by the Senate.

15 (e) Holders of, and candidates for nomination or
16 election to, the office of judge or associate judge of the
17 Circuit Court and the office of judge of the Appellate or
18 Supreme Court.

19 (f) Persons who are employed by any branch, agency,
20 authority or board of the government of this State,
21 including but not limited to, the Illinois State Toll
22 Highway Authority, the Illinois Housing Development
23 Authority, the Illinois Community College Board, and
24 institutions under the jurisdiction of the Board of
25 Trustees of the University of Illinois, Board of Trustees
26 of Southern Illinois University at Carbondale, Board of
27 Trustees of Southern Illinois University at Edwardsville,
28 Board of Trustees of Chicago State University, Board of
29 Trustees of Eastern Illinois University, Board of Trustees
30 of Governor's State University, Board of Trustees of
31 Illinois State University, Board of Trustees of
32 Northeastern Illinois University, Board of Trustees of
33 Northern Illinois University, Board of Trustees of Western
34 Illinois University, or Board of Trustees of the Illinois
35 Mathematics and Science Academy, and are compensated for
36 services as employees and not as independent contractors

1 and who:

2 (1) are, or function as, the head of a department,
3 commission, board, division, bureau, authority or
4 other administrative unit within the government of
5 this State, or who exercise similar authority within
6 the government of this State;

7 (2) have direct supervisory authority over, or
8 direct responsibility for the formulation,
9 negotiation, issuance or execution of contracts
10 entered into by the State in the amount of \$5,000 or
11 more;

12 (3) have authority for the issuance or
13 promulgation of rules and regulations within areas
14 under the authority of the State;

15 (4) have authority for the approval of
16 professional licenses;

17 (5) have responsibility with respect to the
18 financial inspection of regulated nongovernmental
19 entities;

20 (6) adjudicate, arbitrate, or decide any judicial
21 or administrative proceeding, or review the
22 adjudication, arbitration or decision of any judicial
23 or administrative proceeding within the authority of
24 the State;

25 (7) have supervisory responsibility for 20 or more
26 employees of the State; or

27 (8) negotiate, assign, authorize, or grant naming
28 rights or sponsorship rights regarding any property or
29 asset of the State, whether real, personal, tangible,
30 or intangible.

31 (g) Persons who are elected to office in a unit of
32 local government, and candidates for nomination or
33 election to that office, including regional
34 superintendents of school districts.

35 (h) Persons appointed to the governing board of a unit
36 of local government, or of a special district, and persons

1 appointed to a zoning board, or zoning board of appeals, or
2 to a regional, county, or municipal plan commission, or to
3 a board of review of any county, and persons appointed to
4 the Board of the Metropolitan Pier and Exposition Authority
5 and any Trustee appointed under Section 22 of the
6 Metropolitan Pier and Exposition Authority Act, and
7 persons appointed to a board or commission of a unit of
8 local government who have authority to authorize the
9 expenditure of public funds. This subsection does not apply
10 to members of boards or commissions who function in an
11 advisory capacity.

12 (i) Persons who are employed by a unit of local
13 government and are compensated for services as employees
14 and not as independent contractors and who:

15 (1) are, or function as, the head of a department,
16 division, bureau, authority or other administrative
17 unit within the unit of local government, or who
18 exercise similar authority within the unit of local
19 government;

20 (2) have direct supervisory authority over, or
21 direct responsibility for the formulation,
22 negotiation, issuance or execution of contracts
23 entered into by the unit of local government in the
24 amount of \$1,000 or greater;

25 (3) have authority to approve licenses and permits
26 by the unit of local government; this item does not
27 include employees who function in a ministerial
28 capacity;

29 (4) adjudicate, arbitrate, or decide any judicial
30 or administrative proceeding, or review the
31 adjudication, arbitration or decision of any judicial
32 or administrative proceeding within the authority of
33 the unit of local government;

34 (5) have authority to issue or promulgate rules and
35 regulations within areas under the authority of the
36 unit of local government; or

1 (6) have supervisory responsibility for 20 or more
2 employees of the unit of local government.

3 (j) Persons on the Board of Trustees of the Illinois
4 Mathematics and Science Academy.

5 (k) Persons employed by a school district in positions
6 that require that person to hold an administrative or a
7 chief school business official endorsement.

8 (l) Special government agents. A "special government
9 agent" is a person who is directed, retained, designated,
10 appointed, or employed, with or without compensation, by or
11 on behalf of a statewide executive branch constitutional
12 officer to make an ex parte communication under Section
13 5-50 of the State Officials and Employees Ethics Act or
14 Section 5-165 of the Illinois Administrative Procedure
15 Act.

16 This Section shall not be construed to prevent any unit of
17 local government from enacting financial disclosure
18 requirements that mandate more information than required by
19 this Act.

20 (Source: P.A. 93-617, eff. 12-9-03; 93-816, eff. 7-27-04.)

21 Section 35. The State Comptroller Act is amended by
22 changing Sections 13, 13.1, and 21 as follows:

23 (15 ILCS 405/13) (from Ch. 15, par. 213)

24 Sec. 13. Payment of salaries of State employees - Schedule.
25 The comptroller shall prepare a schedule showing the dates on
26 which all employees of the State shall be paid. All employees
27 shall be paid at least semi-monthly, except that employees of
28 the University of Illinois, Chicago State University, Eastern
29 Illinois University, Governors State University, Illinois
30 State University, Northeastern Illinois University, Northern
31 Illinois University, Western Illinois University, ~~and~~ Southern
32 Illinois University at Carbondale, and Southern Illinois
33 University at Edwardsville who are not subject to the State
34 Universities Civil Service System shall be paid at least once

1 each month. No payment shall be made before the completion of
2 the period for which the compensation is being paid, except
3 that employees leaving the service of the State may be paid at
4 the termination of their period of employment.

5 Such schedule shall be prepared showing such dates of
6 payment so as to provide as far as is practical, an even flow
7 of work for issuance of warrants in payment of personal
8 services.

9 In making payments for a fractional part of a pay period,
10 that part of the regular compensation for the period shall be
11 paid represented by a fraction, the numerator being the number
12 of days worked and the denominator being the number of work
13 days in the period. However, in making payments for a
14 fractional part of a pay period for positions subject to the
15 jurisdiction of the Department of Central Management Services,
16 that part of the regular compensation shall be paid by
17 deducting an amount determined by multiplying the number of
18 work days without pay by the applicable daily rate as defined
19 within the Department of Central Management Services Pay Plan.

20 In employments of a teaching or professional nature in
21 connection with the educational, charitable, penal or
22 reformatory institutions, where the compensation of an
23 employee is based upon an annual salary, a teaching or
24 professional year may be substituted for a calendar year in
25 determining the pay schedule.

26 (Source: P.A. 89-4, eff. 1-1-96.)

27 (15 ILCS 405/13.1) (from Ch. 15, par. 213.1)

28 Sec. 13.1. Compliance with State Employment Records Act.
29 The Comptroller, for the purpose of facilitating an accurate
30 compilation of the entire State work force as defined and
31 required by the State Employment Records Act, shall report, on
32 a fiscal year basis, the total number of payroll warrants drawn
33 for the payment of salaries for State employees, including
34 contractual payroll system CO-2 vouchers (or their
35 administrative equivalent) or any other information necessary

1 to comply with that Act. The State Employment Records (SER)
2 report shall be maintained and kept on file as public
3 information within the Office of the Comptroller.

4 The total number of payroll warrants drawn by the Board of
5 Trustees of the University of Illinois, the Board of Trustees
6 of Southern Illinois University at Carbondale, the Board of
7 Trustees of Southern Illinois University at Edwardsville, the
8 Board of Trustees of Chicago State University, the Board of
9 Trustees of Eastern Illinois University, the Board of Trustees
10 of Governors State University, the Board of Trustees of
11 Illinois State University, the Board of Trustees of
12 Northeastern Illinois University, the Board of Trustees of
13 Northern Illinois University, the Board of Trustees of Western
14 Illinois University, ~~the Board of Governors of State Colleges~~
15 ~~and Universities~~, ~~the Board of Regents~~ and all educational
16 institutions governed by those boards to be paid from funds
17 retained in their own treasuries shall be filed with the Office
18 of the Secretary of State by the respective boards and
19 educational institutions in the same manner.

20 Multiple payroll warrants issued to the same person shall
21 be noted with multiple warrants counted and reported as one
22 payroll warrant count for the purposes of the State Employment
23 Records Act. The total State remuneration to persons paid by
24 multiple payroll warrants or, if applicable, contractual
25 payroll system CO-2 vouchers, or both, shall be reported
26 separately by agency.

27 (Source: P.A. 87-1211.)

28 (15 ILCS 405/21) (from Ch. 15, par. 221)

29 Sec. 21. Rules and Regulations - Imprest accounts. The
30 Comptroller shall promulgate rules and regulations to
31 implement the exercise of his powers and performance of his
32 duties under this Act and to guide and assist State agencies in
33 complying with this Act. Any rule or regulation specifically
34 requiring the approval of the State Treasurer under this Act
35 for adoption by the comptroller shall require the approval of

1 the State Treasurer for modification or repeal.

2 The Comptroller may provide in his rules and regulations
3 for periodic transfers, with the approval of the State
4 Treasurer, for use in accordance with the imprest system,
5 subject to the rules and regulations of the Comptroller as
6 respects vouchers, controls and reports, as follows:

7 (a) To the University of Illinois, Southern Illinois
8 University at Carbondale, Southern Illinois University at
9 Edwardsville, Chicago State University, Eastern Illinois
10 University, Governors State University, Illinois State
11 University, Northeastern Illinois University, Northern
12 Illinois University, Western Illinois University, and
13 State Community College of East St. Louis under the
14 jurisdiction of the Illinois Community College Board, not
15 to exceed \$200,000 for each campus.

16 (b) To the Department of Agriculture and the Department
17 of Commerce and Economic Opportunity ~~Community Affairs~~ for
18 the operation of overseas offices, not to exceed \$200,000
19 for each Department for each overseas office.

20 (c) To the Department of Agriculture for the purpose of
21 making change for activities at each State Fair, not to
22 exceed \$200,000, to be returned within 5 days of the
23 termination of such activity.

24 (d) To the Department of Agriculture to pay (i) State
25 Fair premiums and awards and State Fair entertainment
26 contracts at each State Fair, and (ii) ticket refunds for
27 cancelled events. The amount transferred from any fund
28 shall not exceed the appropriation for each specific
29 purpose. This authorization shall terminate each year
30 within 60 days of the close of each State Fair. The
31 Department shall be responsible for withholding State
32 income tax, where necessary, as required by Section 709 of
33 the Illinois Income Tax Act.

34 (e) To the State Treasurer to pay for securities'
35 safekeeping charges assessed by the Board of Governors of
36 the Federal Reserve System as a consequence of the

1 Treasurer's use of the government securities' book-entry
2 system. This account shall not exceed \$25,000.

3 (f) To the Illinois Mathematics and Science Academy,
4 not to exceed \$15,000.

5 (Source: P.A. 91-753, eff. 7-1-00; revised 12-6-03.)

6 Section 40. The Civil Administrative Code of Illinois is
7 amended by changing Section 5-525 as follows:

8 (20 ILCS 5/5-525) (was 20 ILCS 5/6.01)

9 Sec. 5-525. In the Department of Agriculture.

10 (a) (Blank).

11 (b) An Advisory Board of Livestock Commissioners to consist
12 of 25 persons. The Board shall consist of the administrator of
13 animal disease programs, the Dean of the College of Agriculture
14 of the University of Illinois, the Dean of the College of
15 Veterinary Medicine of the University of Illinois, and
16 commencing on January 1, 1990 the Deans or Chairmen of the
17 Colleges or Departments of Agriculture of Illinois State
18 University, Southern Illinois University at Carbondale, and
19 Western Illinois University in that order who shall each serve
20 for 1 year terms, provided that commencing on January 1, 1993
21 such terms shall be for 2 years in the same order, the Director
22 of Public Health, the Director of Natural Resources, the
23 chairman of the Agriculture, Conservation and Energy Committee
24 of the Senate, and the chairman of the Committee on Agriculture
25 of the House of Representatives, who shall ex-officio be
26 members of the Board, and 17 additional persons interested in
27 the prevention, elimination and control of diseases of domestic
28 animals and poultry who shall be appointed by the Governor to
29 serve at the Governor's pleasure. An appointed member's office
30 becomes vacant upon the member's absence from 3 consecutive
31 meetings. Of the 17 additional persons, one shall be a
32 representative of breeders of beef cattle, one shall be a
33 representative of breeders of dairy cattle, one shall be a
34 representative of breeders of dual purpose cattle, one shall be

1 a representative of breeders of swine, one shall be a
2 representative of poultry breeders, one shall be a
3 representative of sheep breeders, one shall be a veterinarian
4 licensed in this State, one shall be a representative of
5 general or diversified farming, one shall be a representative
6 of deer or elk breeders, one shall be a representative of
7 livestock auction markets, one shall be a representative of
8 cattle feeders, one shall be a representative of pork
9 producers, one shall be a representative of the State licensed
10 meat packers, one shall be a representative of canine breeders,
11 one shall be a representative of equine breeders, one shall be
12 a representative of the Illinois licensed renderers, and one
13 shall be a representative of livestock dealers. The members
14 shall receive no compensation but shall be reimbursed for
15 expenses necessarily incurred in the performance of their
16 duties. In the appointment of the Advisory Board of Livestock
17 Commissioners, the Governor shall consult with representative
18 persons and recognized organizations in the respective fields
19 concerning the appointments.

20 Rules and regulations of the Department of Agriculture
21 pertaining to the prevention, elimination, and control of
22 diseases of domestic animals and poultry shall be submitted to
23 the Advisory Board of Livestock Commissioners for approval at
24 its duly called meeting. The chairman of the Board shall
25 certify the official minutes of the Board's action and shall
26 file the certified minutes with the Department of Agriculture
27 within 30 days after the proposed rules and regulations are
28 submitted and before they are promulgated and made effective.
29 If the Board fails to take action within 30 days this
30 limitation shall not apply and the rules and regulations may be
31 promulgated and made effective. In the event it is deemed
32 desirable, the Board may hold hearings upon the rules and
33 regulations or proposed revisions. The Board members shall be
34 familiar with the Acts relating to the prevention, elimination,
35 and control of diseases among domestic animals and poultry. The
36 Department shall, upon the request of a Board member, advise

1 the Board concerning the administration of the respective Acts.

2 The Director of Agriculture or his representative from the
3 Department shall act as chairman of the Board. The Director
4 shall call meetings of the Board from time to time or when
5 requested by 3 or more appointed members of the Board. A quorum
6 of appointed members must be present to convene an official
7 meeting. The chairman and ex-officio members shall not be
8 included in a quorum call. Ex-officio members may be
9 represented by a duly authorized representative from their
10 department, division, college, or committee. Appointed members
11 shall not be represented at a meeting by another person.
12 Ex-officio members and appointed members shall have the right
13 to vote on all proposed rules and regulations; voting that in
14 effect would pertain to approving rules and regulations shall
15 be taken by an oral roll call. No member shall vote by proxy.
16 The chairman shall not vote except in the case of a tie vote.
17 Any ex-officio or appointed member may ask for and shall
18 receive an oral roll call on any motion before the Board. The
19 Department shall provide a clerk to take minutes of the
20 meetings and record transactions of the Board. The Board, by
21 oral roll call, may require an official court reporter to
22 record the minutes of the meetings.

23 (Source: P.A. 91-239, eff. 1-1-00; 91-457, eff. 1-1-00; 91-798,
24 eff. 7-9-00.)

25 Section 45. The Personnel Code is amended by changing
26 Section 4c as follows:

27 (20 ILCS 415/4c) (from Ch. 127, par. 63b104c)

28 Sec. 4c. General exemptions. The following positions in
29 State service shall be exempt from jurisdictions A, B, and C,
30 unless the jurisdictions shall be extended as provided in this
31 Act:

32 (1) All officers elected by the people.

33 (2) All positions under the Lieutenant Governor,
34 Secretary of State, State Treasurer, State Comptroller,

1 State Board of Education, Clerk of the Supreme Court, and
2 Attorney General.

3 (3) Judges, and officers and employees of the courts,
4 and notaries public.

5 (4) All officers and employees of the Illinois General
6 Assembly, all employees of legislative commissions, all
7 officers and employees of the Illinois Legislative
8 Reference Bureau, the Legislative Research Unit, and the
9 Legislative Printing Unit.

10 (5) All positions in the Illinois National Guard and
11 Illinois State Guard, paid from federal funds or positions
12 in the State Military Service filled by enlistment and paid
13 from State funds.

14 (6) All employees of the Governor at the executive
15 mansion and on his immediate personal staff.

16 (7) Directors of Departments, the Adjutant General,
17 the Assistant Adjutant General, the Director of the
18 Illinois Emergency Management Agency, members of boards
19 and commissions, and all other positions appointed by the
20 Governor by and with the consent of the Senate.

21 (8) The presidents, other principal administrative
22 officers, and teaching, research and extension faculties
23 of Chicago State University, Eastern Illinois University,
24 Governors State University, Illinois State University,
25 Northeastern Illinois University, Northern Illinois
26 University, Western Illinois University, the Illinois
27 Community College Board, Southern Illinois University at
28 Carbondale, Southern Illinois University at Edwardsville,
29 Illinois Board of Higher Education, University of
30 Illinois, State Universities Civil Service System,
31 University Retirement System of Illinois, and the
32 administrative officers and scientific and technical staff
33 of the Illinois State Museum.

34 (9) All other employees except the presidents, other
35 principal administrative officers, and teaching, research
36 and extension faculties of ~~the universities under the~~

1 ~~jurisdiction of the Board of Regents and~~ the colleges and
2 universities under the jurisdiction of the ~~Board of~~
3 ~~Governors of State Colleges and Universities,~~ Illinois
4 Community College Board, Southern Illinois University at
5 Carbondale, Southern Illinois University at Edwardsville,
6 Illinois Board of Higher Education, Chicago State
7 University, Eastern Illinois University, Governors State
8 University, Illinois State University, Northeastern
9 Illinois University, Northern Illinois University, Western
10 Illinois University ~~Board of Governors of State Colleges~~
11 ~~and Universities,~~ the Board of Regents, the University of
12 Illinois, State Universities Civil Service System,
13 University Retirement System of Illinois, so long as these
14 are subject to the provisions of the State Universities
15 Civil Service Act.

16 (10) The State Police so long as they are subject to
17 the merit provisions of the State Police Act.

18 (11) The scientific staff of the State Scientific
19 Surveys and the Waste Management and Research Center.

20 (12) The technical and engineering staffs of the
21 Department of Transportation, the Department of Nuclear
22 Safety, the Pollution Control Board, and the Illinois
23 Commerce Commission, and the technical and engineering
24 staff providing architectural and engineering services in
25 the Department of Central Management Services.

26 (13) All employees of the Illinois State Toll Highway
27 Authority.

28 (14) The Secretary of the Illinois Workers'
29 Compensation Commission.

30 (15) All persons who are appointed or employed by the
31 Director of Insurance under authority of Section 202 of the
32 Illinois Insurance Code to assist the Director of Insurance
33 in discharging his responsibilities relating to the
34 rehabilitation, liquidation, conservation, and dissolution
35 of companies that are subject to the jurisdiction of the
36 Illinois Insurance Code.

1 (16) All employees of the St. Louis Metropolitan Area
2 Airport Authority.

3 (17) All investment officers employed by the Illinois
4 State Board of Investment.

5 (18) Employees of the Illinois Young Adult
6 Conservation Corps program, administered by the Illinois
7 Department of Natural Resources, authorized grantee under
8 Title VIII of the Comprehensive Employment and Training Act
9 of 1973, 29 USC 993.

10 (19) Seasonal employees of the Department of
11 Agriculture for the operation of the Illinois State Fair
12 and the DuQuoin State Fair, no one person receiving more
13 than 29 days of such employment in any calendar year.

14 (20) All "temporary" employees hired under the
15 Department of Natural Resources' Illinois Conservation
16 Service, a youth employment program that hires young people
17 to work in State parks for a period of one year or less.

18 (21) All hearing officers of the Human Rights
19 Commission.

20 (22) All employees of the Illinois Mathematics and
21 Science Academy.

22 (23) All employees of the Kankakee River Valley Area
23 Airport Authority.

24 (24) The commissioners and employees of the Executive
25 Ethics Commission.

26 (25) The Executive Inspectors General, including
27 special Executive Inspectors General, and employees of
28 each Office of an Executive Inspector General.

29 (26) The commissioners and employees of the
30 Legislative Ethics Commission.

31 (27) The Legislative Inspector General, including
32 special Legislative Inspectors General, and employees of
33 the Office of the Legislative Inspector General.

34 (28) The Auditor General's Inspector General and
35 employees of the Office of the Auditor General's Inspector
36 General.

1 (Source: P.A. 93-617, eff. 12-9-03; 93-721, eff. 1-1-05;
2 revised 10-14-04.)

3 Section 50. The Forms Notice Act is amended by changing
4 Section 4 as follows:

5 (20 ILCS 435/4) (from Ch. 127, par. 1404)

6 Sec. 4. Definition; State agency.

7 As used in this Act the term "state agency" means and
8 includes all boards, commissions, agencies, institutions,
9 authorities, bodies politic and corporate of the State created
10 by or pursuant to the constitution or statute, of the executive
11 branch of State government; However, such term does not include
12 colleges, universities and institutions under the jurisdiction
13 of the Board of Trustees of the University of Illinois, the
14 Board of Trustees of Southern Illinois University at
15 Carbondale, the Board of Trustees of Southern Illinois
16 University at Edwardsville, the Board of Trustees of Chicago
17 State University, the Board of Trustees of Eastern Illinois
18 University, the Board of Trustees of Governors State
19 University, the Board of Trustees of Illinois State University,
20 the Board of Trustees of Northeastern Illinois University, the
21 Board of Trustees of Northern Illinois University, the Board of
22 Trustees of Western Illinois University, the Board of Higher
23 Education, or the Illinois Community College Board.

24 (Source: P.A. 89-4, eff. 1-1-96; 90-156, eff. 7-23-97; 90-372,
25 eff. 7-1-98.)

26 Section 55. The Department of Commerce and Community
27 Affairs Law of the Civil Administrative Code of Illinois is
28 amended by changing Section 605-355 as follows:

29 (20 ILCS 605/605-355) (was 20 ILCS 605/46.19a in part)

30 Sec. 605-355. Grants for research and development in high
31 technology and service sectors.

32 (a) The Department is authorized to establish a program of

1 grants to universities, community colleges, research
2 institutions, research consortiums, other not-for-profit
3 entities, and Illinois businesses for the purpose of fostering
4 research and development in the high technology and the service
5 sector leading to the development of new products and services
6 that can be marketed by Illinois businesses. All grant awards
7 shall include a contract that may provide for payment of
8 negotiated royalties to the Department if the product or
9 service to be developed by the grantee is subsequently licensed
10 for production.

11 (b) Grants may be awarded to universities and research
12 institutions to assist them in making their faculties and
13 facilities available to Illinois businesses. The grants may be
14 used by a university or research institution for purposes
15 including but not limited to the following: (i) to establish or
16 enhance computerized cataloging of all research labs and
17 university staff and make those catalogues available to
18 Illinois businesses; (ii) to market products developed by the
19 university to Illinois businesses; (iii) to review
20 publications in order to identify, catalog, and inform Illinois
21 businesses of new practices in areas such as robotics and
22 biotechnology; (iv) to build an on-line, information and
23 technology system that relies on other computerized networks in
24 the United States; and (v) to assist in securing temporary
25 replacement for faculty who are granted a leave of absence from
26 their teaching duties for the purpose of working full-time for
27 an Illinois business to assist that business with technology
28 transfer.

29 (c) Grants may be awarded to universities and research
30 institutions, research consortiums, and other not-for-profit
31 entities for the purpose of identifying and supporting Illinois
32 businesses engaged in high technology and service sector
33 enterprises. The Illinois businesses identified and funded
34 shall include recipients of Small Business Innovation Research
35 Program funds under subsections (e) through (k) of Section 9 of
36 the Small Business Act (15 U.S.C. 638, subsections (e) through

1 (k)). Entities receiving grants under this subsection (c) shall
2 be known as commercialization centers and shall engage in one
3 or more of the following activities:

4 (1) Directing research assistance for new venture
5 creations.

6 (2) General feasibility studies of new venture ideas.

7 (3) Furthering the technical and intellectual skills
8 of the managers and owners of Illinois small businesses.

9 (4) Commercialization of technology and research.

10 (5) Development of prototypes and testing new
11 products.

12 (6) Identifying and assisting in securing financing.

13 (7) Marketing assistance.

14 (8) Assisting Illinois inventors in finding Illinois
15 manufacturers to produce and market their inventions.

16 A commercialization center may charge a nominal fee or
17 accept royalty agreements for conducting feasibility studies
18 and other services.

19 (d) Grants may be awarded by the Department to Illinois
20 businesses to fund research and consultation arrangements
21 between businesses and universities, community colleges,
22 research institutions, research consortiums, and other
23 not-for-profit entities within this State.

24 The Department shall give priority to Illinois small
25 businesses in awarding grants. Each grant awarded under this
26 subsection (d) shall provide funding for up to 50% of the cost
27 of the research or consultation arrangements, not to exceed
28 \$100,000; provided that the grant recipient utilizes Illinois
29 not for profit research and academic institutions to perform
30 the research and development function for which grant funds
31 were requested.

32 (e) Grants may be awarded to research consortiums and other
33 qualified applicants, in conjunction with private sector or
34 federal funding, for other creative systems that bridge
35 university resources and business, technological, production,
36 and development concerns.

1 (f) For the purposes of this Section:

2 "High technology" means any area of research or development
3 designed to foster greater knowledge or understanding in fields
4 such as computer science, electronics, physics, chemistry, or
5 biology for the purpose of producing designing, developing, or
6 improving prototypes and new processes.

7 "Illinois business" means a "small business concern" as
8 defined in 15 U.S.C. 632 that conducts its business primarily
9 in Illinois.

10 "Illinois research institutions" refers to not-for-profit
11 entities, which include federally funded research
12 laboratories, that conduct research and development activities
13 for the purpose of producing, designing, developing, or
14 improving prototypes and new processes.

15 "Other not-for-profit entities" means nonprofit
16 organizations based in Illinois that are primarily devoted to
17 new enterprise or product development.

18 "Private sector" has the meaning ascribed to it in 29
19 U.S.C. 1503.

20 "University" means either a degree granting institution
21 located in Illinois as defined in Section 2 of the Academic
22 Degree Act, or a State-supported institution of higher learning
23 administered by the Board of Trustees of the University of
24 Illinois, the Board of Trustees of Southern Illinois University
25 at Carbondale, the Board of Trustees of Southern Illinois
26 University at Edwardsville, the Board of Trustees of Chicago
27 State University, the Board of Trustees of Eastern Illinois
28 University, the Board of Trustees of Governors State
29 University, the Board of Trustees of Illinois State University,
30 the Board of Trustees of Northeastern Illinois University, the
31 Board of Trustees of Northern Illinois University, the Board of
32 Trustees of Western Illinois University, or the Illinois
33 Community College Board.

34 "Venture" means any Illinois business engaged in research
35 and development to create new products or services with high
36 growth potential.

1 (g) The Department may establish a program of grant
2 assistance on a matching basis to universities, community
3 colleges, small business development centers, community action
4 agencies and other not-for-profit economic development
5 agencies to encourage new enterprise development and new
6 business formation and to encourage enterprises in this State.
7 The Department may provide grants, which shall be exempt from
8 the provisions of Section 35-360, to universities, community
9 colleges, small business development centers, community action
10 agencies, and other not-for-profit economic development
11 entities for the purpose of making loans to small businesses.
12 All grant applications shall contain information as required by
13 the Department, including the following: a program operation
14 plan; a certification and assurance that the small business
15 applicants have received business development training or
16 education, have a business and finance plan, and have
17 experience in the proposed business area; and a description of
18 the support services that the grant recipient will provide to
19 the small business. No more than 10% of the grant may be used
20 by the grant recipient for administrative costs associated with
21 the grant. Grant recipients may use grant funds under this
22 program to make loans on terms and conditions favorable to the
23 small business and shall give priority to those businesses
24 located in high poverty areas, enterprise zones, or both.

25 (Source: P.A. 90-454, eff. 8-16-97; 91-239, eff. 1-1-00.)

26 Section 60. The Department of Natural Resources Act is
27 amended by changing Section 15-10 as follows:

28 (20 ILCS 801/15-10)

29 Sec. 15-10. Board of Natural Resources and Conservation.

30 (a) Within the Department there shall be a Board of Natural
31 Resources and Conservation, composed of 8 persons. The Board
32 shall be composed of the Director of Natural Resources (or the
33 Director's designee), who shall be chairman; the president of
34 the University of Illinois, or his or her representative; the

1 president of Southern Illinois University at Carbondale, or his
2 or her representative; and one appointed expert each in animal
3 biology, geology, engineering, chemistry, and plant biology,
4 qualified by at least 10 years of experience in practicing or
5 teaching their several professions. Appointed members of the
6 Board shall be appointed by the Governor, with the advice and
7 consent of the Senate.

8 The transfer of the Board to the Department under this Act
9 does not terminate or otherwise affect the term of membership
10 of any member of the Board, except for the change in chairman.

11 (b) The Board, acting through 5 or more subcommittees, each
12 of which shall be composed of the Director of Natural
13 Resources, the president of the University of Illinois or his
14 or her representative, the president of Southern Illinois
15 University at Carbondale or his or her representative, and the
16 expert advisor specially qualified in the field of
17 investigation, shall:

18 (1) consider and decide matters pertaining to natural
19 history, geology, water and atmospheric resources,
20 forestry, and allied research, investigation, and
21 scientific work;

22 (2) select and appoint, without reference to the State
23 civil service law, members of the scientific staff,
24 prosecuting such research, investigation, and scientific
25 work;

26 (3) cooperate with the University of Illinois in the
27 use of scientific staff and equipment; and

28 (4) cooperate with the various departments of State
29 government in research, investigation, and scientific work
30 useful in the prosecution of the work of any department.

31 (Source: P.A. 89-445, eff. 2-7-96; 90-14, eff. 7-1-97.)

32 Section 65. The Capital Development Board Act is amended by
33 changing Section 12 as follows:

34 (20 ILCS 3105/12) (from Ch. 127, par. 782)

1 Sec. 12. Nothing in this Act shall be construed to include
2 the power to abrogate those powers vested in the boards of the
3 local public community college districts and the Illinois
4 Community College Board by the Public Community College Act,
5 the Board of Trustees of the University of Illinois, the Board
6 of Trustees of Southern Illinois University at Carbondale, the
7 Board of Trustees of Southern Illinois University at
8 Edwardsville, the Board of Trustees of Chicago State
9 University, the Board of Trustees of Eastern Illinois
10 University, the Board of Trustees of Governors State
11 University, the Board of Trustees of Illinois State University,
12 the Board of Trustees of Northeastern Illinois University, the
13 Board of Trustees of Northern Illinois University, and the
14 Board of Trustees of Western Illinois University, hereinafter
15 referred to as Governing Boards. In the exercise of the powers
16 conferred by law upon the Board and in the exercise of the
17 powers vested in such Governing Boards, it is hereby provided
18 that (i) the Board and any such Governing Board may contract
19 with each other and other parties as to the design and
20 construction of any project to be constructed for or upon the
21 property of such Governing Board or any institution under its
22 jurisdiction; (ii) in connection with any such project,
23 compliance with the provisions of the Illinois Purchasing Act
24 by either the Board or such Governing Board shall be deemed to
25 be compliance by the other; (iii) funds appropriated to any
26 such Governing Board may be expended for any project
27 constructed by the Board for such Governing Board; (iv) in
28 connection with any such project the architects and engineers
29 retained for the project and the plans and specifications for
30 the project must be approved by both the Governing Board and
31 the Board before undertaking either design or construction of
32 the project, as the case may be.

33 (Source: P.A. 89-4, eff. 1-1-96.)

34 Section 70. The Building Authority Act is amended by
35 changing Sections 3, 4, 5, and 9 as follows:

1 (20 ILCS 3110/3) (from Ch. 127, par. 213.3)

2 Sec. 3. Duties. The Authority shall make thorough and
3 continuous studies and investigations of the following
4 building needs of the State of Illinois as they may from time
5 to time develop:

6 (a) Office structures, recreational facilities, fixed
7 equipment of any kind, electric, gas, steam, water and sewer
8 utilities, motor parking facilities, hospitals, penitentiaries
9 and facilities of every kind and character, other than movable
10 equipment, considered by the Authority necessary or convenient
11 for the efficient operation of any unit which is used by any
12 officer, department, board, commission or other agency of the
13 State.

14 (b) Buildings and other facilities intended for use as
15 classrooms, laboratories, libraries, student residence halls,
16 instructional and administrative facilities for students,
17 faculty, officers, and employees, and motor vehicle parking
18 facilities and fixed equipment for any institution or unit
19 under the control of the Board of Trustees of the University of
20 Illinois, the Board of Trustees of Southern Illinois University
21 at Carbondale, the Board of Trustees of Southern Illinois
22 University at Edwardsville, the Board of Trustees of Chicago
23 State University, the Board of Trustees of Eastern Illinois
24 University, the Board of Trustees of Governors State
25 University, the Board of Trustees of Illinois State University,
26 the Board of Trustees of Northeastern Illinois University, the
27 Board of Trustees of Northern Illinois University, the Board of
28 Trustees of Western Illinois University, the School Building
29 Commission or any public community college district board.

30 (c) School sites, buildings and fixed equipment to meet the
31 needs of school districts unable to provide such facilities
32 because of lack of funds and constitutional bond limitations,
33 whenever any General Assembly has declared the acquisition of
34 sites, construction of buildings and installation of fixed
35 equipment for such school districts to be in the public

1 interest, and allocations of said declarations shall be made as
2 provided in Section 5 of this Act.

3 Whenever the General Assembly declares by law that it is in
4 the public interest for the Authority to acquire any real
5 estate, construct, complete and remodel buildings, and install
6 fixed equipment in buildings and other facilities for public
7 community college districts, or for school districts that
8 qualify under Article 35 of The School Code, as amended or as
9 may hereafter be amended, the amount of any declaration to be
10 allocated to any public community college district shall be
11 determined by the Illinois Community College Board, and the
12 amount of any declaration to be allocated to any School
13 District qualifying under Article 35 of The School Code shall
14 be determined by the School Building Commission, unless
15 otherwise provided by law.

16 (Source: P.A. 89-4, eff. 1-1-96.)

17 (20 ILCS 3110/4) (from Ch. 127, par. 213.4)

18 Sec. 4. Any department, board, commission, agency or
19 officer of this State or the Board of Trustees of the
20 University of Illinois, the Board of Trustees of Southern
21 Illinois University at Carbondale, the Board of Trustees of
22 Southern Illinois University at Edwardsville, the Board of
23 Trustees of Chicago State University, the Board of Trustees of
24 Eastern Illinois University, the Board of Trustees of Governors
25 State University, the Board of Trustees of Illinois State
26 University, the Board of Trustees of Northeastern Illinois
27 University, the Board of Trustees of Northern Illinois
28 University, the Board of Trustees of Western Illinois
29 University, the School Building Commission, or any public
30 community college district board, may transfer jurisdiction of
31 or title to any property under its or his control to the
32 Authority when such transfer is approved in writing by the
33 Governor as being advantageous to the State.

34 (Source: P.A. 89-4, eff. 1-1-96.)

1 (20 ILCS 3110/5) (from Ch. 127, par. 213.5)

2 Sec. 5. Powers. To accomplish projects of the kind listed
3 in Section 3 above, the Authority shall possess the following
4 powers:

5 (a) Acquire by purchase or otherwise (including the power
6 of condemnation in the manner provided for the exercise of the
7 right of eminent domain under Article VII of the Code of Civil
8 Procedure, as amended), construct, complete, remodel and
9 install fixed equipment in any and all buildings and other
10 facilities as the General Assembly by law declares to be in the
11 public interest.

12 Whenever the General Assembly has by law declared it to be
13 in the public interest for the Authority to acquire any real
14 estate, construct, complete, remodel and install fixed
15 equipment in buildings and other facilities for public
16 community college districts, the Director of the Department of
17 Central Management Services shall, when requested by any such
18 public community college district board, enter into a lease by
19 and on behalf of and for the use of such public community
20 college district board to the extent appropriations have been
21 made by the General Assembly to pay the rents under the terms
22 of such lease.

23 In the course of such activities, acquire property of any
24 and every kind and description, whether real, personal or
25 mixed, by gift, purchase or otherwise. It may also acquire real
26 estate of the State of Illinois controlled by any officer,
27 department, board, commission, or other agency of the State, or
28 the Board of Trustees of the University of Illinois, the Board
29 of Trustees of Southern Illinois University at Carbondale, the
30 Board of Trustees of Southern Illinois University at
31 Edwardsville, the Board of Trustees of Chicago State
32 University, the Board of Trustees of Eastern Illinois
33 University, the Board of Trustees of Governors State
34 University, the Board of Trustees of Illinois State University,
35 the Board of Trustees of Northeastern Illinois University, the
36 Board of Trustees of Northern Illinois University, the Board of

1 Trustees of Western Illinois University, the School Building
2 Commission or any public community college district board, the
3 jurisdiction of which is transferred by such officer,
4 department, board, commission, or other agency, or the Board of
5 Trustees of Southern Illinois University at Carbondale, the
6 Board of Trustees of Southern Illinois University at
7 Edwardsville, the Board of Trustees of Chicago State
8 University, the Board of Trustees of Eastern Illinois
9 University, the Board of Trustees of Governors State
10 University, the Board of Trustees of Illinois State University,
11 the Board of Trustees of Northeastern Illinois University, the
12 Board of Trustees of Northern Illinois University, the Board of
13 Trustees of Western Illinois University, or the School Building
14 Commission or any public community college district board, to
15 the Authority. The Board of Trustees of the University of
16 Illinois, the Board of Trustees of Southern Illinois University
17 at Carbondale, the Board of Trustees of Southern Illinois
18 University at Edwardsville, the Board of Trustees of Chicago
19 State University, the Board of Trustees of Eastern Illinois
20 University, the Board of Trustees of Governors State
21 University, the Board of Trustees of Illinois State University,
22 the Board of Trustees of Northeastern Illinois University, the
23 Board of Trustees of Northern Illinois University, the Board of
24 Trustees of Western Illinois University, or the School Building
25 Commission and any public community college district board,
26 respectively, shall prepare plans and specifications for and
27 have supervision over any project to be undertaken by the
28 Authority for their use. Before any other particular
29 construction is undertaken, plans and specifications shall be
30 approved by the lessee provided for under (b) below, except as
31 indicated above.

32 (b) Execute leases of facilities and sites to, and charge
33 for the use of any such facilities and sites by, any officer,
34 department, board, commission or other agency of the State of
35 Illinois, or the Director of the Department of Central
36 Management Services when the Director is requested to, by and

1 on behalf of, or for the use of, any officer, department,
2 board, commission or other agency of the State of Illinois, or
3 by the Board of Trustees of the University of Illinois, the
4 Board of Trustees of Southern Illinois University at
5 Carbondale, the Board of Trustees of Southern Illinois
6 University at Edwardsville, the Board of Trustees of Chicago
7 State University, the Board of Trustees of Eastern Illinois
8 University, the Board of Trustees of Governors State
9 University, the Board of Trustees of Illinois State University,
10 the Board of Trustees of Northeastern Illinois University, the
11 Board of Trustees of Northern Illinois University, the Board of
12 Trustees of Western Illinois University, or the School Building
13 Commission or any public community college district board. Such
14 leases may be entered into contemporaneously with any financing
15 to be done by the Authority and payments under the terms of the
16 lease shall begin at any time after execution of any such
17 lease.

18 (c) In the event of non-payment of rents reserved in such
19 leases, maintain and operate such facilities and sites or
20 execute leases thereof to others for any suitable purposes.
21 Such leases to the officers, departments, boards, commissions,
22 other agencies, the respective Boards of Trustees,, or the
23 School Building Commission or any public community college
24 district board shall contain the provision that rents under
25 such leases shall be payable solely from appropriations to be
26 made by the General Assembly for the payment of such rent and
27 any revenues derived from the operation of the leased premises.

28 (d) Borrow money and issue and sell bonds in such amount or
29 amounts as the Authority may determine for the purpose of
30 acquiring, constructing, completing or remodeling, or putting
31 fixed equipment in any such facility; refund and refinance the
32 same from time to time as often as advantageous and in the
33 public interest to do so; and pledge any and all income of such
34 Authority, and any revenues derived from such facilities, or
35 any combination thereof, to secure the payment of such bonds
36 and to redeem such bonds. All such bonds are subject to the

1 provisions of Section 6 of this Act.

2 In addition to the permanent financing authorized by
3 Sections 5 and 6 of this Act, the Illinois Building Authority
4 may borrow money and issue interim notes in evidence thereof
5 for any of the projects, or to perform any of the duties
6 authorized under this Act, and in addition may borrow money and
7 issue interim notes for planning, architectural and
8 engineering, acquisition of land, and purchase of fixed
9 equipment as follows:

10 1. Whenever the Authority considers it advisable and in
11 the interests of the Authority to borrow funds temporarily
12 for any of the purposes enumerated in this Section, the
13 Authority may from time to time, and pursuant to
14 appropriate resolution, issue interim notes to evidence
15 such borrowings including funds for the payment of interest
16 on such borrowings and funds for all necessary and
17 incidental expenses in connection with any of the purposes
18 provided for by this Section and this Act until the date of
19 the permanent financing. Any resolution authorizing the
20 issuance of such notes shall describe the project to be
21 undertaken and shall specify the principal amount, rate of
22 interest (not exceeding the maximum rate authorized by the
23 Bond Authorization Act, as amended at the time of the
24 making of the contract,) and maturity date, but not to
25 exceed 5 years from date of issue, and such other terms as
26 may be specified in such resolution; however, time of
27 payment of any such notes may be extended for a period of
28 not exceeding 3 years from the maturity date thereof.

29 The Authority may provide for the registration of the
30 notes in the name of the owner either as to principal
31 alone, or as to both principal and interest, on such terms
32 and conditions as the Authority may determine by the
33 resolution authorizing their issue. The notes shall be
34 issued from time to time by the Authority as funds are
35 borrowed, in the manner the Authority may determine.
36 Interest on the notes may be made payable semiannually,

1 annually or at maturity. The notes may be made redeemable,
2 prior to maturity, at the option of the Authority, in the
3 manner and upon the terms fixed by the resolution
4 authorizing their issuance. The notes may be executed in
5 the name of the Authority by the Chairman of the Authority
6 or by any other officer or officers of the Authority as the
7 Authority by resolution may direct, shall be attested by
8 the Secretary or such other officer or officers of the
9 Authority as the Authority may by resolution direct, and be
10 sealed with the Authority's corporate seal. All such notes
11 and the interest thereon may be secured by a pledge of any
12 income and revenue derived by the Authority from the
13 project to be undertaken with the proceeds of the notes and
14 shall be payable solely from such income and revenue and
15 from the proceeds to be derived from the sale of any
16 revenue bonds for permanent financing authorized to be
17 issued under Sections 5 and 6 of this Act, and from the
18 property acquired with the proceeds of the notes.

19 Contemporaneously with the issue of revenue bonds as
20 provided by this Act, all interim notes, even though they
21 may not then have matured, shall be paid, both principal
22 and interest to date of payment, from the funds derived
23 from the sale of revenue bonds for the permanent financing
24 and such interim notes shall be surrendered and canceled.

25 2. The Authority, in order further to secure the
26 payment of the interim notes, is, in addition to the
27 foregoing, authorized and empowered to make any other or
28 additional covenants, terms and conditions not
29 inconsistent with the provisions of subparagraph (a) of
30 this Section, and do any and all acts and things as may be
31 necessary or convenient or desirable in order to secure
32 payment of its interim notes, or in the discretion of the
33 Authority, as will tend to make the interim notes more
34 acceptable to lenders, notwithstanding that the covenants,
35 acts or things may not be enumerated herein; however,
36 nothing contained in this subparagraph shall authorize the

1 Authority to secure the payment of the interim notes out of
2 property or facilities, other than the facilities acquired
3 with the proceeds of the interim notes, and any net income
4 and revenue derived from the facilities and the proceeds of
5 revenue bonds as hereinabove provided.

6 (e) Convey property, without charge, to the State or to the
7 appropriate corporate agency of the State or to any public
8 community college district board if and when all debts which
9 have been secured by the income from such property have been
10 paid.

11 (f) Enter into contracts regarding any matter connected
12 with any corporate purpose within the objects and purposes of
13 this Act.

14 (g) Employ agents and employees necessary to carry out the
15 duties and purposes of the Authority.

16 (h) Adopt all necessary by-laws, rules and regulations for
17 the conduct of the business and affairs of the Authority, and
18 for the management and use of facilities and sites acquired
19 under the powers granted by this Act.

20 (i) Have and use a common seal and alter the same at
21 pleasure.

22 The Interim notes shall constitute State debt of the State
23 of Illinois within the meaning of any of the provisions of the
24 Constitution and statutes of the State of Illinois.

25 No member, officer, agent or employee of the Authority, nor
26 any other person who executes interim notes, shall be liable
27 personally by reason of the issuance thereof.

28 With respect to instruments for the payment of money issued
29 under this Section either before, on, or after the effective
30 date of this amendatory Act of 1989, it is and always has been
31 the intention of the General Assembly (i) that the Omnibus Bond
32 Acts are and always have been supplementary grants of power to
33 issue instruments in accordance with the Omnibus Bond Acts,
34 regardless of any provision of this Act that may appear to be
35 or to have been more restrictive than those Acts, (ii) that the
36 provisions of this Section are not a limitation on the

1 supplementary authority granted by the Omnibus Bond Acts, and
2 (iii) that instruments issued under this Section within the
3 supplementary authority granted by the Omnibus Bond Acts are
4 not invalid because of any provision of this Act that may
5 appear to be or to have been more restrictive than those Acts.

6 (Source: P.A. 89-4, eff. 1-1-96.)

7 (20 ILCS 3110/9) (from Ch. 127, par. 213.9)

8 Sec. 9. Limitation on disbursements. The Authority shall
9 keep account of the gross total income derived from each
10 separate project or any combination thereof undertaken
11 pursuant to this Act. Disbursements from a given account in The
12 Public Building Fund shall be ordered by the Authority only for
13 the payment of (1) the principal of and interest on the bonds
14 issued for each project, or combination thereof, and (2) any
15 other purposes set forth in the resolution authorizing the
16 issuance of such bonds.

17 An accurate record shall be kept of the rental payments
18 under each lease entered into by the Authority and any officer,
19 department, board, commission or other agency of the State of
20 Illinois, the Director of the Department of Central Management
21 Services, the Board of Trustees of the University of Illinois,
22 the Board of Trustees of Southern Illinois University at
23 Carbondale, the Board of Trustees of Southern Illinois
24 University at Edwardsville, the Board of Trustees of Chicago
25 State University, the Board of Trustees of Eastern Illinois
26 University, the Board of Trustees of Governors State
27 University, the Board of Trustees of Illinois State University,
28 the Board of Trustees of Northeastern Illinois University, the
29 Board of Trustees of Northern Illinois University, the Board of
30 Trustees of Western Illinois University, the School Building
31 Commission, or any public community college district board, and
32 when the rentals applicable to each project or facility, or any
33 combination thereof, constructed, completed, remodeled,
34 maintained and equipped, have been paid in (1) amounts
35 sufficient to amortize and pay the principal of and interest

1 upon the total principal amount of bonds of the Authority
2 issued to pay the cost of each project or facility, including
3 maintenance and operation expenses and that proportion of the
4 administrative expense of the Authority as provided for by each
5 lease, or (2) amounts which when invested in direct obligations
6 of the United States of America are, together with earnings
7 thereon, sufficient to amortize and pay the principal of and
8 interest upon the total principal amount of bonds of the
9 Authority issued to pay the cost of each project or facility,
10 including maintenance and operation expenses and that
11 proportion of the administrative expense of the Authority as
12 provided for by each lease, the property shall be conveyed
13 without charge to the lessee.

14 (Source: P.A. 89-4, eff. 1-1-96.)

15 Section 75. The David A. Wirsing Food Animal Institute Act
16 is amended by changing Section 15 as follows:

17 (20 ILCS 3931/15)

18 Sec. 15. Governing board. The Institute is governed by a
19 board of 15 voting members who are appointed by the Governor
20 and who must ensure unbiased information. Five of the
21 Governor's appointees must represent food animal production.
22 Five of the Governor's appointees must represent allied
23 agribusiness aspects of the food animal industry. Five of the
24 Governor's appointees must represent other, non-agribusiness
25 aspects of the food animal industry.

26 The board must also include, as non-voting members, the
27 dean or department chairperson or his or her designated
28 representative of the following institutions: the University
29 of Illinois College of ACES, the University of Illinois College
30 of Veterinary Medicine, the Southern Illinois University at
31 Carbondale College of Agriculture, the Western Illinois
32 University Agriculture Department, and the Illinois State
33 University Agriculture Department.

34 (Source: P.A. 93-883, eff. 8-6-04.)

1 Section 80. The State Finance Act is amended by changing
2 Sections 6a-1, 6a-2, 6a-3, 10, 12-1, 13.2, and 13.5 and by
3 adding Section 6a-1h as follows:

4 (30 ILCS 105/6a-1) (from Ch. 127, par. 142a1)

5 Sec. 6a-1. Southern Illinois University at Carbondale;
6 retention of income.

7 ~~(1) Beginning on the effective date of this amendatory Act~~
8 ~~of 1996,~~ The following items of income received by ~~the~~ Southern
9 Illinois University at Carbondale for general operational and
10 educational purposes shall be retained by the University in its
11 own treasury and credited to an account known as the University
12 Income Fund that it shall establish in its treasury for
13 purposes of this paragraph: (a) tuition and laboratory fees not
14 pledged to discharge obligations arising out of the issuance of
15 revenue bonds, library fees, and all interest which may be
16 earned thereon; and (b) excess income from auxiliary
17 enterprises and activities as provided in paragraph (2) of this
18 Section, and all other income arising out of any activity or
19 purpose not specified in paragraph (2) of this Section or in
20 Sections 6a-2 or 6a-3 upon receipt of the same without any
21 deduction whatever. Such items of income shall be deposited
22 into a college or university bank account within the time
23 period established for like amounts in Section 2 of the State
24 Officers and Employees Money Disposition Act. Within 10 days
25 after the effective date of this amendatory Act of 1996, all
26 moneys then remaining in the Southern Illinois University
27 Income Fund heretofore established as a special fund in the
28 State Treasury that were covered and paid into that fund by the
29 University shall be repaid to the University upon the warrant
30 of the State Comptroller, directed to the State Treasurer as an
31 order to pay the sum required to be repaid under this paragraph
32 and shown as due on the warrant. The University shall deposit
33 the amount so repaid to it in a college or university bank
34 account within the time period established for like amounts in

1 Section 2 of the State Officers and Employees Money Disposition
2 Act, to be credited to the University Income Fund established
3 by the University in its own treasury for purposes of this
4 paragraph. All moneys from time to time held in the University
5 Income Fund in the treasury of the University shall be used by
6 the University, pursuant to the order and direction of the
7 Board of Trustees of the University, for the support and
8 improvement of the University, except for amounts disbursed
9 from that University Income Fund for refunds to students for
10 whom duplicate payment has been made and to students who have
11 withdrawn after registration and who are entitled to such
12 refunds.

13 (2) The following items of income shall be retained by the
14 University in its own treasury: endowment funds, gifts, trust
15 funds, and Federal aid; funds received in connection with
16 contracts with governmental, public, or private agencies or
17 persons, for research or services including funds which are
18 paid as reimbursement to the University; funds received in
19 connection with reserves authorized by Section 8a of the
20 Southern Illinois University Management Act; funds received in
21 connection with its operation of medical research and high
22 technology parks and with the retention, receipt, assignment,
23 license, sale or transfer of interests in, rights to, or income
24 from discoveries, inventions, patents, or copyrightable works;
25 funds retained by the University under the authority of
26 Sections 6a-2 and 6a-3; and funds received from the operation
27 of student or staff residence facilities, student and staff
28 medical and health programs, Union buildings, bookstores,
29 farms, stores, and other auxiliary enterprises or activities
30 which are self-supporting in whole or in part. Any income
31 derived from such auxiliary enterprises or activities which is
32 not necessary to their support, maintenance, or development
33 shall not, however, be applied to any general operational or
34 educational purposes but shall be retained by the University in
35 its own treasury and credited to the University Income Fund
36 that it shall establish in its treasury as provided in

1 paragraph (1) of this Section.

2 Whenever such funds retained by the University in its own
3 treasury are deposited with a bank or savings and loan
4 association and the amount of the deposit exceeds the amount of
5 federal deposit insurance coverage, a bond or pledged
6 securities shall be obtained. Only the types of securities
7 which the State Treasurer may, in his discretion, accept for
8 amounts not insured by the Federal Deposit Insurance
9 Corporation or the Federal Savings and Loan Insurance
10 Corporation under Section 11 of the Deposit of State Moneys
11 Act, may be accepted as pledged securities. The market value of
12 the bond or pledged securities shall at all times be equal to
13 or greater than the uninsured portion of the deposit.

14 The Auditor General shall audit or cause to be audited the
15 above items of income and all other income and expenditures of
16 such institution.

17 (Source: P.A. 89-602, eff. 8-2-96.)

18 (30 ILCS 105/6a-1h new)

19 Sec. 6a-1h. Southern Illinois University at Edwardsville;
20 retention of income.

21 (a) The following items of income received by Southern
22 Illinois University at Edwardsville for general operational
23 and educational purposes shall be retained by the University in
24 its own treasury and credited to an account known as the
25 University Income Fund that it shall establish in its treasury
26 for purposes of this subsection (a): (1) tuition and laboratory
27 fees not pledged to discharge obligations arising out of the
28 issuance of revenue bonds, library fees, and all interest that
29 may be earned thereon; and (2) excess income from auxiliary
30 enterprises and activities as provided in subsection (b) of
31 this Section and all other income arising out of any activity
32 or purpose not specified in subsection (b) of this Section or
33 in Sections 6a-2 or 6a-3 upon receipt of the same without any
34 deduction whatever. Such items of income shall be deposited
35 into a college or university bank account within the time

1 period established for like amounts in Section 2 of the State
2 Officers and Employees Money Disposition Act. All moneys from
3 time to time held in the University Income Fund in the treasury
4 of the University shall be used by the University, pursuant to
5 the order and direction of the Board of Trustees of the
6 University, for the support and improvement of the University,
7 except for amounts disbursed from that University Income Fund
8 for refunds to students for whom duplicate payment has been
9 made and to students who have withdrawn after registration and
10 who are entitled to such refunds.

11 (b) The following items of income shall be retained by the
12 University in its own treasury: endowment funds, gifts, trust
13 funds, and Federal aid; funds received in connection with
14 contracts with governmental, public, or private agencies or
15 persons for research or services, including funds that are paid
16 as reimbursement to the University; funds received in
17 connection with reserves authorized by Section 8a of the
18 Southern Illinois University Management Act; funds received in
19 connection with its operation of medical research and high
20 technology parks and with the retention, receipt, assignment,
21 license, sale, or transfer of interests in, rights to, or
22 income from discoveries, inventions, patents, or copyrightable
23 works; funds retained by the University under the authority of
24 Sections 6a-2 and 6a-3; and funds received from the operation
25 of student or staff residence facilities, student and staff
26 medical and health programs, Union buildings, bookstores,
27 farms, stores, and other auxiliary enterprises or activities
28 that are self-supporting in whole or in part. Any income
29 derived from such auxiliary enterprises or activities that is
30 not necessary to their support, maintenance, or development
31 shall not, however, be applied to any general operational or
32 educational purposes but shall be retained by the University in
33 its own treasury and credited to the University Income Fund
34 that it shall establish in its treasury as provided in
35 subsection (a) of this Section.

36 Whenever such funds retained by the University in its own

1 treasury are deposited with a bank or savings and loan
2 association and the amount of the deposit exceeds the amount of
3 federal deposit insurance coverage, a bond or pledged
4 securities shall be obtained. Only the types of securities that
5 the State Treasurer may, in his or her discretion, accept for
6 amounts not insured by the Federal Deposit Insurance
7 Corporation or the Federal Savings and Loan Insurance
8 Corporation under Section 11 of the Deposit of State Moneys Act
9 may be accepted as pledged securities. The market value of the
10 bond or pledged securities shall at all times be equal to or
11 greater than the uninsured portion of the deposit.

12 The Auditor General shall audit or cause to be audited the
13 above items of income and all other income and expenditures of
14 such institution.

15 (30 ILCS 105/6a-2) (from Ch. 127, par. 142a2)

16 Sec. 6a-2. Retention of certain funds by universities; use
17 of funds; audit.

18 (a) Each University listed in Section ~~Sections~~ 6a, ~~or~~ 6a-1,
19 or 6a-1h may retain in its treasury any funds derived from
20 rentals, service charges and laboratory and building service
21 charges or other sources, assessed or obtained for or arising
22 out of the operation of any building or buildings or structure
23 or structures and pledged to discharge obligations created in
24 order to complete or operate such building or structure, or for
25 the payment of revenue bonds issued under "An Act to authorize
26 The Board of Trustees of Southern Illinois University to
27 acquire, build, purchase, or otherwise construct, equip,
28 complete, remodel, operate, control, and manage student
29 residence halls, dormitories, dining halls, student union
30 buildings, field houses, stadiums and other revenue-producing
31 buildings, including sites therefor, for the Southern Illinois
32 University, defining the duties of The Board of Trustees of
33 Southern Illinois University with respect to operation and
34 maintenance thereof, charging rates or fees for the use
35 thereof, and providing for and authorizing the issuance of

1 bonds for the purpose of defraying the cost of construction,
2 acquisition or equipment of any such building or buildings
3 payable from the revenues derived from the operation thereof,
4 or, when authorized by The Board of Trustees, payable from such
5 revenues as supplemented by University income authorized by law
6 to be retained in the University treasury and applied to such
7 purpose, and for the refunding of any such bonds, and
8 authorizing investment in such bonds", approved June 30, 1949,
9 as amended, or issued under the "Board of Governors of State
10 Colleges and Universities Revenue Bond Act", approved May 8,
11 1947, as amended, as the case may be; and, to be disbursed from
12 time to time pursuant to the order and direction of the Board
13 of Trustees of Southern Illinois University at Carbondale, the
14 Board of Trustees of Southern Illinois University at
15 Edwardsville, or the Board of Governors of State Colleges and
16 Universities, and in accordance with any contracts, pledges,
17 trusts or agreements heretofore or hereafter made by the Board
18 of Trustees or Board of Governors of State Colleges and
19 Universities.

20 (b) The Board of Trustees of Southern Illinois University
21 at Carbondale and the Board of Trustees of Southern Illinois
22 University at Edwardsville may also retain in their treasuries
23 ~~its treasury,~~ out of student fees and tuition, such sums
24 annually as each ~~the~~ Board determines are necessary to
25 supplement revenue derived from any building or buildings
26 constructed or acquired after July 1, 1957, or to supplement
27 revenues derived from any building or buildings having bonds
28 outstanding thereon which are refunded under the provisions of
29 "An Act to authorize The Board of Trustees of Southern Illinois
30 University to acquire, build, purchase, or otherwise
31 construct, equip, complete, remodel, operate, control, and
32 manage student residence halls, dormitories, dining halls,
33 student union buildings, field houses, stadiums, and other
34 revenue-producing buildings, including sites therefor, for the
35 Southern Illinois University, defining the duties of The Board
36 of Trustees of Southern Illinois University with respect to

1 operation and maintenance thereof, charging rates or fees for
2 the use thereof, and providing for and authorizing the issuance
3 of bonds for the purpose of defraying the cost of construction,
4 acquisition or equipment of any such building or buildings
5 payable from the revenues derived from the operation thereof,
6 or, when authorized by The Board of Trustees, payable from such
7 revenues as supplemented by University income authorized by law
8 to be retained in the University treasury and applied to such
9 purpose, and for the refunding of any such bonds, and
10 authorizing investment in such bonds", approved June 30, 1949,
11 as amended, and pledge or by resolution make a supplementary
12 allocation of the funds so retained out of students' fees and
13 tuition for the retirement of such bonds as may be issued under
14 such Act. Such funds as are so pledged shall annually be
15 credited to the account to which the pledge applies. Such funds
16 as are supplementarily allocated by Board resolution
17 subsequent to the resolution creating the bonds shall be
18 credited in accordance with the terms of the resolution making
19 such supplementary allocation to the account to which the
20 allocation applies. Each ~~The~~ Board may authorize such
21 supplementation only after a determination by it that the
22 maximum revenues which may reasonably and economically be
23 derived from the operation of a building proposed to be
24 constructed or acquired under the Act herein cited will be
25 insufficient to meet the costs of operation and maintenance and
26 to pay the principal of and interest on bonds issued for such
27 building, or after a determination by it that the maximum
28 revenues which may reasonably and economically be derived from
29 the operation of a building already constructed or acquired
30 under the Act are or will be insufficient to meet the costs of
31 operation and maintenance and to pay the principal of and
32 interest on bonds issued for such building. In no event shall
33 the supplementation from University income be in excess of an
34 amount which, when added to the revenues to be derived from the
35 operation of the building or buildings, will be sufficient to
36 meet the annual debt service requirements on the bonds issued

1 in respect to such building or buildings, the annual cost of
2 maintenance or operation of such building or buildings, and to
3 provide for such reserves, accounts or covenants which the
4 resolution authorizing the issuing of such bonds may require.

5 (c) The Auditor General shall audit or cause to be audited
6 the above items of income and all other income and expenditures
7 of such institutions.

8 (d) Beginning on January 1, 1996, the provisions of
9 subsection (a) of this Section, insofar as they relate to the
10 retention and use of any funds by or on behalf of the
11 universities listed in Section 6a, shall be superseded by
12 Section 5-35 of the Chicago State University Law and Section
13 6a-1c of the State Finance Act with respect to Chicago State
14 University; by Section 10-35 of the Eastern Illinois University
15 Law and Section 6a-1d of the State Finance Act with respect to
16 Eastern Illinois University; by Section 15-35 of the Governors
17 State University Law and Section 6a-1e of the State Finance Act
18 with respect to Governors State University; by Section 25-35 of
19 the Northeastern Illinois University Law and Section 6a-1f of
20 the State Finance Act with respect to Northeastern Illinois
21 University; and by Section 35-35 of the Western Illinois
22 University Law and Section 6a-1g of the State Finance Act with
23 respect to Western Illinois University. On January 1, 1996 all
24 funds deposited, retained, or otherwise held under subsection
25 (a) of this Section with respect to the universities listed in
26 Section 6a shall be transferred, retained and held as provided
27 by the provisions of law cited in this subsection (d) as
28 superseding the provisions of subsection (a) of this Section,
29 and in accordance with any contracts, pledges, trusts, or
30 agreements heretofore made by the Teachers College Board or the
31 Board of Governors of State Colleges and Universities, or
32 hereafter made by the respective Boards of Trustees of the
33 Universities named in this paragraph (d).

34 (Source: P.A. 89-4, eff. 1-1-96.)

1 Sec. 6a-3. The Board of Trustees of Southern Illinois
2 University at Carbondale and the Board of Trustees of Southern
3 Illinois University at Edwardsville may retain in their
4 treasuries ~~sits treasury~~ (a) all moneys received from the sale
5 of all bonds issued under the Southern Illinois University
6 Revenue Bond Act, (b) all fees, rentals and other charges from
7 students, staff members and others using or being served by, or
8 having the right to use or the right to be served by, or to
9 operate any project acquired under the said Act, (c) all
10 tuition, registration, matriculation, health, hospital,
11 medical, laboratory, admission, student activities, student
12 services, and all other fees collected from students
13 matriculated, registered or otherwise enrolled at and
14 attending the Universities ~~University~~ pledged under the terms
15 of any resolution authorizing bonds, or authorizing a
16 supplemental allocation of fees for debt service of bonds
17 theretofore issued, pursuant to the said Act, and (d) all
18 rentals from any facility or building acquired under the said
19 Act and leased to the United States of America.

20 The Auditor General shall audit or cause to be audited the
21 above items of income and all other income and expenditures of
22 such institutions ~~institution~~.

23 (Source: P.A. 76-1337.)

24 (30 ILCS 105/10) (from Ch. 127, par. 146)

25 Sec. 10. When an appropriation has been made by the General
26 Assembly for the ordinary and contingent expenses of the
27 operation, maintenance and administration of the several
28 offices, departments, institutions, boards, commissions and
29 agencies of the State government, the State Comptroller shall
30 draw his warrant on the State Treasurer for the payment of the
31 same upon the presentation of itemized vouchers, issued,
32 certified, and approved, as follows:

33 For appropriations to:

34 (1) Elective State officers in the executive
35 Department, to be certified and approved by such officers,

1 respectively;

2 (2) The Supreme Court, to be certified and approved by
3 the Chief Justice thereof;

4 (3) Appellate Court, to be certified and approved by
5 the Chief Justice of each judicial district;

6 (4) The State Senate, to be certified and approved by
7 the President;

8 (5) The House of Representatives, to be certified and
9 approved by the Speaker;

10 (6) The Auditor General, to be certified and approved
11 by the Auditor General;

12 (7) Clerks of courts, to be certified and approved by
13 the clerk incurring expenditures;

14 (8) The departments under the Civil Administrative
15 Code, to be certified and approved by the Director or
16 Secretary of the Department;

17 (9) The University of Illinois, to be certified by the
18 president and secretary of the Board of Trustees of the
19 University of Illinois, with the corporate seal of the
20 University attached thereto;

21 (10) The State Universities Retirement System, to be
22 certified to by the President and Secretary of the Board of
23 Trustees of the System;

24 (11) The Board of Trustees of Illinois State
25 University, to be certified to by the president and
26 secretary of that Board of Trustees, with the corporate
27 seal of that University attached thereto;

28 (12) The Board of Trustees of Northern Illinois
29 University, to be certified to by the president and
30 secretary of that Board of Trustees, with the corporate
31 seal of that University attached thereto;

32 (12a) The Board of Trustees of Chicago State
33 University, certified to by the president and secretary of
34 that Board of Trustees, with the corporate seal of that
35 University attached thereto;

36 (12b) The Board of Trustees of Eastern Illinois

1 University, certified to by the president and secretary of
2 that Board of Trustees, with the corporate seal of that
3 University attached thereto;

4 (12c) The Board of Trustees of Governors State
5 University, certified to by the president and secretary of
6 that Board of Trustees, with the corporate seal of that
7 University attached thereto;

8 (12d) The Board of Trustees of Northeastern Illinois
9 University, certified to by the president and secretary of
10 that Board of Trustees, with the corporate seal of that
11 University attached thereto;

12 (12e) The Board of Trustees of Western Illinois
13 University, certified to by the president and secretary of
14 that Board of Trustees, with the corporate seal of that
15 University attached thereto;

16 (13) Southern Illinois University at Carbondale, to be
17 certified to by the President and Secretary of the Board of
18 Trustees of Southern Illinois University at Carbondale,
19 with the corporate seal of the University attached thereto;

20 (13a) Southern Illinois University at Edwardsville, to
21 be certified to by the President and Secretary of the Board
22 of Trustees of Southern Illinois University at
23 Edwardsville, with the corporate seal of the University
24 attached thereto;

25 (14) The Adjutant General, to be certified and approved
26 by the Adjutant General;

27 (15) The Illinois Legislative Investigating
28 Commission, to be certified and approved by its Chairman,
29 or when it is organized with Co-Chairmen, by either of its
30 Co-Chairmen;

31 (16) All other officers, boards, commissions and
32 agencies of the State government, certified and approved by
33 such officer or by the president or chairman and secretary
34 or by the executive officer of such board, commission or
35 agency;

36 (17) Individuals, to be certified by such individuals;

1 (18) The farmers' institute, agricultural, livestock,
2 poultry, scientific, benevolent, and other private
3 associations, or corporations of whatsoever nature, to be
4 certified and approved by the president and secretary of
5 such society.

6 Nothing contained in this Section shall be construed to
7 amend or modify the "Personnel Code".

8 This Section is subject to Section 9.02.

9 (Source: P.A. 89-4, eff. 1-1-96; 90-372, eff. 7-1-98.)

10 (30 ILCS 105/12-1) (from Ch. 127, par. 148-1)

11 Sec. 12-1. Travel control boards.

12 (a) The following travel control boards are created with
13 the members and jurisdiction set forth below:

14 (1) A Travel Control Board is created within the Office
15 of the Attorney General consisting of the Attorney General
16 as chairman and 2 members of his supervisory staff
17 appointed by him. The board shall have jurisdiction over
18 travel by employees of the office.

19 (2) A Travel Control Board is created within the Office
20 of the State Comptroller consisting of the Comptroller as
21 chairman and 2 members of his supervisory staff appointed
22 by him. The board shall have jurisdiction over travel by
23 employees of the office.

24 (3) The Higher Education Travel Control Board shall
25 consist of 12 ~~11~~ members, one to be appointed by each of
26 the following: the Board of Trustees of the University of
27 Illinois, the Board of Trustees of Southern Illinois
28 University at Carbondale, the Board of Trustees of Southern
29 Illinois University at Edwardsville, the Board of Trustees
30 of Chicago State University, the Board of Trustees of
31 Eastern Illinois University, the Board of Trustees of
32 Governors State University, the Board of Trustees of
33 Illinois State University, the Board of Trustees of
34 Northeastern Illinois University, the Board of Trustees of
35 Northern Illinois University, the Board of Trustees of

1 Western Illinois University, the Illinois Community
2 College Board and the Illinois Board of Higher Education.
3 Each member shall be an officer, member or employee of the
4 board making the appointment, or of an institution governed
5 or maintained by such board. The board shall have
6 jurisdiction over travel by the Board of Higher Education,
7 the Board of Trustees of the University of Illinois, the
8 Board of Trustees of Southern Illinois University at
9 Carbondale, the Board of Trustees of Southern Illinois
10 University at Edwardsville, the Board of Trustees of
11 Chicago State University, the Board of Trustees of Eastern
12 Illinois University, the Board of Trustees of Governors
13 State University, the Board of Trustees of Illinois State
14 University, the Board of Trustees of Northeastern Illinois
15 University, the Board of Trustees of Northern Illinois
16 University, the Board of Trustees of Western Illinois
17 University, the Illinois Community College Board, the
18 State Community College of East St. Louis, the Illinois
19 State Scholarship Commission, the State Universities
20 Retirement System, the University Civil Service Merit
21 Board, the Board of Trustees of the Illinois Mathematics
22 and Science Academy and all employees of the named Boards,
23 Commission and System and of the institutions governed or
24 maintained by the named Boards. The Higher Education Travel
25 Control Board shall select a chairman from among its
26 members.

27 (4) The Legislative Travel Control Board shall consist
28 of the following members serving ex-officio: The Auditor
29 General as chairman, the President and the Minority Leader
30 of the Senate and the Speaker and the Minority Leader of
31 the House of Representatives. The board shall have
32 jurisdiction over travel by employees of: the General
33 Assembly, legislative boards and commissions, the Office
34 of the Auditor General and all legislative agencies.

35 (5) A Travel Control Board is created within the Office
36 of the Lieutenant Governor consisting of the Lieutenant

1 Governor as chairman and 2 members of his supervisory staff
2 appointed by him. The board shall have jurisdiction over
3 travel by employees of the office. The Travel Control Board
4 within the office of the Lieutenant Governor is subject to
5 the provisions of Section 405-500 of the Department of
6 Central Management Services Law (20 ILCS 405/405-500).

7 (6) A Travel Control Board is created within the Office
8 of the Secretary of State consisting of the Secretary of
9 State as chairman, and 2 members of his supervisory staff
10 appointed by him. The board shall have jurisdiction over
11 travel by employees of the office.

12 (7) A Travel Control Board is created within the
13 Judicial Branch consisting of a chairman and 2 members
14 appointed by the Supreme Court. The board shall have
15 jurisdiction over travel by personnel of the Judicial
16 Branch, except the circuit courts and the judges.

17 (8) A Travel Control Board is created under the State
18 Board of Education, consisting of the State Superintendent
19 of Education as chairman, and 2 members of his supervisory
20 staff appointed by the State Board of Education. The Board
21 shall have jurisdiction over travel by employees of the
22 State Board of Education.

23 (9) A Travel Control Board is created within the Office
24 of the State Treasurer, consisting of the State Treasurer
25 as chairman and 2 members of his supervisory staff
26 appointed by him. The board shall have jurisdiction over
27 travel by employees of the office.

28 (10) A Governor's Travel Control Board is created
29 consisting of the Governor ex-officio as chairman, and 2
30 members appointed by the Governor. The board shall have
31 jurisdiction over travel by employees and officers of all
32 State agencies as defined in the Illinois State Auditing
33 Act, except for the following: judges, members of the
34 General Assembly, elected constitutional officers of the
35 State, the Auditor General, and personnel under the
36 jurisdiction of another travel control board created by

1 statute.

2 (a-5) The Commissioner of Banks and Real Estate, the
3 Prisoner Review Board, and the State Fire Marshal shall submit
4 to the Governor's Travel Control Board the quarterly reports
5 required by regulation pertaining to their employees
6 reimbursed for housing.

7 (b) Each travel control board created by this Section shall
8 meet at the call of the chairman at least quarterly to review
9 all vouchers, or a report thereof, for travel reimbursements
10 involving an exception to the State Travel Regulations and
11 Rates. Each travel control board shall prescribe the procedures
12 for submission of an information copy of vouchers involving an
13 exception to the general provisions established by the State
14 Travel Regulations and Reimbursement Rates.

15 (c) Any chairman or member of a travel control board may,
16 with the consent of the respective appointing official,
17 designate a deputy to serve in his place at any or all meetings
18 of the board. The designation shall be in writing and directed
19 to the chairman of the board.

20 (d) No member of a travel control board may receive
21 additional compensation for his service as a member.

22 (e) A report of the travel reimbursement claims reviewed by
23 each travel control board shall be submitted to the Legislative
24 Audit Commission at least once each quarter and that Commission
25 shall comment on all such reports in its annual reports to the
26 General Assembly.

27 (Source: P.A. 90-609, eff. 6-30-98; 91-239, eff. 1-1-00.)

28 (30 ILCS 105/13.2) (from Ch. 127, par. 149.2)

29 Sec. 13.2. Transfers among line item appropriations.

30 (a) Transfers among line item appropriations from the same
31 treasury fund for the objects specified in this Section may be
32 made in the manner provided in this Section when the balance
33 remaining in one or more such line item appropriations is
34 insufficient for the purpose for which the appropriation was
35 made.

1 (a-1) No transfers may be made from one agency to another
2 agency, nor may transfers be made from one institution of
3 higher education to another institution of higher education.

4 (a-2) Except as otherwise provided in this Section,
5 transfers may be made only among the objects of expenditure
6 enumerated in this Section, except that no funds may be
7 transferred from any appropriation for personal services, from
8 any appropriation for State contributions to the State
9 Employees' Retirement System, from any separate appropriation
10 for employee retirement contributions paid by the employer, nor
11 from any appropriation for State contribution for employee
12 group insurance. During State fiscal year 2005, an agency may
13 transfer amounts among its appropriations within the same
14 treasury fund for personal services, employee retirement
15 contributions paid by employer, and State Contributions to
16 retirement systems; notwithstanding and in addition to the
17 transfers authorized in subsection (c) of this Section, the
18 fiscal year 2005 transfers authorized in this sentence may be
19 made in an amount not to exceed 2% of the aggregate amount
20 appropriated to an agency within the same treasury fund.

21 (a-3) Further, if an agency receives a separate
22 appropriation for employee retirement contributions paid by
23 the employer, any transfer by that agency into an appropriation
24 for personal services must be accompanied by a corresponding
25 transfer into the appropriation for employee retirement
26 contributions paid by the employer, in an amount sufficient to
27 meet the employer share of the employee contributions required
28 to be remitted to the retirement system.

29 (b) In addition to the general transfer authority provided
30 under subsection (c), the following agencies have the specific
31 transfer authority granted in this subsection:

32 The Illinois Department of Public Aid is authorized to make
33 transfers representing savings attributable to not increasing
34 grants due to the births of additional children from line items
35 for payments of cash grants to line items for payments for
36 employment and social services for the purposes outlined in

1 subsection (f) of Section 4-2 of the Illinois Public Aid Code.

2 The Department of Children and Family Services is
3 authorized to make transfers not exceeding 2% of the aggregate
4 amount appropriated to it within the same treasury fund for the
5 following line items among these same line items: Foster Home
6 and Specialized Foster Care and Prevention, Institutions and
7 Group Homes and Prevention, and Purchase of Adoption and
8 Guardianship Services.

9 The Department on Aging is authorized to make transfers not
10 exceeding 2% of the aggregate amount appropriated to it within
11 the same treasury fund for the following Community Care Program
12 line items among these same line items: Homemaker and Senior
13 Companion Services, Case Coordination Units, and Adult Day Care
14 Services.

15 The State Treasurer is authorized to make transfers among
16 line item appropriations from the Capital Litigation Trust
17 Fund, with respect to costs incurred in fiscal years 2002 and
18 2003 only, when the balance remaining in one or more such line
19 item appropriations is insufficient for the purpose for which
20 the appropriation was made, provided that no such transfer may
21 be made unless the amount transferred is no longer required for
22 the purpose for which that appropriation was made.

23 (c) The sum of such transfers for an agency in a fiscal
24 year shall not exceed 2% of the aggregate amount appropriated
25 to it within the same treasury fund for the following objects:
26 Personal Services; Extra Help; Student and Inmate
27 Compensation; State Contributions to Retirement Systems; State
28 Contributions to Social Security; State Contribution for
29 Employee Group Insurance; Contractual Services; Travel;
30 Commodities; Printing; Equipment; Electronic Data Processing;
31 Operation of Automotive Equipment; Telecommunications
32 Services; Travel and Allowance for Committed, Paroled and
33 Discharged Prisoners; Library Books; Federal Matching Grants
34 for Student Loans; Refunds; Workers' Compensation,
35 Occupational Disease, and Tort Claims; and, in appropriations
36 to institutions of higher education, Awards and Grants.

1 Notwithstanding the above, any amounts appropriated for
2 payment of workers' compensation claims to an agency to which
3 the authority to evaluate, administer and pay such claims has
4 been delegated by the Department of Central Management Services
5 may be transferred to any other expenditure object where such
6 amounts exceed the amount necessary for the payment of such
7 claims.

8 (c-1) Special provisions for State fiscal year 2003.
9 Notwithstanding any other provision of this Section to the
10 contrary, for State fiscal year 2003 only, transfers among line
11 item appropriations to an agency from the same treasury fund
12 may be made provided that the sum of such transfers for an
13 agency in State fiscal year 2003 shall not exceed 3% of the
14 aggregate amount appropriated to that State agency for State
15 fiscal year 2003 for the following objects: personal services,
16 except that no transfer may be approved which reduces the
17 aggregate appropriations for personal services within an
18 agency; extra help; student and inmate compensation; State
19 contributions to retirement systems; State contributions to
20 social security; State contributions for employee group
21 insurance; contractual services; travel; commodities;
22 printing; equipment; electronic data processing; operation of
23 automotive equipment; telecommunications services; travel and
24 allowance for committed, paroled, and discharged prisoners;
25 library books; federal matching grants for student loans;
26 refunds; workers' compensation, occupational disease, and tort
27 claims; and, in appropriations to institutions of higher
28 education, awards and grants.

29 (c-2) Special provisions for State fiscal year 2005.
30 Notwithstanding subsections (a), (a-2), and (c), for State
31 fiscal year 2005 only, transfers may be made among any line
32 item appropriations from the same or any other treasury fund
33 for any objects or purposes, without limitation, when the
34 balance remaining in one or more such line item appropriations
35 is insufficient for the purpose for which the appropriation was
36 made, provided that the sum of those transfers by a State

1 agency shall not exceed 4% of the aggregate amount appropriated
2 to that State agency for fiscal year 2005.

3 (d) Transfers among appropriations made to agencies of the
4 Legislative and Judicial departments and to the
5 constitutionally elected officers in the Executive branch
6 require the approval of the officer authorized in Section 10 of
7 this Act to approve and certify vouchers. Transfers among
8 appropriations made to the University of Illinois, Southern
9 Illinois University at Carbondale, Southern Illinois
10 University at Edwardsville, Chicago State University, Eastern
11 Illinois University, Governors State University, Illinois
12 State University, Northeastern Illinois University, Northern
13 Illinois University, Western Illinois University, the Illinois
14 Mathematics and Science Academy and the Board of Higher
15 Education require the approval of the Board of Higher Education
16 and the Governor. Transfers among appropriations to all other
17 agencies require the approval of the Governor.

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

31 (Source: P.A. 92-600, eff. 6-28-02; 92-885, eff. 1-13-03;
32 93-680, eff. 7-1-04; 93-839, eff. 7-30-04.)

33 (30 ILCS 105/13.5)

34 Sec. 13.5. Appropriations for education.

35 (a) State appropriations to the State Board of Education,

1 the Board of Trustees of Southern Illinois University at
2 Carbondale, the Board of Trustees of Southern Illinois
3 University at Edwardsville, the Board of Trustees of the
4 University of Illinois, the Board of Trustees of Chicago State
5 University, the Board of Trustees of Eastern Illinois
6 University, the Board of Trustees of Illinois State University,
7 the Board of Trustees of Governors State University, the Board
8 of Trustees of Northeastern Illinois University, the Board of
9 Trustees of Northern Illinois University, and the Board of
10 Trustees of Western Illinois University for operations shall
11 identify the amounts appropriated for personal services, State
12 contributions to social security for Medicare, contractual
13 services, travel, commodities, equipment, operation of
14 automotive equipment, telecommunications, awards and grants,
15 and permanent improvements.

16 (b) Within 120 days after the conclusion of each fiscal
17 year, each State-supported institution of higher learning must
18 provide, through the Illinois Board of Higher Education, a
19 financial report to the Governor and General Assembly
20 documenting the institution's revenues and expenditures of
21 funds for that fiscal year ending June 30 for all funds.

22 (Source: P.A. 93-229, eff. 7-22-03; 93-1036, eff. 9-14-04.)

23 Section 85. The State Officers and Employees Money
24 Disposition Act is amended by changing Section 1 as follows:

25 (30 ILCS 230/1) (from Ch. 127, par. 170)

26 Sec. 1. Application of Act; exemptions. The officers of
27 the Executive Department of the State Government, the Clerk of
28 the Supreme Court, the Clerks of the Appellate Courts, the
29 Departments of the State government created by the Civil
30 Administrative Code of Illinois, and all other officers,
31 boards, commissions, commissioners, departments, institutions,
32 arms or agencies, or agents of the Executive Department of the
33 State government except the University of Illinois, Southern
34 Illinois University at Carbondale, Southern Illinois

1 University at Edwardsville, Chicago State University, Eastern
2 Illinois University, Governors State University, Illinois
3 State University, Northeastern Illinois University, Northern
4 Illinois University, Western Illinois University, the
5 Cooperative Computer Center, and the Board of Trustees of the
6 Illinois Bank Examiners' Education Foundation for moneys
7 collected pursuant to subsection (11) of Section 48 of the
8 Illinois Banking Act for purposes of the Illinois Bank
9 Examiners' Education Program are subject to this Act. This Act
10 shall not apply, however, to any of the following: (i) the
11 receipt by any such officer of federal funds made available
12 under such conditions as precluded the payment thereof into the
13 State Treasury, (ii) (blank), (iii) the Director of Insurance
14 in his capacity as rehabilitator or liquidator under Article
15 XIII of the Illinois Insurance Code, (iv) funds received by the
16 Illinois State Scholarship Commission from private firms
17 employed by the State to collect delinquent amounts due and
18 owing from a borrower on any loans guaranteed by such
19 Commission under the Higher Education Student Assistance Law or
20 on any "eligible loans" as that term is defined under the
21 Education Loan Purchase Program Law, or (v) moneys collected on
22 behalf of lessees of facilities of the Department of
23 Agriculture located on the Illinois State Fairgrounds at
24 Springfield and DuQuoin. This Section 1 shall not apply to the
25 receipt of funds required to be deposited in the Industrial
26 Project Fund pursuant to Section 12 of the Disabled Persons
27 Rehabilitation Act.

28 (Source: P.A. 92-850, eff. 8-26-02.)

29 Section 90. The Public Funds Investment Act is amended by
30 changing Section 6 as follows:

31 (30 ILCS 235/6) (from Ch. 85, par. 906)

32 Sec. 6. Report of financial institutions.

33 (a) No bank shall receive any public funds unless it has
34 furnished the corporate authorities of a public agency

1 submitting a deposit with copies of the last two sworn
2 statements of resources and liabilities which the bank is
3 required to furnish to the Commissioner of Banks and Real
4 Estate or to the Comptroller of the Currency. Each bank
5 designated as a depository for public funds shall, while acting
6 as such depository, furnish the corporate authorities of a
7 public agency with a copy of all statements of resources and
8 liabilities which it is required to furnish to the Commissioner
9 of Banks and Real Estate or to the Comptroller of the Currency;
10 provided, that if such funds or moneys are deposited in a bank,
11 the amount of all such deposits not collateralized or insured
12 by an agency of the federal government shall not exceed 75% of
13 the capital stock and surplus of such bank, and the corporate
14 authorities of a public agency submitting a deposit shall not
15 be discharged from responsibility for any funds or moneys
16 deposited in any bank in excess of such limitation.

17 (b) No savings bank or savings and loan association shall
18 receive public funds unless it has furnished the corporate
19 authorities of a public agency submitting a deposit with copies
20 of the last 2 sworn statements of resources and liabilities
21 which the savings bank or savings and loan association is
22 required to furnish to the Commissioner of Banks and Real
23 Estate or the Federal Deposit Insurance Corporation. Each
24 savings bank or savings and loan association designated as a
25 depository for public funds shall, while acting as such
26 depository, furnish the corporate authorities of a public
27 agency with a copy of all statements of resources and
28 liabilities which it is required to furnish to the Commissioner
29 of Banks and Real Estate or the Federal Deposit Insurance
30 Corporation; provided, that if such funds or moneys are
31 deposited in a savings bank or savings and loan association,
32 the amount of all such deposits not collateralized or insured
33 by an agency of the federal government shall not exceed 75% of
34 the net worth of such savings bank or savings and loan
35 association as defined by the Federal Deposit Insurance
36 Corporation, and the corporate authorities of a public agency

1 submitting a deposit shall not be discharged from
2 responsibility for any funds or moneys deposited in any savings
3 bank or savings and loan association in excess of such
4 limitation.

5 (c) No credit union shall receive public funds unless it
6 has furnished the corporate authorities of a public agency
7 submitting a share deposit with copies of the last two reports
8 of examination prepared by or submitted to the Illinois
9 Department of Financial Institutions or the National Credit
10 Union Administration. Each credit union designated as a
11 depository for public funds shall, while acting as such
12 depository, furnish the corporate authorities of a public
13 agency with a copy of all reports of examination prepared by or
14 furnished to the Illinois Department of Financial Institutions
15 or the National Credit Union Administration; provided that if
16 such funds or moneys are invested in a credit union account,
17 the amount of all such investments not collateralized or
18 insured by an agency of the federal government or other
19 approved share insurer shall not exceed 50% of the unimpaired
20 capital and surplus of such credit union, which shall include
21 shares, reserves and undivided earnings and the corporate
22 authorities of a public agency making an investment shall not
23 be discharged from responsibility for any funds or moneys
24 invested in a credit union in excess of such limitation.

25 (d) Whenever a public agency deposits any public funds in a
26 financial institution, the public agency may enter into an
27 agreement with the financial institution requiring any funds
28 not insured by the Federal Deposit Insurance Corporation or the
29 National Credit Union Administration or other approved share
30 insurer to be collateralized by any of the following classes of
31 securities, provided there has been no default in the payment
32 of principal or interest thereon:

33 (1) Bonds, notes, or other securities constituting
34 direct and general obligations of the United States, the
35 bonds, notes, or other securities constituting the direct
36 and general obligation of any agency or instrumentality of

1 the United States, the interest and principal of which is
2 unconditionally guaranteed by the United States, and
3 bonds, notes, or other securities or evidence of
4 indebtedness constituting the obligation of a U.S. agency
5 or instrumentality.

6 (2) Direct and general obligation bonds of the State of
7 Illinois or of any other state of the United States.

8 (3) Revenue bonds of this State or any authority,
9 board, commission, or similar agency thereof.

10 (4) Direct and general obligation bonds of any city,
11 town, county, school district, or other taxing body of any
12 state, the debt service of which is payable from general ad
13 valorem taxes.

14 (5) Revenue bonds of any city, town, county, or school
15 district of the State of Illinois.

16 (6) Obligations issued, assumed, or guaranteed by the
17 International Finance Corporation, the principal of which
18 is not amortized during the life of the obligation, but no
19 such obligation shall be accepted at more than 90% of its
20 market value.

21 (7) Illinois Affordable Housing Program Trust Fund
22 Bonds or Notes as defined in and issued pursuant to the
23 Illinois Housing Development Act.

24 (8) In an amount equal to at least market value of that
25 amount of funds deposited exceeding the insurance
26 limitation provided by the Federal Deposit Insurance
27 Corporation or the National Credit Union Administration or
28 other approved share insurer: (i) securities, (ii)
29 mortgages, (iii) letters of credit issued by a Federal Home
30 Loan Bank, or (iv) loans covered by a State Guarantee
31 Guaranty under the Illinois Farm Development Act, if that
32 guarantee has been assumed by the Illinois Finance
33 Authority under Section 845-75 of the Illinois Finance
34 Authority Act, and loans covered by a State Guarantee under
35 Article 830 of the Illinois Finance Authority Act.

36 (9) Certificates of deposit or share certificates

1 issued to the depository institution pledging them as
2 security. The public agency may require security in the
3 amount of 125% of the value of the public agency deposit.
4 Such certificate of deposit or share certificate shall:

5 (i) be fully insured by the Federal Deposit
6 Insurance Corporation, the Federal Savings and Loan
7 Insurance Corporation, or the National Credit Union
8 Share Insurance Fund or issued by a depository
9 institution which is rated within the 3 highest
10 classifications established by at least one of the 2
11 standard rating services;

12 (ii) be issued by a financial institution having
13 assets of \$15,000,000 or more; and

14 (iii) be issued by either a savings and loan
15 association having a capital to asset ratio of at least
16 2%, by a bank having a capital to asset ratio of at
17 least 6% or by a credit union having a capital to asset
18 ratio of at least 4%.

19 The depository institution shall effect the assignment of
20 the certificate of deposit or share certificate to the public
21 agency and shall agree that, in the event the issuer of the
22 certificate fails to maintain the capital to asset ratio
23 required by this Section, such certificate of deposit or share
24 certificate shall be replaced by additional suitable security.

25 (e) The public agency may accept a system established by
26 the State Treasurer to aggregate permissible securities
27 received as collateral from financial institutions in a
28 collateral pool to secure public deposits of the institutions
29 that have pledged securities to the pool.

30 (f) The public agency may at any time declare any
31 particular security ineligible to qualify as collateral when,
32 in the public agency's judgment, it is deemed desirable to do
33 so.

34 (g) Notwithstanding any other provision of this Section, as
35 security a public agency may, at its discretion, accept a bond,
36 executed by a company authorized to transact the kinds of

1 business described in clause (g) of Section 4 of the Illinois
2 Insurance Code, in an amount not less than the amount of the
3 deposits required by this Section to be secured, payable to the
4 public agency for the benefit of the People of the unit of
5 government, in a form that is acceptable to the public agency
6 ~~Finance Authority.~~

7 (h) Paragraphs (a), (b), (c), (d), (e), (f), and (g) of
8 this Section do not apply to the University of Illinois,
9 Southern Illinois University at Carbondale, Southern Illinois
10 University at Edwardsville, Chicago State University, Eastern
11 Illinois University, Governors State University, Illinois
12 State University, Northeastern Illinois University, Northern
13 Illinois University, Western Illinois University, the
14 Cooperative Computer Center and public community colleges.

15 (Source: P.A. 93-205, eff. 1-1-04; 93-561, eff. 1-1-04; revised
16 1-14-04.)

17 Section 95. The Educational Institution Bond Authorization
18 Act is amended by changing Section 1 as follows:

19 (30 ILCS 395/1) (from Ch. 127, par. 307)

20 Sec. 1. The State of Illinois is authorized to issue and
21 sell and provide for the retirement of bonds of the State of
22 Illinois to the amount of \$195,000,000 for the purpose of
23 providing funds in order to relieve overcrowded conditions by
24 making permanent improvements at educational institutions
25 owned by this State which are now under the jurisdiction,
26 management and control of the Board of Trustees of the
27 University of Illinois, the Board of Trustees of Southern
28 Illinois University at Carbondale, the Board of Trustees of
29 Southern Illinois University at Edwardsville, the Board of
30 Trustees of Chicago State University, the Board of Trustees of
31 Eastern Illinois University, the Board of Trustees of Governors
32 State University, the Board of Trustees of Illinois State
33 University, the Board of Trustees of Northeastern Illinois
34 University, the Board of Trustees of Northern Illinois

1 University, and the Board of Trustees of Western Illinois
2 University.

3 (Source: P.A. 89-4, eff. 1-1-96.)

4 Section 100. The Illinois Procurement Code is amended by
5 changing Sections 1-15.100 and 50-13 as follows:

6 (30 ILCS 500/1-15.100)

7 Sec. 1-15.100. State agency. "State agency" means and
8 includes all boards, commissions, agencies, institutions,
9 authorities, and bodies politic and corporate of the State,
10 created by or in accordance with the constitution or statute,
11 of the executive branch of State government and does include
12 colleges, universities, and institutions under the
13 jurisdiction of the governing boards of the University of
14 Illinois, Southern Illinois University at Carbondale, Southern
15 Illinois University at Edwardsville, Illinois State
16 University, Eastern Illinois University, Northern Illinois
17 University, Western Illinois University, Chicago State
18 University, Governor State University, Northeastern Illinois
19 University, and the Board of Higher Education. However, this
20 term does not apply to public employee retirement systems or
21 investment boards that are subject to fiduciary duties imposed
22 by the Illinois Pension Code or to the University of Illinois
23 Foundation. "State agency" does not include units of local
24 government, school districts, community colleges under the
25 Public Community College Act, and the Illinois Comprehensive
26 Health Insurance Board.

27 (Source: P.A. 90-572, eff. 2-6-98.)

28 (30 ILCS 500/50-13)

29 Sec. 50-13. Conflicts of interest.

30 (a) Prohibition. It is unlawful for any person holding an
31 elective office in this State, holding a seat in the General
32 Assembly, or appointed to or employed in any of the offices or
33 agencies of State government and who receives compensation for

1 such employment in excess of 60% of the salary of the Governor
2 of the State of Illinois, or who is an officer or employee of
3 the Capital Development Board or the Illinois Toll Highway
4 Authority, or who is the spouse or minor child of any such
5 person to have or acquire any contract, or any direct pecuniary
6 interest in any contract therein, whether for stationery,
7 printing, paper, or any services, materials, or supplies, that
8 will be wholly or partially satisfied by the payment of funds
9 appropriated by the General Assembly of the State of Illinois
10 or in any contract of the Capital Development Board or the
11 Illinois Toll Highway Authority.

12 (b) Interests. It is unlawful for any firm, partnership,
13 association, or corporation, in which any person listed in
14 subsection (a) is entitled to receive (i) more than 7 1/2% of
15 the total distributable income or (ii) an amount in excess of
16 the salary of the Governor, to have or acquire any such
17 contract or direct pecuniary interest therein.

18 (c) Combined interests. It is unlawful for any firm,
19 partnership, association, or corporation, in which any person
20 listed in subsection (a) together with his or her spouse or
21 minor children is entitled to receive (i) more than 15%, in the
22 aggregate, of the total distributable income or (ii) an amount
23 in excess of 2 times the salary of the Governor, to have or
24 acquire any such contract or direct pecuniary interest therein.

25 (c-5) Appointees and firms. In addition to any provisions
26 of this Code, the interests of certain appointees and their
27 firms are subject to Section 3A-35 of the Illinois Governmental
28 Ethics Act.

29 (d) Securities. Nothing in this Section invalidates the
30 provisions of any bond or other security previously offered or
31 to be offered for sale or sold by or for the State of Illinois.

32 (e) Prior interests. This Section does not affect the
33 validity of any contract made between the State and an officer
34 or employee of the State or member of the General Assembly, his
35 or her spouse, minor child, or other immediate family member
36 living in his or her residence or any combination of those

1 persons if that contract was in existence before his or her
2 election or employment as an officer, member, or employee. The
3 contract is voidable, however, if it cannot be completed within
4 365 days after the officer, member, or employee takes office or
5 is employed.

6 (f) Exceptions.

7 (1) Public aid payments. This Section does not apply to
8 payments made for a public aid recipient.

9 (2) Teaching. This Section does not apply to a contract
10 for personal services as a teacher or school administrator
11 between a member of the General Assembly or his or her
12 spouse, or a State officer or employee or his or her
13 spouse, and any school district, public community college
14 district, the University of Illinois, Southern Illinois
15 University at Carbondale, Southern Illinois University at
16 Edwardsville, Illinois State University, Eastern Illinois
17 University, Northern Illinois University, Western Illinois
18 University, Chicago State University, Governor State
19 University, or Northeastern Illinois University.

20 (3) Ministerial duties. This Section does not apply to
21 a contract for personal services of a wholly ministerial
22 character, including but not limited to services as a
23 laborer, clerk, typist, stenographer, page, bookkeeper,
24 receptionist, or telephone switchboard operator, made by a
25 spouse or minor child of an elective or appointive State
26 officer or employee or of a member of the General Assembly.

27 (4) Child and family services. This Section does not
28 apply to payments made to a member of the General Assembly,
29 a State officer or employee, his or her spouse or minor
30 child acting as a foster parent, homemaker, advocate, or
31 volunteer for or in behalf of a child or family served by
32 the Department of Children and Family Services.

33 (5) Licensed professionals. Contracts with licensed
34 professionals, provided they are competitively bid or part
35 of a reimbursement program for specific, customary goods
36 and services through the Department of Children and Family

1 Services, the Department of Human Services, the Department
2 of Public Aid, the Department of Public Health, or the
3 Department on Aging.

4 (g) Penalty. A person convicted of a violation of this
5 Section is guilty of a business offense and shall be fined not
6 less than \$1,000 nor more than \$5,000.

7 (Source: P.A. 93-615, eff. 11-19-03.)

8 Section 105. The Business Enterprise for Minorities,
9 Females, and Persons with Disabilities Act is amended by
10 changing Section 2 as follows:

11 (30 ILCS 575/2) (from Ch. 127, par. 132.602)

12 (Section scheduled to be repealed on September 6, 2008)

13 Sec. 2. Definitions.

14 (A) For the purpose of this Act, the following terms shall
15 have the following definitions:

16 (1) "Minority person" shall mean a person who is a citizen
17 or lawful permanent resident of the United States and who is:

18 (a) African American (a person having origins in any of
19 the black racial groups in Africa);

20 (b) Hispanic (a person of Spanish or Portuguese culture
21 with origins in Mexico, South or Central America, or the
22 Caribbean Islands, regardless of race);

23 (c) Asian American (a person having origins in any of
24 the original peoples of the Far East, Southeast Asia, the
25 Indian Subcontinent or the Pacific Islands); or

26 (d) Native American or Alaskan Native (a person having
27 origins in any of the original peoples of North America).

28 (2) "Female" shall mean a person who is a citizen or lawful
29 permanent resident of the United States and who is of the
30 female gender.

31 (2.05) "Person with a disability" means a person who is a
32 citizen or lawful resident of the United States and is a person
33 qualifying as being disabled under subdivision (2.1) of this
34 subsection (A).

1 (2.1) "Disabled" means a severe physical or mental
2 disability that:

3 (a) results from:

4 amputation,

5 arthritis,

6 autism,

7 blindness,

8 burn injury,

9 cancer,

10 cerebral palsy,

11 cystic fibrosis,

12 deafness,

13 head injury,

14 heart disease,

15 hemiplegia,

16 hemophilia,

17 respiratory or pulmonary dysfunction,

18 mental retardation,

19 mental illness,

20 multiple sclerosis,

21 muscular dystrophy,

22 musculoskeletal disorders,

23 neurological disorders, including stroke and epilepsy,

24 paraplegia,

25 quadriplegia and other spinal cord conditions,

26 sickle cell anemia,

27 specific learning disabilities, or

28 end stage renal failure disease; and

29 (b) substantially limits one or more of the person's major
30 life activities.

31 Another disability or combination of disabilities may also
32 be considered as a severe disability for the purposes of item
33 (a) of this subdivision (2.1) if it is determined by an
34 evaluation of rehabilitation potential to cause a comparable
35 degree of substantial functional limitation similar to the
36 specific list of disabilities listed in item (a) of this

1 subdivision (2.1).

2 (3) "Minority owned business" means a business concern
3 which is at least 51% owned by one or more minority persons, or
4 in the case of a corporation, at least 51% of the stock in
5 which is owned by one or more minority persons; and the
6 management and daily business operations of which are
7 controlled by one or more of the minority individuals who own
8 it.

9 (4) "Female owned business" means a business concern which
10 is at least 51% owned by one or more females, or, in the case of
11 a corporation, at least 51% of the stock in which is owned by
12 one or more females; and the management and daily business
13 operations of which are controlled by one or more of the
14 females who own it.

15 (4.1) "Business owned by a person with a disability" means
16 a business concern that is at least 51% owned by one or more
17 persons with a disability and the management and daily business
18 operations of which are controlled by one or more of the
19 persons with disabilities who own it. A not-for-profit agency
20 for persons with disabilities that is exempt from taxation
21 under Section 501 of the Internal Revenue Code of 1986 is also
22 considered a "business owned by a person with a disability".

23 (4.2) "Council" means the Business Enterprise Council for
24 Minorities, Females, and Persons with Disabilities created
25 under Section 5 of this Act.

26 (5) "State contracts" shall mean all State contracts,
27 funded exclusively with State funds which are not subject to
28 federal reimbursement, whether competitively bid or negotiated
29 as defined by the Secretary of the Council and approved by the
30 Council.

31 "State construction contracts" means all State contracts
32 entered into by a State agency or State university for the
33 repair, remodeling, renovation or construction of a building or
34 structure, or for the construction or maintenance of a highway
35 defined in Article 2 of the Illinois Highway Code.

36 (6) "State agencies" shall mean all departments, officers,

1 boards, commissions, institutions and bodies politic and
2 corporate of the State, but does not include the Board of
3 Trustees of the University of Illinois, the Board of Trustees
4 of Southern Illinois University, the Board of Trustees of
5 Chicago State University, the Board of Trustees of Eastern
6 Illinois University, the Board of Trustees of Governors State
7 University, the Board of Trustees of Illinois State University,
8 the Board of Trustees of Northeastern Illinois University, the
9 Board of Trustees of Northern Illinois University, the Board of
10 Trustees of Western Illinois University, municipalities or
11 other local governmental units, or other State constitutional
12 officers.

13 (7) "State universities" shall mean the Board of Trustees
14 of the University of Illinois, the Board of Trustees of
15 Southern Illinois University at Carbondale, the Board of
16 Trustees of Southern Illinois University at Edwardsville, the
17 Board of Trustees of Chicago State University, the Board of
18 Trustees of Eastern Illinois University, the Board of Trustees
19 of Governors State University, the Board of Trustees of
20 Illinois State University, the Board of Trustees of
21 Northeastern Illinois University, the Board of Trustees of
22 Northern Illinois University, and the Board of Trustees of
23 Western Illinois University.

24 (8) "Certification" means a determination made by the
25 Council or by one delegated authority from the Council to make
26 certifications, or by a State agency with statutory authority
27 to make such a certification, that a business entity is a
28 business owned by a minority, female, or person with a
29 disability for whatever purpose.

30 (9) "Control" means the exclusive or ultimate and sole
31 control of the business including, but not limited to, capital
32 investment and all other financial matters, property,
33 acquisitions, contract negotiations, legal matters,
34 officer-director-employee selection and comprehensive hiring,
35 operating responsibilities, cost-control matters, income and
36 dividend matters, financial transactions and rights of other

1 shareholders or joint partners. Control shall be real,
2 substantial and continuing, not pro forma. Control shall
3 include the power to direct or cause the direction of the
4 management and policies of the business and to make the
5 day-to-day as well as major decisions in matters of policy,
6 management and operations. Control shall be exemplified by
7 possessing the requisite knowledge and expertise to run the
8 particular business and control shall not include simple
9 majority or absentee ownership.

10 (10) "Business concern or business" means a business which
11 has annual gross sales for the most recent fiscal year of less
12 than \$27,000,000, except that a firm with gross sales in excess
13 of that amount may apply to the Council for certification for a
14 particular contract if the firm can demonstrate that the
15 contract would have significant impact on businesses owned by
16 minorities, females, or persons with disabilities as suppliers
17 or subcontractors or in employment of minorities, females, or
18 persons with disabilities.

19 (B) When a business concern is owned at least 51% by any
20 combination of minority persons, females, or persons with
21 disabilities, even though none of the 3 classes alone holds at
22 least a 51% interest, the ownership requirement for purposes of
23 this Act is considered to be met. The certification category
24 for the business is that of the class holding the largest
25 ownership interest in the business. If 2 or more classes have
26 equal ownership interests, the certification category shall be
27 determined by the Department of Central Management Services.

28 (Source: P.A. 92-670, eff. 7-16-02.)

29 Section 110. The Build Illinois Act is amended by changing
30 Section 1-3 as follows:

31 (30 ILCS 750/1-3) (from Ch. 127, par. 2701-3)

32 Sec. 1-3. The following agencies, boards and entities of
33 State government may expend appropriations for the purposes
34 contained in this Act: Department of Natural Resources;

1 Department of Agriculture; Illinois Finance Authority; Capital
2 Development Board; Department of Transportation; Department of
3 Central Management Services; Illinois Arts Council;
4 Environmental Protection Agency; Historic Preservation Agency;
5 State Board of Higher Education; the Metropolitan Pier and
6 Exposition Authority; State Board of Education; Illinois
7 Community College Board; Board of Trustees of the University of
8 Illinois; Board of Trustees of Chicago State University; Board
9 of Trustees of Eastern Illinois University; Board of Trustees
10 of Governors State University; Board of Trustees of Illinois
11 State University; Board of Trustees of Northeastern Illinois
12 University; Board of Trustees of Northern Illinois University;
13 Board of Trustees of Western Illinois University; ~~and~~ Board of
14 Trustees of Southern Illinois University at Carbondale; and
15 Board of Trustees of Southern Illinois University at
16 Edwardsville.

17 (Source: P.A. 93-205, eff. 1-1-04.)

18 Section 115. The Illinois Pension Code is amended by
19 changing Sections 15-106 and 24-109 as follows:

20 (40 ILCS 5/15-106) (from Ch. 108 1/2, par. 15-106)

21 Sec. 15-106. Employer. "Employer": The University of
22 Illinois, Southern Illinois University at Carbondale, Southern
23 Illinois University at Edwardsville, Chicago State University,
24 Eastern Illinois University, Governors State University,
25 Illinois State University, Northeastern Illinois University,
26 Northern Illinois University, Western Illinois University, the
27 State Board of Higher Education, the Illinois Mathematics and
28 Science Academy, the State Geological Survey Division of the
29 Department of Natural Resources, the State Natural History
30 Survey Division of the Department of Natural Resources, the
31 State Water Survey Division of the Department of Natural
32 Resources, the Waste Management and Research Center of the
33 Department of Natural Resources, the University Civil Service
34 Merit Board, the Board of Trustees of the State Universities

1 Retirement System, the Illinois Community College Board,
2 community college boards, any association of community college
3 boards organized under Section 3-55 of the Public Community
4 College Act, the Board of Examiners established under the
5 Illinois Public Accounting Act, and, only during the period for
6 which employer contributions required under Section 15-155 are
7 paid, the following organizations: the alumni associations,
8 the foundations and the athletic associations which are
9 affiliated with the universities and colleges included in this
10 Section as employers.

11 A department as defined in Section 14-103.04 is an employer
12 for any person appointed by the Governor under the Civil
13 Administrative Code of Illinois who is a participating employee
14 as defined in Section 15-109. The Department of Central
15 Management Services is an employer with respect to persons
16 employed by the State Board of Higher Education in positions
17 with the Illinois Century Network as of June 30, 2004 who
18 remain continuously employed after that date by the Department
19 of Central Management Services in positions with the Illinois
20 Century Network.

21 The cities of Champaign and Urbana shall be considered
22 employers, but only during the period for which contributions
23 are required to be made under subsection (b-1) of Section
24 15-155 and only with respect to individuals described in
25 subsection (h) of Section 15-107.

26 (Source: P.A. 93-839, eff. 7-30-04.)

27 (40 ILCS 5/24-109) (from Ch. 108 1/2, par. 24-109)

28 Sec. 24-109. Football Coaches.

29 (a) Any football coach employed by the Board of Trustees of
30 Chicago State University, the Board of Trustees of Eastern
31 Illinois University, the Board of Trustees of Governors State
32 University, the Board of Trustees of Illinois State University,
33 the Board of Trustees of Northeastern Illinois University, the
34 Board of Trustees of Northern Illinois University, the Board of
35 Trustees of Western Illinois University, the University of

1 Illinois Board of Trustees, ~~or~~ the Board of Trustees of
2 Southern Illinois University at Carbondale, or the Board of
3 Trustees of Southern Illinois University at Edwardsville
4 ~~System Board of Trustees~~, may participate in the American
5 Football Coaches Retirement Trust in accordance with the
6 conditions of that Trust, of this Section, and of applicable
7 federal law.

8 (b) A football coach who elects to participate in the Trust
9 may defer a part of his compensation as a coach by making
10 employee contributions to the Trust. Amounts deferred by the
11 coach under this Section shall be deemed a part of the coach's
12 compensation for purposes of participation in the State
13 Universities Retirement System but, in accordance with the U.S.
14 Internal Revenue Code of 1986, shall not be included in the
15 computation of federal income taxes withheld on behalf of the
16 coach. The employing institution of higher education shall not
17 make any employer contributions to the Trust on behalf of the
18 coach.

19 (c) A football coach who participates in the Trust may not
20 participate in any other program of deferred compensation under
21 this Article during any year in which he makes contributions to
22 the Trust.

23 (d) Participation in the Trust shall be administered by the
24 institution of higher education that employs the coach. Each
25 such institution shall report annually to the General Assembly
26 on the status of the Trust and participation under this
27 Section.

28 (e) The right to participate in the Trust that is granted
29 by this Section is subject to future limitation, and shall not
30 be deemed to be a pension benefit that is protected from
31 impairment under Section 5 of Article XIII of the Illinois
32 Constitution.

33 (Source: P.A. 90-14, eff. 7-1-97.)

34 Section 120. The Counties Code is amended by changing
35 Section 4-2001 as follows:

1 (55 ILCS 5/4-2001) (from Ch. 34, par. 4-2001)

2 Sec. 4-2001. State's attorney salaries.

3 (a) There shall be allowed to the several state's attorneys
4 in this State, except the state's attorney of Cook County, the
5 following annual salary:

6 (1) Subject to paragraph (5), to each state's attorney
7 in counties containing less than 10,000 inhabitants,
8 \$40,500 until December 31, 1988, \$45,500 until June 30,
9 1994, and \$55,500 thereafter or as set by the Compensation
10 Review Board, whichever is greater.

11 (2) Subject to paragraph (5), to each state's attorney
12 in counties containing 10,000 or more inhabitants but less
13 than 20,000 inhabitants, \$46,500 until December 31, 1988,
14 \$61,500 until June 30, 1994, and \$71,500 thereafter or as
15 set by the Compensation Review Board, whichever is greater.

16 (3) Subject to paragraph (5), to each state's attorney
17 in counties containing 20,000 or more but less than 30,000
18 inhabitants, \$51,000 until December 31, 1988, \$65,000
19 until June 30, 1994, and \$75,000 thereafter or as set by
20 the Compensation Review Board, whichever is greater.

21 (4) To each state's attorney in counties of 30,000 or
22 more inhabitants, \$65,500 until December 31, 1988, \$80,000
23 until June 30, 1994, and \$96,837 thereafter or as set by
24 the Compensation Review Board, whichever is greater.

25 (5) Effective December 1, 2000, to each state's
26 attorney in counties containing fewer than 30,000
27 inhabitants, the same salary plus any cost of living
28 adjustments as authorized by the Compensation Review Board
29 to take effect after January 1, 1999, for state's attorneys
30 in counties containing 20,000 or more but fewer than 30,000
31 inhabitants, or as set by the Compensation Review Board
32 whichever is greater.

33 The State shall furnish 66 2/3% of the total annual
34 compensation to be paid to each state's attorney in Illinois
35 based on the salary in effect on December 31, 1988, and 100% of

1 the increases in salary taking effect after December 31, 1988.

2 Said amounts furnished by the State shall be payable
3 monthly from the state treasury to the county in which each
4 state's attorney is elected.

5 Each county shall be required to furnish 33 1/3% of the
6 total annual compensation to be paid to each state's attorney
7 in Illinois based on the salary in effect on December 31, 1988.

8 (b) Effective December 1, 2000, no state's attorney may
9 engage in the private practice of law. However, until November
10 30, 2000, (i) the state's attorneys in counties containing
11 fewer than 10,000 inhabitants may engage in the practice of
12 law, and (ii) in any county between 10,000 and 30,000
13 inhabitants or in any county containing 30,000 or more
14 inhabitants which reached that population between 1970 and
15 December 31, 1981, the state's attorney may declare his or her
16 intention to engage in the private practice of law, and may do
17 so through no later than November 30, 2000, by filing a written
18 declaration of intent to engage in the private practice of law
19 with the county clerk. The declaration of intention shall be
20 irrevocable during the remainder of the term of office. The
21 declaration shall be filed with the county clerk within 30 days
22 of certification of election or appointment, or within 60 days
23 of March 15, 1989, whichever is later. In that event the annual
24 salary of such state's attorney shall be as follows:

25 (1) In counties containing 10,000 or more inhabitants
26 but less than 20,000 inhabitants, \$46,500 until December
27 31, 1988, \$51,500 until June 30, 1994, and \$61,500
28 thereafter or as set by the Compensation Review Board,
29 whichever is greater. The State shall furnish 100% of the
30 increases taking effect after December 31, 1988.

31 (2) In counties containing 20,000 or more inhabitants
32 but less than 30,000 inhabitants, and in counties
33 containing 30,000 or more inhabitants which reached said
34 population between 1970 and December 31, 1981, \$51,500
35 until December 31, 1988, \$56,000 until June 30, 1994, and
36 \$65,000 thereafter or as set by the Compensation Review

1 Board, whichever is greater. The State shall furnish 100%
2 of the increases taking effect after December 31, 1988.

3 (c) In counties where a state mental health institution, as
4 hereinafter defined, is located, one assistant state's
5 attorney shall receive for his services, payable monthly from
6 the state treasury to the county in which he is appointed, the
7 following:

8 (1) To each assistant state's attorney in counties
9 containing less than 10,000 inhabitants, the sum of \$2,500
10 per annum;

11 (2) To each assistant state's attorney in counties
12 containing not less than 10,000 inhabitants and not more
13 than 20,000 inhabitants, the sum of \$3,500 per annum;

14 (3) To each assistant state's attorney in counties
15 containing not less than 20,000 inhabitants and not more
16 than 30,000 inhabitants, the sum of \$4,000 per annum;

17 (4) To each assistant state's attorney in counties
18 containing not less than 30,000 inhabitants and not more
19 than 40,000 inhabitants, the sum of \$4,500 per annum;

20 (5) To each assistant state's attorney in counties
21 containing not less than 40,000 inhabitants and not more
22 than 70,000 inhabitants, the sum of \$5,000 per annum;

23 (6) To each assistant state's attorney in counties
24 containing not less than 70,000 inhabitants and not more
25 than 1,000,000 inhabitants, the sum of \$6,000 per annum.

26 (d) The population of all counties for the purpose of
27 fixing salaries as herein provided shall be based upon the last
28 Federal census immediately previous to the appointment of an
29 assistant state's attorney in each county.

30 (e) At the request of the county governing authority, in
31 counties where one or more state correctional institutions, as
32 hereinafter defined, are located, one or more assistant state's
33 attorneys shall receive for their services, provided that such
34 services are performed in connection with the state
35 correctional institution, payable monthly from the state
36 treasury to the county in which they are appointed, the

1 following:

2 (1) \$22,000 for each assistant state's attorney in
3 counties with one or more State correctional institutions
4 with a total average daily inmate population in excess of
5 2,000, on the basis of 2 assistant state's attorneys when
6 the total average daily inmate population exceeds 2,000 but
7 is less than 4,000; and 3 assistant state's attorneys when
8 such population exceeds 4,000; with reimbursement to be
9 based on actual services rendered.

10 (2) \$15,000 per year for one assistant state's attorney
11 in counties having one or more correctional institutions
12 with a total average daily inmate population of between 750
13 and 2,000 inmates, with reimbursement to be based on actual
14 services rendered.

15 (3) A maximum of \$12,000 per year for one assistant
16 state's attorney in counties having less than 750 inmates,
17 with reimbursement to be based on actual services rendered.

18 Upon application of the county governing authority and
19 certification of the State's Attorney, the Director of
20 Corrections may, in his discretion and subject to
21 appropriation, increase the amount of salary reimbursement
22 to a county in the event special circumstances require the
23 county to incur extraordinary salary expenditures as a
24 result of services performed in connection with State
25 correctional institutions in that county.

26 In determining whether or not to increase the amount of
27 salary reimbursement, the Director shall consider, among other
28 matters:

29 (1) the nature of the services rendered;

30 (2) the results or dispositions obtained;

31 (3) whether or not the county was required to employ
32 additional attorney personnel as a direct result of the
33 services actually rendered in connection with a particular
34 service to a State correctional institution.

35 (f) In counties where a State senior institution of higher
36 education is located, the assistant state's attorneys

1 specified by this Section shall receive for their services,
2 payable monthly from the State treasury to the county in which
3 appointed, the following:

4 (1) \$14,000 per year each for employment on a full time
5 basis for 2 assistant state's attorneys in counties having
6 a State university or State universities with combined full
7 time enrollment of more than 15,000 students.

8 (2) \$7,200 per year for one assistant state's attorney
9 with no limitation on other practice in counties having a
10 State university or State universities with combined full
11 time enrollment of 10,000 to 15,000 students.

12 (3) \$4,000 per year for one assistant state's attorney
13 with no limitation on other practice in counties having a
14 State university or State universities with combined full
15 time enrollment of less than 10,000 students.

16 Such salaries shall be paid to the state's attorney and the
17 assistant state's attorney in equal monthly installments by
18 such county out of the county treasury provided that the State
19 of Illinois shall reimburse each county monthly from the state
20 treasury the amount of such salary. This Section shall not
21 prevent the payment of such additional compensation to the
22 state's attorney or assistant state's attorney of any county,
23 out of the treasury of that county as may be provided by law.

24 (g) For purposes of this Section, "State mental health
25 institution" means any institution under the jurisdiction of
26 the Department of Human Services that is listed in Section 4 of
27 the Mental Health and Developmental Disabilities
28 Administrative Act.

29 For purposes of this Section, "State correctional
30 institution" means any facility of the Department of
31 Corrections including adult facilities, juvenile facilities,
32 pre-release centers, community correction centers, and work
33 camps.

34 For purposes of this Section, "State university" means the
35 University of Illinois, Southern Illinois University at
36 Carbondale, Southern Illinois University at Edwardsville,

1 Chicago State University, Eastern Illinois University,
2 Governors State University, Illinois State University,
3 Northeastern Illinois University, Northern Illinois
4 University, Western Illinois University, and any public
5 community college which has established a program of
6 interinstitutional cooperation with one of the foregoing
7 institutions whereby a student, after earning an associate
8 degree from the community college, pursues a course of study at
9 the community college campus leading to a baccalaureate degree
10 from the foregoing institution (also known as a "2 Plus 2"
11 degree program).

12 (h) A number of assistant state's attorneys shall be
13 appointed in each county that chooses to participate, as
14 provided in this subsection, for the prosecution of
15 alcohol-related traffic offenses. Each county shall receive
16 monthly a subsidy for payment of the salaries and benefits of
17 these assistant state's attorneys from State funds
18 appropriated to the county for that purpose. The amounts of
19 subsidies provided by this subsection shall be adjusted for
20 inflation each July 1 using the Consumer Price Index of the
21 Bureau of Labor Statistics of the U.S. Department of Labor.

22 When a county chooses to participate in the subsidy program
23 described in this subsection (h), the number of assistant
24 state's attorneys who are prosecuting alcohol-related traffic
25 offenses must increase according to the subsidy provided in
26 this subsection. These appointed assistant state's attorneys
27 shall be in addition to any other assistant state's attorneys
28 assigned to those cases on the effective date of this
29 amendatory Act of the 91st General Assembly, and may not
30 replace those assistant state's attorneys. In counties where
31 the state's attorney is the sole prosecutor, this subsidy shall
32 be used to provide an assistant state's attorney to prosecute
33 alcohol-related traffic offenses along with the state's
34 attorney. In counties where the state's attorney is the sole
35 prosecutor, and in counties where a judge presides over cases
36 involving a variety of misdemeanors, including alcohol-related

1 traffic matters, assistant state's attorneys appointed and
2 subsidized by this subsection (h) may also prosecute the
3 different misdemeanor cases at the direction of the state's
4 attorney.

5 Assistant state's attorneys shall be appointed under this
6 subsection in the following number and counties shall receive
7 the following annual subsidies:

8 (1) In counties with fewer than 30,000 inhabitants, one
9 at \$35,000.

10 (2) In counties with 30,000 or more but fewer than
11 100,000 inhabitants, one at \$45,000.

12 (3) In counties with 100,000 or more but fewer than
13 300,000 inhabitants, 2 at \$45,000 each.

14 (4) In counties, other than Cook County, with 300,000
15 or more inhabitants, 4 at \$50,000 each.

16 The amounts appropriated under this Section must be
17 segregated by population classification and disbursed monthly.

18 If in any year the amount appropriated for the purposes of
19 this subsection (h) is insufficient to pay all of the subsidies
20 specified in this subsection, the amount appropriated shall
21 first be prorated by the population classifications of this
22 subsection (h) and then among the counties choosing to
23 participate within each of those classifications. If any of the
24 appropriated moneys for each population classification remain
25 at the end of a fiscal year, the remainder of the moneys may be
26 allocated to participating counties that were not fully funded
27 during the course of the year. Nothing in this subsection
28 prohibits 2 or more State's attorneys from combining their
29 subsidies to appoint a joint assistant State's attorney to
30 prosecute alcohol-related traffic offenses in multiple
31 counties. Nothing in this subsection prohibits a State's
32 attorney from appointing an assistant State's attorney by
33 contract or otherwise.

34 (Source: P.A. 91-273, eff. 1-1-00; 91-440, eff. 8-6-99; 91-704,
35 eff. 7-1-00; 92-309, eff. 8-9-01.)

1 Section 125. The Municipal Clerk Training Act is amended by
2 changing Section 2 as follows:

3 (65 ILCS 50/2) (from Ch. 144, par. 61.52)

4 Sec. 2. There is created the Municipal Clerk Training
5 Institute Committee composed of 5 municipal clerks, appointed
6 by the Governor as provided herein, and 10 ~~9~~ ex-officio
7 members, designated as provided herein, as representatives of
8 public colleges and universities in this State. Each member
9 appointed by the Governor after the effective date of this
10 amendatory Act of 1987 shall be a certified municipal clerk
11 recommended by the Executive Board of the Municipal Clerks of
12 Illinois and serving as a municipal clerk at the time he or she
13 is so recommended and appointed. The 2 additional municipal
14 clerks appointed pursuant to the provisions of this amendatory
15 Act of 1987 both shall be appointed to serve until the third
16 Monday in January, 1992, or until their successors are
17 appointed and qualified. Of the 3 municipal clerks serving as
18 members of the Committee on the effective date of this
19 amendatory Act of 1987, they shall determine by agreement or by
20 lot one who shall continue to so serve until the third Monday
21 in January, 1989, a second who shall continue to so serve until
22 the third Monday in January, 1990, and a third who shall
23 continue to so serve until the third Monday in January, 1991;
24 provided, that each shall serve until his or her successor is
25 appointed and qualified. Each successor of any member appointed
26 to the Committee as a municipal clerk shall be appointed to
27 serve for a 4 year term expiring on the third Monday in
28 January, or until his or her successor is appointed and
29 qualified. Any vacancy occurring in the office of a Committee
30 member appointed by the Governor, whether by death, resignation
31 or otherwise, shall be filled by appointment by the Governor
32 from a recommendation or recommendations made by the Executive
33 Board of the Municipal Clerks of Illinois, in the same manner
34 as original appointments. A member appointed to fill a vacancy
35 shall serve for the remainder of the unexpired term or until

1 his or her successor is appointed and qualified. In the event
2 the Governor refuses to appoint a municipal clerk recommended
3 by the Executive Board of the Municipal Clerks of Illinois to
4 either a full term or, in cases of a vacancy, to the remainder
5 of an unexpired term on the Committee, such Executive Board
6 shall promptly recommend one or more additional qualified
7 persons to the Governor for such appointment. The terms of the
8 3 committee members designated by the Board of Trustees of the
9 University of Illinois and serving on the effective date of
10 this amendatory Act of 1987 shall terminate on that effective
11 date, and the 4 ex-officio members designated pursuant to the
12 provisions of this amendatory Act of 1987 shall be designated
13 as follows: one representative of the University of Illinois
14 designated by the Board of Trustees of that University; one
15 representative of Southern Illinois University at Carbondale
16 designated by the Board of Trustees of that University; one
17 representative designated by the Board of Governors of State
18 Colleges and Universities of the several universities and
19 colleges under its governance; and one representative
20 designated by the Board of Regents of the several Regency
21 Universities under its jurisdiction. The terms of the 2
22 ex-officio members designated as representatives of the Board
23 of Governors of State Colleges and Universities and the Board
24 of Regents shall terminate on the effective date of this
25 amendatory Act of 1995. The 2 ex-officio members whose terms
26 are terminated by this amendatory Act of 1995 shall be replaced
27 by 7 additional ex-officio members, one representing the Board
28 of Trustees of Chicago State University, one representing the
29 Board of Trustees of Eastern Illinois University, one
30 representing the Board of Trustees of Governors State
31 University, one representing the Board of Trustees of Illinois
32 State University, one representing the Board of Trustees of
33 Northeastern Illinois University, one representing the Board
34 of Trustees of Northern Illinois University, and one
35 representing the Board of Trustees of Western Illinois
36 University. One additional ex-officio member shall represent

1 the Board of Trustees of Southern Illinois University at
2 Edwardsville. The ~~109~~ ex-officio members representing the
3 public colleges and universities shall serve in an advisory
4 capacity to the members appointed by the Governor, and each
5 such ex-officio member shall serve at the pleasure of the
6 governing board designating them to membership on the
7 Committee. Members of the Committee shall serve without
8 compensation.

9 (Source: P.A. 89-4, eff. 1-1-96.)

10 Section 130. The Municipal Tax Compliance Act is amended by
11 changing Section 4 as follows:

12 (65 ILCS 80/4) (from Ch. 24, par. 1554)

13 Sec. 4. As used in this Act, except when the context
14 otherwise requires:

15 (a) "Public institution of higher education" means the
16 University of Illinois; Southern Illinois University at
17 Carbondale; Southern Illinois University at Edwardsville;
18 Chicago State University; Eastern Illinois University;
19 Governors State University; Illinois State University;
20 Northeastern Illinois University; Northern Illinois
21 University; Western Illinois University; the public community
22 colleges of the State and any other public universities,
23 colleges and community colleges now or hereafter established or
24 authorized by law.

25 (b) "Hotel", "operator", "occupancy", "room" or "rooms",
26 "permanent resident" and "rental" each shall have the
27 respective meanings ascribed thereto by Section 2 of The Hotel
28 Operator's Occupation Tax Act, except that the term "hotel"
29 shall also include dormitories, student unions and student
30 centers owned, leased or operated by public institutions of
31 higher education.

32 (c) "Parking spaces" means spaces provided and furnished
33 for persons to park motor vehicles with or without a charge by
34 a public institution of higher education under the control of

1 such public institution of higher education.

2 (d) "Student performances" means theatricals, shows,
3 motion picture shows, or live performances when such
4 theatricals, shows, motion picture shows or live performances
5 are sponsored by a public institution of higher education or a
6 student organization recognized by a public institution of
7 higher education or in which students enrolled in a public
8 institution of higher education constitute more than 50% of the
9 performers. Student performances shall not include
10 performances which take place within the physical boundaries of
11 a public institution of higher education and are sponsored in
12 whole or in part by any individual or business entity which is
13 not a student, a public institution of higher education, a
14 recognized student organization or an employee of said public
15 institution of higher education or where an individual or
16 business entity rents or leases a building owned by a public
17 institution of higher education for the purpose of the staging
18 of such a performance.

19 (e) "Student athletic contests" means any athletic contest
20 sanctioned and performed under the auspices of the National
21 Collegiate Athletic Association or the National Association of
22 Intercollegiate Athletics or any athletic contest sanctioned
23 or performed under the auspices of a public institution of
24 higher education as defined herein.

25 (Source: P.A. 89-4, eff. 1-1-96.)

26 Section 135. The Hospital District Law is amended by
27 changing Section 15 as follows:

28 (70 ILCS 910/15) (from Ch. 23, par. 1265)

29 Sec. 15. A Hospital District shall constitute a municipal
30 corporation and body politic separate and apart from any other
31 municipality, the State of Illinois or any other public or
32 governmental agency and shall have and exercise the following
33 governmental powers, and all other powers incidental,
34 necessary, convenient, or desirable to carry out and effectuate

1 such express powers.

2 1. To establish and maintain a hospital and hospital
3 facilities within or outside its corporate limits, and to
4 construct, acquire, develop, expand, extend and improve any
5 such hospital or hospital facility. If a Hospital District
6 utilizes its authority to levy a tax pursuant to Section 20 of
7 this Act for the purpose of establishing and maintaining
8 hospitals or hospital facilities, such District shall be
9 prohibited from establishing and maintaining hospitals or
10 hospital facilities located outside of its district unless so
11 authorized by referendum. To approve the provision of any
12 service and to approve any contract or other arrangement not
13 prohibited by a hospital licensed under the Hospital Licensing
14 Act, incorporated under the General Not-For-Profit Corporation
15 Act, and exempt from taxation under paragraph (3) of subsection
16 (c) of Section 501 of the Internal Revenue Code.

17 2. To acquire land in fee simple, rights in land and
18 easements upon, over or across land and leasehold interests in
19 land and tangible and intangible personal property used or
20 useful for the location, establishment, maintenance,
21 development, expansion, extension or improvement of any such
22 hospital or hospital facility. Such acquisition may be by
23 dedication, purchase, gift, agreement, lease, use or adverse
24 possession or by condemnation.

25 3. To operate, maintain and manage such hospital and
26 hospital facility, and to make and enter into contracts for the
27 use, operation or management of and to provide rules and
28 regulations for the operation, management or use of such
29 hospital or hospital facility.

30 Such contracts may include the lease by the District of all
31 or any portion of its facilities to a not-for-profit
32 corporation organized by the District's board of directors. The
33 rent to be paid pursuant to any such lease shall be in an
34 amount deemed appropriate by the board of directors. Any of the
35 remaining assets which are not the subject of such a lease may
36 be conveyed and transferred to the not-for-profit corporation

1 organized by the District's board of directors provided that
2 the not-for-profit corporation agrees to discharge or assume
3 such debts, liabilities, and obligations of the District as
4 determined to be appropriate by the District's board of
5 directors.

6 4. To fix, charge and collect reasonable fees and
7 compensation for the use or occupancy of such hospital or any
8 part thereof, or any hospital facility, and for nursing care,
9 medicine, attendance, or other services furnished by such
10 hospital or hospital facilities, according to the rules and
11 regulations prescribed by the board from time to time.

12 5. To borrow money and to issue general obligation bonds,
13 revenue bonds, notes, certificates, or other evidences of
14 indebtedness for the purpose of accomplishing any of its
15 corporate purposes, subject to compliance with any conditions
16 or limitations set forth in this Act or the Health Facilities
17 Planning Act or otherwise provided by the constitution of the
18 State of Illinois and to execute, deliver, and perform
19 mortgages and security agreements to secure such borrowing.

20 6. To employ or enter into contracts for the employment of
21 any person, firm, or corporation, and for professional
22 services, necessary or desirable for the accomplishment of the
23 corporate objects of the District or the proper administration,
24 management, protection or control of its property.

25 7. To maintain such hospital for the benefit of the
26 inhabitants of the area comprising the District who are sick,
27 injured, or maimed regardless of race, creed, religion, sex,
28 national origin or color, and to adopt such reasonable rules
29 and regulations as may be necessary to render the use of the
30 hospital of the greatest benefit to the greatest number; to
31 exclude from the use of the hospital all persons who wilfully
32 disregard any of the rules and regulations so established; to
33 extend the privileges and use of the hospital to persons
34 residing outside the area of the District upon such terms and
35 conditions as the board of directors prescribes by its rules
36 and regulations.

1 8. To police its property and to exercise police powers in
2 respect thereto or in respect to the enforcement of any rule or
3 regulation provided by the ordinances of the District and to
4 employ and commission police officers and other qualified
5 persons to enforce the same.

6 The use of any such hospital or hospital facility of a
7 District shall be subject to the reasonable regulation and
8 control of the District and upon such reasonable terms and
9 conditions as shall be established by its board of directors.

10 A regulatory ordinance of a District adopted under any
11 provision of this Section may provide for a suspension or
12 revocation of any rights or privileges within the control of
13 the District for a violation of any such regulatory ordinance.

14 Nothing in this Section or in other provisions of this Act
15 shall be construed to authorize the District or board to
16 establish or enforce any regulation or rule in respect to
17 hospitalization or in the operation or maintenance of such
18 hospital or any hospital facilities within its jurisdiction
19 which is in conflict with any federal or state law or
20 regulation applicable to the same subject matter.

21 9. To provide for the benefit of its employees group life,
22 health, accident, hospital and medical insurance, or any
23 combination of such types of insurance, and to further provide
24 for its employees by the establishment of a pension or
25 retirement plan or system; to effectuate the establishment of
26 any such insurance program or pension or retirement plan or
27 system, a Hospital District may make, enter into or subscribe
28 to agreements, contracts, policies or plans with private
29 insurance companies. Such insurance may include provisions for
30 employees who rely on treatment by spiritual means alone
31 through prayer for healing in accord with the tenets and
32 practice of a well-recognized religious denomination. The
33 board of directors of a Hospital District may provide for
34 payment by the District of a portion of the premium or charge
35 for such insurance or for a pension or retirement plan for
36 employees with the employee paying the balance of such premium

1 or charge. If the board of directors of a Hospital District
2 undertakes a plan pursuant to which the Hospital District pays
3 a portion of such premium or charge, the board shall provide
4 for the withholding and deducting from the compensation of such
5 employees as consent to joining such insurance program or
6 pension or retirement plan or system, the balance of the
7 premium or charge for such insurance or plan or system.

8 If the board of directors of a Hospital District does not
9 provide for a program or plan pursuant to which such District
10 pays a portion of the premium or charge for any group insurance
11 program or pension or retirement plan or system, the board may
12 provide for the withholding and deducting from the compensation
13 of such employees as consent thereto the premium or charge for
14 any group life, health, accident, hospital and medical
15 insurance or for any pension or retirement plan or system.

16 A Hospital District deducting from the compensation of its
17 employees for any group insurance program or pension or
18 retirement plan or system, pursuant to this Section, may agree
19 to receive and may receive reimbursement from the insurance
20 company for the cost of withholding and transferring such
21 amount to the company.

22 10. Except as provided in Section 15.3, to sell at public
23 auction or by sealed bid and convey any real estate held by the
24 District which the board of directors, by ordinance adopted by
25 at least 2/3rds of the members of the board then holding
26 office, has determined to be no longer necessary or useful to,
27 or for the best interests of, the District.

28 An ordinance directing the sale of real estate shall
29 include the legal description of the real estate, its present
30 use, a statement that the property is no longer necessary or
31 useful to, or for the best interests of, the District, the
32 terms and conditions of the sale, whether the sale is to be at
33 public auction or sealed bid, and the date, time, and place the
34 property is to be sold at auction or sealed bids opened.

35 Before making a sale by virtue of the ordinance, the board
36 of directors shall cause notice of the proposal to sell to be

1 published once each week for 3 successive weeks in a newspaper
2 published, or, if none is published, having a general
3 circulation, in the district, the first publication to be not
4 less than 30 days before the day provided in the notice for the
5 public sale or opening of bids for the real estate.

6 The notice of the proposal to sell shall include the same
7 information included in the ordinance directing the sale and
8 shall advertise for bids therefor. A sale of property by public
9 auction shall be held at the property to be sold at a time and
10 date determined by the board of directors. The board of
11 directors may accept the high bid or any other bid determined
12 to be in the best interests of the district by a vote of 2/3rds
13 of the board then holding office, but by a majority vote of
14 those holding office, they may reject any and all bids.

15 The chairman and secretary of the board of directors shall
16 execute all documents necessary for the conveyance of such real
17 property sold pursuant to the foregoing authority.

18 11. To establish and administer a program of loans for
19 postsecondary students pursuing degrees in accredited public
20 health-related educational programs at public institutions of
21 higher education. If a student is awarded a loan, the
22 individual shall agree to accept employment within the hospital
23 district upon graduation from the public institution of higher
24 education. For the purposes of this Act, "public institutions
25 of higher education" means the University of Illinois; Southern
26 Illinois University at Carbondale; Southern Illinois
27 University at Edwardsville; Chicago State University; Eastern
28 Illinois University; Governors State University; Illinois
29 State University; Northeastern Illinois University; Northern
30 Illinois University; Western Illinois University; the public
31 community colleges of the State; and any other public colleges,
32 universities or community colleges now or hereafter
33 established or authorized by the General Assembly. The
34 district's board of directors shall by resolution provide for
35 eligibility requirements, award criteria, terms of financing,
36 duration of employment accepted within the district and such

1 other aspects of the loan program as its establishment and
2 administration may necessitate.

3 12. To establish and maintain congregate housing units; to
4 acquire land in fee simple and leasehold interests in land for
5 the location, establishment, maintenance, and development of
6 those housing units; to borrow funds and give debt instruments,
7 real estate mortgages, and security interests in personal
8 property, contract rights, and general intangibles; and to
9 enter into any contract required for participation in any
10 federal or State programs.

11 (Source: P.A. 92-534, eff. 5-14-02; 92-611, eff. 7-3-02.)

12 Section 140. The School Code is amended by changing
13 Sections 30-13, 30-15.25, 30-16.4, and 30-16.6 as follows:

14 (105 ILCS 5/30-13) (from Ch. 122, par. 30-13)

15 Sec. 30-13. The scholarships issued under Sections 30-9
16 through 30-12 of this Article may be used at the University of
17 Illinois, Southern Illinois University at Carbondale, Southern
18 Illinois University at Edwardsville, Chicago State University,
19 Eastern Illinois University, Governors State University,
20 Illinois State University, Northeastern Illinois University,
21 Northern Illinois University, and Western Illinois University
22 as provided in those sections. Unless otherwise indicated,
23 these scholarships shall be good for a period of not more than
24 4 years while enrolled for residence credit and shall exempt
25 the holder from the payment of tuition, or any matriculation,
26 graduation, activity, term or incidental fee, except any
27 portion of a multipurpose fee which is used for a purpose for
28 which exemption is not granted under this Section. Exemption
29 shall not be granted from any other fees, including book
30 rental, service, laboratory, supply, union building, hospital
31 and medical insurance fees and any fees established for the
32 operation and maintenance of buildings, the income of which is
33 pledged to the payment of interest and principal on bonds
34 issued by the governing board of any university or community

1 college.

2 Any student who has been or shall be awarded a scholarship
3 shall be reimbursed by the appropriate university or community
4 college for any fees which he has paid and for which exemption
5 is granted under this Section, if application for such
6 reimbursement is made within 2 months following the school term
7 for which the fees were paid.

8 The holder of a scholarship shall be subject to all
9 examinations, rules and requirements of the university or
10 community college in which he is enrolled except as herein
11 directed.

12 This article does not prohibit the Board of Trustees of the
13 University of Illinois, the Board of Trustees of Southern
14 Illinois University at Carbondale, the Board of Trustees of
15 Southern Illinois University at Edwardsville, the Board of
16 Trustees of Chicago State University, the Board of Trustees of
17 Eastern Illinois University, the Board of Trustees of Governors
18 State University, the Board of Trustees of Illinois State
19 University, the Board of Trustees of Northeastern Illinois
20 University, the Board of Trustees of Northern Illinois
21 University, and the Board of Trustees of Western Illinois
22 University ~~the Board of Regents of the Regency Universities~~
23 ~~System and the Board of Governors of State Colleges and~~
24 ~~Universities for the institutions under their respective~~
25 ~~jurisdictions~~ from granting other scholarships.

26 (Source: P.A. 88-228; 89-4, eff. 1-1-96.)

27 (105 ILCS 5/30-15.25) (from Ch. 122, par. 30-15.25)

28 Sec. 30-15.25. (a) As used in this Section, the term
29 "public institution of higher education" includes: the
30 University of Illinois; Southern Illinois University at
31 Carbondale; Southern Illinois University at Edwardsville;
32 Chicago State University; Eastern Illinois University;
33 Governors State University; Illinois State University;
34 Northeastern Illinois University; Northern Illinois
35 University; Western Illinois University; the public community

1 colleges of the State; and any other public universities,
2 colleges and community colleges now or hereafter established or
3 authorized by the General Assembly. The term "nonpublic
4 institution of higher education" includes any educational
5 organization in this State, other than a public institution of
6 higher education, which provides a minimum of an organized 2
7 year program at the private junior college level or higher and
8 which operates not-for-profit and in conformity with standards
9 substantially equivalent to those of public institutions of
10 higher education.

11 (b) Each public institution of higher education shall
12 disclose the terms, restrictions and requirements attached to
13 or made a part of any endowment, gift, grant, contract award or
14 property of any kind or value in excess of \$100,000 made to
15 such institution, or to any school, college, division, branch
16 or other organizational entity within or forming a part of such
17 institution, by a foreign government or an individual who is
18 neither a citizen nor a resident of the United States, in any
19 calendar or fiscal year. If the foreign government or
20 individual donates more than one gift in any calendar or fiscal
21 year, and the total value of those gifts exceeds \$100,000, such
22 institution shall report all the gifts received. This
23 subsection shall not apply to funds that public institutions of
24 higher education receive from grants and contracts through
25 either the federal government or the State of Illinois.

26 (c) The provisions of this subsection apply to each
27 nonpublic institution of higher education: (i) which receives
28 any grant or award under the Illinois Financial Assistance Act
29 for Nonpublic Institutions of Higher Learning or under the
30 Higher Education Cooperation Act, or (ii) which is a
31 participant in a program of interinstitutional cooperation
32 administered by a not-for-profit organization that is
33 organized to administer such program under the Higher Education
34 Cooperation Act and that receives any grant under and in
35 furtherance of the purposes of that Act, or (iii) which
36 receives any grant or distribution of grant moneys appropriated

1 from the State Treasury or any fund therein to such institution
2 or to the Board of Higher Education for distribution to
3 nonpublic institutions of higher education for purposes of
4 Section 4 of the Build Illinois Bond Act or for any other
5 purpose authorized by law. Each nonpublic institution of higher
6 education to which the provisions of this subsection apply
7 shall disclose the terms, restrictions and requirements
8 attached to or made a part of any endowment, gift, grant,
9 contract award or property of any kind or value in excess of
10 \$250,000 made to such institution, or to any school, college,
11 division, branch or other organizational entity within or
12 forming a part of such institution, by a foreign government or
13 an individual who is neither a citizen nor a resident of the
14 United States, in any calendar or fiscal year. If the foreign
15 government or individual donates more than one gift in any
16 calendar or fiscal year, and the total value of those gifts
17 exceeds \$250,000, such institution shall report all the gifts
18 received.

19 (d) Such information shall be forwarded to the Attorney
20 General no later than 30 days after the final day of each
21 calendar or fiscal year of such institution, whichever type of
22 year is used by the institution in accounting for the gifts
23 received for the purposes of this Section. The information
24 shall include:

25 (1) the name of the foreign government in the case of a
26 gift by a government, or the name of the foreign country of
27 which an individual donor is a citizen, in the case of a
28 gift by an individual;

29 (2) the amount and the date of the contribution or
30 contributions;

31 (3) when the gift is conditional, matching or
32 designated for a particular purpose, full details of the
33 conditions, matching provisions or designation; and

34 (4) the purpose or purposes for which the contribution
35 will be used.

36 Such information shall be a matter of public record.

1 (Source: P.A. 89-4, eff. 1-1-96.)

2 (105 ILCS 5/30-16.4) (from Ch. 122, par. 30-16.4)

3 Sec. 30-16.4. Privileges Conferred. The scholarships
4 issued under Sections 30-16.1 through 30-16.6, inclusive, of
5 this Article, may be used at those State supported universities
6 where there are provided Reserve Officer's Training Corps
7 programs of the several Armed Services over a period during
8 which the eligible recipient is eligible for enrollment in the
9 program. The scholarships exempt the holder from the payment of
10 tuition, or any matriculation, graduation, activity, term or
11 incidental fee, except any portion of a multi-purpose fee which
12 is used for a purpose for which exemption is not granted under
13 this Section. Exemption may not be granted for any other fees
14 including book rental, service, laboratory, supply, Union
15 Building, hospital and medical insurance fees and any fees
16 established for the operation and maintenance of buildings, the
17 income of which is pledged to the payment of interest and
18 principal, or bonds issued by the governing board of the
19 universities.

20 Any student who has been or is awarded a scholarship shall
21 be reimbursed by the appropriate university for any fees which
22 he has paid and for which exemption is granted under this
23 Section, if application for such reimbursement is made within 2
24 months following the school term for which the fees were paid.

25 The holder of a scholarship is subject to all examinations,
26 rules and requirements of the university in which he is
27 enrolled, except as herein directed.

28 The provisions of Sections 30-16.1 through 30-16.6 of this
29 Act do not prohibit the Board of Trustees of the University of
30 Illinois, the Board of Trustees of Southern Illinois University
31 at Carbondale, the Board of Trustees of Southern Illinois
32 University at Edwardsville, the Board of Trustees of Chicago
33 State University, the Board of Trustees of Eastern Illinois
34 University, the Board of Trustees of Governors State
35 University, the Board of Trustees of Illinois State University,

1 the Board of Trustees of Northeastern Illinois University, the
2 Board of Trustees of Northern Illinois University, and the
3 Board of Trustees of Western Illinois University from granting
4 other scholarships.

5 (Source: P.A. 89-4, eff. 1-1-96.)

6 (105 ILCS 5/30-16.6) (from Ch. 122, par. 30-16.6)

7 Sec. 30-16.6. Registration of eligible recipients;
8 examination. The president or chairman of the board of each
9 private junior college or public community college, and the
10 President of each University in which a Reserve Officer's
11 Training Corps program is available, or some individual or
12 committee designated by such person, shall receive and register
13 the names of all eligible recipients applying for the
14 scholarships set forth in Section 30-16.3. Applicants shall
15 take an examination each year according to the rules prescribed
16 jointly by the President of the University of Illinois, the
17 President of Southern Illinois University at Carbondale, the
18 President of Southern Illinois University at Edwardsville, the
19 President of Chicago State University, the President of Eastern
20 Illinois University, the President of Governors State
21 University, the President of Illinois State University, the
22 President of Northeastern Illinois University, the President
23 of Northern Illinois University, and the President of Western
24 Illinois University. The scholarships shall be awarded on a
25 merit basis to those eligible recipients receiving the highest
26 grades with evidence of leadership ability, and the number of
27 scholarships to be awarded in any institution shall be as set
28 forth in Section 30-16.3.

29 (Source: P.A. 89-4, eff. 1-1-96.)

30 Section 145. The Illinois Peace Corps Fellowship Program
31 Law is amended by changing Section 2-3 as follows:

32 (105 ILCS 30/2-3) (from Ch. 122, par. 2003)

33 Sec. 2-3. Program description. The University of Illinois,

1 Southern Illinois University at Carbondale, Southern Illinois
2 University at Edwardsville, Chicago State University, Eastern
3 Illinois University, Governors State University, Illinois
4 State University, Northeastern Illinois University, Northern
5 Illinois University, and Western Illinois University ~~the~~
6 ~~several universities and colleges under the governance of the~~
7 ~~Board of Governors of State Colleges and Universities, and the~~
8 ~~several Regency Universities under the jurisdiction of the~~
9 ~~Board of Regents~~ are hereby authorized to become participants
10 in the Illinois Peace Corps Fellowship Program. Any such
11 participating public institution of higher education may
12 conduct and administer this program to augment the number of
13 Illinois public school teachers by bringing the teaching skills
14 of recently returned United States Peace Corps volunteers to
15 those school districts, including the school districts
16 situated within the City of Chicago and the City of East St.
17 Louis or any other school district designated by the State
18 Board of Education, which enter into cooperative agreements
19 required for implementation of the program. In designating such
20 school districts, the State Board of Education may consider
21 districts that have a high proportion of drop-out students, a
22 high percentage of minority students, a high proportion of low
23 income families and high truancy rates. The program shall
24 utilize former United State Peace Corps volunteers with two
25 years of Peace Corps experience by placing them in the
26 designated cooperating school districts as full time teachers
27 or teacher aides. In return for making a two-year commitment to
28 teaching and being placed in a full-time salaried teacher aide
29 or certificated teaching position at a public school located in
30 a designated cooperating school district, the former Peace
31 Corps volunteer may be awarded a fellowship to the
32 participating public institution of higher education to
33 complete (in the case of teacher aides who are not yet
34 certificated) the courses required for issuance of a teaching
35 certificate under Article 21 of The School Code, or to pursue a
36 master's degree program in education. The fellowships may

1 consist of tuition waivers applicable toward enrollment at the
2 participating public institution of higher education to
3 complete required courses for teacher certification and to
4 pursue a master's degree program in education; and the award of
5 such tuition waivers may be supported by funds and grants made
6 available to the participating university or universities
7 through private or public sources. A participating university
8 may also consider an authorization under which all fellowship
9 recipients are allowed to pay in-state tuition rates while
10 enrolled for credit in a master's degree program.

11 An annual salary for the fellowship recipient to teach in a
12 designated school district for a period of two years may be
13 provided by the designated cooperating school district at which
14 the fellowship recipient shall teach, and may be set at an
15 amount equal to that paid to other teacher aides and
16 certificated teachers in a comparable position.

17 (Source: P.A. 86-1467.)

18 Section 150. The Conservation Education Act is amended by
19 changing Section 1 as follows:

20 (105 ILCS 415/1) (from Ch. 122, par. 698.1)

21 Sec. 1. Definitions: as used in this Act:

22 (a) "State agency" means the Board of Trustees of the
23 University of Illinois, the Board of Trustees of Southern
24 Illinois University at Carbondale, the Board of Trustees of
25 Southern Illinois University at Edwardsville, the Board of
26 Trustees of Chicago State University, the Board of Trustees
27 of Eastern Illinois University, the Board of Trustees of
28 Governors State University, the Board of Trustees of
29 Northeastern Illinois University, the Board of Trustees of
30 Western Illinois University, boards of education and
31 boards of directors of public schools, elected State
32 officers and departments, boards and commissions and other
33 agencies of State government.

34 (b) "School" means any school or class established by

1 this Act.

2 (Source: P.A. 89-4, eff. 1-1-96.)

3 Section 155. The Campus Demonstrations Policy Act is
4 amended by changing Section 1 as follows:

5 (110 ILCS 10/1) (from Ch. 144, par. 225)

6 Sec. 1. For the purposes of this Act:

7 (a) "State-supported institution of higher learning" means
8 the University of Illinois, Southern Illinois University at
9 Carbondale, Southern Illinois University at Edwardsville,
10 Chicago State University, Eastern Illinois University,
11 Governors State University, Illinois State University,
12 Northeastern Illinois University, Northern Illinois
13 University, Western Illinois University, and the public
14 community colleges subject to the Public Community College Act.

15 (b) "Policy on Demonstrations" means an outline of rules
16 and regulations to maintain order on the campus of an
17 institution of higher learning in this State which gives
18 special attention to firmness, to insuring that the civil
19 rights of others are not infringed and to establishment of a
20 step by step approach to secure the reasonable operation of
21 university or college activities in case of any disruptive
22 activity.

23 (Source: P.A. 89-4, eff. 1-1-96.)

24 Section 160. The College Student Immunization Act is
25 amended by changing Section 1 as follows:

26 (110 ILCS 20/1) (from Ch. 144, par. 2601)

27 Sec. 1. Definitions. For the purposes of this Act:

28 (a) "Department" means the Illinois Department of Public
29 Health.

30 (b) "Post-secondary educational institution" means a
31 public or private college or university offering degrees and
32 instruction above the high school level, and shall include, but

1 not be limited to, any and all private colleges and
2 universities, the University of Illinois, Southern Illinois
3 University at Carbondale, Southern Illinois University at
4 Edwardsville, Chicago State University, Eastern Illinois
5 University, Governors State University, Illinois State
6 University, Northeastern Illinois University, Northern
7 Illinois University, Western Illinois University, and any
8 other public university now or hereafter established or
9 authorized by the General Assembly; except that a
10 post-secondary educational institution does not mean or
11 include any public college or university that does not provide
12 on-campus housing for its students in dormitories or equivalent
13 facilities that are owned, operated, and maintained by the
14 public college or university.

15 The term shall not include any public or private junior or
16 community college, or any institution offering degrees and
17 instruction which utilizes correspondence as its primary mode
18 of student instruction.

19 (Source: P.A. 88-651, eff. 9-16-94; 89-4, eff. 1-1-96.)

20 Section 165. The Nonresident College Trustees Act is
21 amended by changing Section 1 as follows:

22 (110 ILCS 60/1) (from Ch. 144, par. 7)

23 Sec. 1. (a) In all colleges, universities and other
24 institutions of learning in the State of Illinois, not placed
25 under the control of the officers of this State, whether
26 organized under any general or special law, non-residents of
27 this State shall be eligible to the office of trustee;
28 provided, that at least 3 members of the board of trustees of
29 any such institution of learning shall be residents of this
30 State. This subsection (a) does not apply to the Board of
31 Trustees of the University of Illinois, Southern Illinois
32 University at Carbondale, Southern Illinois University at
33 Edwardsville, Chicago State University, Eastern Illinois
34 University, Governors State University, Illinois State

1 University, Northeastern Illinois University, Northern
2 Illinois University, or Western Illinois University.

3 (b) No institution of learning in this State shall be
4 removed from this State unless by a unanimous vote of the board
5 of trustees.

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

7 Section 170. The Public University Energy Conservation Act
8 is amended by changing Section 5-5 as follows:

9 (110 ILCS 62/5-5)

10 Sec. 5-5. Public university. "Public university" means any
11 of the the following institutions of higher learning: the
12 University of Illinois, Southern Illinois University at
13 Carbondale, Southern Illinois University at Edwardsville,
14 Northern Illinois University, Eastern Illinois University,
15 Western Illinois University, Northeastern Illinois University,
16 Chicago State University, Governors State University, or
17 Illinois State University, acting in each case through its
18 board of trustees or through a designee of that board.

19 (Source: P.A. 90-486, eff. 8-17-97; 91-357, eff. 7-29-99.)

20 Section 175. The Public University Tuition Statement Act is
21 amended by changing Sections 10 as follows:

22 (110 ILCS 63/10)

23 Sec. 10. Definition. In this Act, "public university"
24 means and includes Chicago State University, Eastern Illinois
25 University, Governors State University, Illinois State
26 University, Northeastern Illinois University, Northern
27 Illinois University, Southern Illinois University at
28 Carbondale, Southern Illinois University at Edwardsville,
29 Western Illinois University, the University of Illinois, and
30 any other public university established or authorized by the
31 General Assembly.

32 (Source: P.A. 91-185, eff. 7-20-99.)

1 Section 180. The State Universities Civil Service Act is
2 amended by changing Sections 36b, 36c, 36e, and 36g-1 as
3 follows:

4 (110 ILCS 70/36b) (from Ch. 24 1/2, par. 38b1)

5 Sec. 36b. Creation.

6 (1) A classified civil service system to be known as the
7 State Universities Civil Service System is hereby created, and
8 is hereinafter referred to as the University System.

9 (2) The purpose of the University System is to establish a
10 sound program of personnel administration for the Illinois
11 Community College Board, State Community College of East St.
12 Louis, Southern Illinois University at Carbondale, Southern
13 Illinois University at Edwardsville, Chicago State University,
14 Eastern Illinois University, Governors State University,
15 Illinois State University, Northeastern Illinois University,
16 Northern Illinois University, Western Illinois University,
17 University of Illinois, State Universities Civil Service
18 System, State Universities Retirement System, the State
19 Scholarship Commission, and the Board of Higher Education. All
20 certificates, appointments and promotions to positions in
21 these agencies and institutions shall be made solely on the
22 basis of merit and fitness, to be ascertained by examination,
23 except as specified in Section 36e.

24 (3) The State Universities Civil Service System hereby
25 created shall be a separate entity of the State of Illinois and
26 shall be under the control of a Board to be known as the
27 University Civil Service Merit Board, and is hereinafter
28 referred to as the Merit Board.

29 (Source: P.A. 89-4, eff. 1-1-96.)

30 (110 ILCS 70/36c) (from Ch. 24 1/2, par. 38b2)

31 Sec. 36c. The merit board. The Merit Board shall be
32 composed of 12 ~~11~~ members, 3 of whom shall be members of the
33 Board of Trustees of the University of Illinois, one of whom

1 shall be a member of the Board of Trustees of Southern Illinois
2 University at Carbondale, one of whom shall be a member of the
3 Board of Trustees of Southern Illinois University at
4 Edwardsville, one of whom shall be a member of the Board of
5 Trustees of Chicago State University, one of whom shall be a
6 member of the Board of Trustees of Eastern Illinois University,
7 one of whom shall be a member of the Board of Trustees of
8 Governors State University, one of whom shall be a member of
9 the Board of Trustees of Illinois State University, one of whom
10 shall be a member of the Board of Trustees of Northeastern
11 Illinois University, one of whom shall be a member of the Board
12 of Trustees of Northern Illinois University, and one of whom
13 shall be a member of the Board of Trustees of Western Illinois
14 University. The 7 new members required to be elected to the
15 Merit Board by their respective Boards of Trustees shall
16 replace the 2 persons who, until the effective date of this
17 amendatory Act of 1995, served as members of the Merit Board
18 elected from the Board of Governors of State Colleges and
19 Universities and the Board of Regents; and the terms of the
20 members elected to the Merit Board from the Board of Governors
21 of State Colleges and Universities and the Board of Regents
22 shall terminate on the effective date of this amendatory Act of
23 1995. The members of the Merit Board shall be elected by the
24 respective Boards in which they hold membership and they shall
25 serve at the pleasure of the electing Boards.

26 All members of the Merit Board shall serve without
27 compensation but shall be reimbursed for any traveling expenses
28 incurred in attending meetings of the Merit Board.

29 The Merit Board shall determine the number necessary for a
30 quorum, elect its own chairman and set up an Executive
31 Committee of its own members which shall have all of the powers
32 of the Merit Board except as limited by the Merit Board.

33 The Merit Board shall cause to be elected a committee of
34 not less than eleven members to be made up of Civil Service
35 Employees, six of whom shall be nominated by and from the Civil
36 Service Employees of the University of Illinois and one of whom

1 shall be nominated by and from the Civil Service Employees of
2 each of the other institutions specified in Section 36e, who
3 will function in an advisory capacity to the Merit Board on all
4 matters pertaining to the University System. This Advisory
5 Committee shall meet at least quarterly and members of the
6 Committee shall be reimbursed by their respective employers for
7 time lost from work and for expenses incurred in attending
8 meetings of the Committee.

9 (Source: P.A. 89-4, eff. 1-1-96.)

10 (110 ILCS 70/36e) (from Ch. 24 1/2, par. 38b4)

11 Sec. 36e. Coverage. All employees of the Illinois
12 Community College Board, State Community College of East St.
13 Louis, Southern Illinois University at Carbondale, Southern
14 Illinois University at Edwardsville, Chicago State University,
15 Eastern Illinois University, Governors State University,
16 Illinois State University, Northeastern Illinois University,
17 Northern Illinois University, Western Illinois University,
18 University of Illinois, State Universities Civil Service
19 System, State Universities Retirement System, the State
20 Scholarship Commission, and the Board of Higher Education,
21 shall be covered by the University System described in Sections
22 36b to 36q, inclusive, of this Act, except the following
23 persons:

24 (1) The members and officers of the Merit Board and the
25 board of trustees, and the commissioners of the institutions
26 and agencies covered hereunder;

27 (2) The presidents and vice-presidents of each educational
28 institution;

29 (3) Other principal administrative employees of each
30 institution and agency as determined by the Merit Board;

31 (4) The teaching, research and extension faculties of each
32 institution and agency;

33 (5) Students employed under rules prescribed by the Merit
34 Board, without examination or certification.

35 (Source: P.A. 89-4, eff. 1-1-96.)

1 (110 ILCS 70/36g-1) (from Ch. 24 1/2, par. 38b6.1)

2 Sec. 36g-1. Active military service. Any employee of State
3 Community College of East St. Louis, Southern Illinois
4 University at Carbondale, Southern Illinois University at
5 Edwardsville, the University of Illinois, any university under
6 the jurisdiction of the Board of Regents, or any college or
7 university under the jurisdiction of the Board of Governors of
8 State Colleges and Universities who is a member of any reserve
9 component of the United States Armed Services, including the
10 Illinois National Guard, and who is mobilized to active
11 military duty on or after August 1, 1990 as a result of an
12 order of the President of the United States, shall for each pay
13 period beginning on or after August 1, 1990 continue to receive
14 the same regular compensation that he receives or was receiving
15 as an employee of that educational institution at the time he
16 is or was so mobilized to active military duty, plus any health
17 insurance and other benefits he is or was receiving or accruing
18 at that time, minus the amount of his base pay for military
19 service, for the duration of his active military service.

20 In the event any provision of a collective bargaining
21 agreement or any policy of the educational institution covering
22 any employee so ordered to active duty is more generous than
23 the provisions contained in this Section, that collective
24 bargaining agreement or policy shall be controlling.

25 (Source: P.A. 87-631.)

26 Section 185. The University - Building Authority Leased
27 Lands Act is amended by changing the title and Sections 1 and 2
28 as follows:

29 (110 ILCS 85/Act title)

30 An Act relating to land leased from the Illinois
31 Building Authority by the respective Boards of Trustees of the
32 University of Illinois, Southern Illinois University at
33 Carbondale, Southern Illinois University at Edwardsville,

1 Chicago State University, Eastern Illinois University,
2 Governors State University, Illinois State University,
3 Northeastern Illinois University, Northern Illinois
4 University, and Western Illinois University.

5 (110 ILCS 85/1) (from Ch. 144, par. 70.11)

6 Sec. 1. The Board of Trustees of the University of
7 Illinois, the Board of Trustees of Southern Illinois University
8 at Carbondale, the Board of Trustees of Southern Illinois
9 University at Edwardsville, the Board of Trustees of Chicago
10 State University, the Board of Trustees of Eastern Illinois
11 University, the Board of Trustees of Governors State
12 University, the Board of Trustees of Illinois State University,
13 the Board of Trustees of Northeastern Illinois University, the
14 Board of Trustees of Northern Illinois University, and the
15 Board of Trustees of Western Illinois University, may
16 construct, complete, remodel, maintain and equip buildings and
17 other facilities, with funds available to them from any source,
18 upon land heretofore or hereafter leased by them from the
19 Illinois Building Authority.

20 (Source: P.A. 89-4, eff. 1-1-96.)

21 (110 ILCS 85/2) (from Ch. 144, par. 70.12)

22 Sec. 2. Expenditures by the Board of Trustees of the
23 University of Illinois, the Board of Trustees of Southern
24 Illinois University at Carbondale, the Board of Trustees of
25 Southern Illinois University at Edwardsville, the Board of
26 Trustees of Chicago State University, the Board of Trustees of
27 Eastern Illinois University, the Board of Trustees of Governors
28 State University, the Board of Trustees of Illinois State
29 University, the Board of Trustees of Northeastern Illinois
30 University, the Board of Trustees of Northern Illinois
31 University, and the Board of Trustees of Western Illinois
32 University for the construction, completion, remodeling,
33 maintenance and equipment of buildings and other facilities are
34 not subject to any law requiring that the State be vested with

1 absolute fee title to the premises, if those expenditures are
2 made in connection with and upon premises owned by the Illinois
3 Building Authority.

4 (Source: P.A. 89-4, eff. 1-1-96.)

5 Section 190. The University Employees Custodial Accounts
6 Act is amended by changing Section 1 as follows:

7 (110 ILCS 95/1) (from Ch. 144, par. 1701)

8 Sec. 1. As used in this Act:

9 "The governing board of any public institution of higher
10 education" means the Board of Trustees of the University of
11 Illinois, the Board of Trustees of Southern Illinois University
12 at Carbondale, the Board of Trustees of Southern Illinois
13 University at Edwardsville, the Board of Trustees of Chicago
14 State University, the Board of Trustees of Eastern Illinois
15 University, the Board of Trustees of Governors State
16 University, the Board of Trustees of Illinois State University,
17 the Board of Trustees of Northeastern Illinois University, the
18 Board of Trustees of Northern Illinois University, the Board of
19 Trustees of Western Illinois University and the Illinois
20 Community College Board.

21 "Eligible employees" means employees of public
22 institutions of higher education who qualify for favorable tax
23 treatment under Section 403b of the Internal Revenue Code.

24 (Source: P.A. 89-4, eff. 1-1-96.)

25 Section 195. The University Faculty Research and
26 Consulting Act is amended by changing Section 2 as follows:

27 (110 ILCS 100/2) (from Ch. 144, par. 217)

28 Sec. 2. For the purposes of this Act,

29 (a) "State-supported institution of higher learning"
30 includes the University of Illinois, Southern Illinois
31 University at Carbondale, Southern Illinois University at
32 Edwardsville, Chicago State University, Eastern Illinois

1 University, Governors State University, Illinois State
2 University, Northeastern Illinois University, Northern
3 Illinois University, Western Illinois University and all
4 public community colleges; and

5 (b) "Contract" includes any grant made by any person
6 (individual or corporate), partnership, foundation or
7 association, other than federal, State or local governments,
8 for the performance of research or consulting services by a
9 member of the faculty of a State-supported institution of
10 higher learning. The term does not include a scholarship or
11 grant for study or research required for a graduate degree or
12 the improvement of existing skills without any services to be
13 rendered for the grantor or donor of such a scholarship or
14 grant.

15 (Source: P.A. 89-4, eff. 1-1-96.)

16 Section 200. The University Religious Observances Act is
17 amended by changing Section 1 as follows:

18 (110 ILCS 110/1) (from Ch. 144, par. 2101)

19 Sec. 1. A public institution of higher education shall
20 adopt a policy which reasonably accommodates the religious
21 observance of individual students in regard to admissions,
22 class attendance, and the scheduling of examinations and work
23 requirements. This policy shall include a grievance procedure
24 by which a student who believes that he or she has been
25 unreasonably denied an educational benefit due to his or her
26 religious belief or practices may seek redress. Such policy
27 shall be made known to faculty and students annually by
28 inclusion in the institution's handbook, manual or other
29 similar document regularly provided to faculty and students.
30 For the purposes of this Section (a) "public institution of
31 higher education" means the University of Illinois, Southern
32 Illinois University at Carbondale, Southern Illinois
33 University at Edwardsville, Chicago State University, Eastern
34 Illinois University, Governors State University, Illinois

1 State University, Northeastern Illinois University, Northern
2 Illinois University, Western Illinois University, the public
3 community colleges of the State and any other public
4 universities, colleges and community colleges now or hereafter
5 established or authorized by the General Assembly; and (b)
6 "religious observance" or "religious practice" includes all
7 aspects of religious observance and practice, as well as
8 belief.

9 (Source: P.A. 89-4, eff. 1-1-96.)

10 Section 205. The Board of Higher Education Act is amended
11 by changing Sections 1, 7, 8, 9.11, 9.29, and 10 as follows:

12 (110 ILCS 205/1) (from Ch. 144, par. 181)

13 Sec. 1. The following terms shall have the meanings
14 respectively prescribed for them, except when the context
15 otherwise requires:

16 (a) "Public institutions of higher education": The
17 University of Illinois; Southern Illinois University at
18 Carbondale; Southern Illinois University at Edwardsville;
19 Chicago State University; Eastern Illinois University;
20 Governors State University; Illinois State University;
21 Northeastern Illinois University; Northern Illinois
22 University; Western Illinois University; the public community
23 colleges of the State and any other public universities,
24 colleges and community colleges now or hereafter established or
25 authorized by the General Assembly.

26 (b) "Board": The Board of Higher Education created by this
27 Act.

28 (c) "Engineering college" has the meaning ascribed to it in
29 the Professional Engineering Practice Act of 1989.

30 (Source: P.A. 89-4, eff. 1-1-96.)

31 (110 ILCS 205/7) (from Ch. 144, par. 187)

32 Sec. 7. The Board of Trustees of the University of
33 Illinois, the Board of Trustees of Southern Illinois University

1 at Carbondale, the Board of Trustees of Southern Illinois
2 University at Edwardsville, the Board of Trustees of Chicago
3 State University, the Board of Trustees of Eastern Illinois
4 University, the Board of Trustees of Governors State
5 University, the Board of Trustees of Illinois State University,
6 the Board of Trustees of Northeastern Illinois University, the
7 Board of Trustees of Northern Illinois University, the Board of
8 Trustees of Western Illinois University, the Illinois
9 Community College Board and the campuses under their governance
10 or supervision shall not hereafter undertake the establishment
11 of any new unit of instruction, research or public service
12 without the approval of the Board. The term "new unit of
13 instruction, research or public service" includes the
14 establishment of a college, school, division, institute,
15 department or other unit in any field of instruction, research
16 or public service not theretofore included in the program of
17 the institution, and includes the establishment of any new
18 branch or campus. The term does not include reasonable and
19 moderate extensions of existing curricula, research, or public
20 service programs which have a direct relationship to existing
21 programs; and the Board may, under its rule making power,
22 define the character of such reasonable and moderate
23 extensions.

24 Such governing boards shall submit to the Board all
25 proposals for a new unit of instruction, research, or public
26 service. The Board may approve or disapprove the proposal in
27 whole or in part or approve modifications thereof whenever in
28 its judgment such action is consistent with the objectives of
29 an existing or proposed master plan of higher education.

30 The Board of Higher Education is authorized to review
31 periodically all existing programs of instruction, research
32 and public service at the state universities and colleges and
33 to advise the appropriate board of control if the contribution
34 of each program is not educationally and economically
35 justified.

36 (Source: P.A. 89-4, eff. 1-1-96.)

1 (110 ILCS 205/8) (from Ch. 144, par. 188)

2 Sec. 8. The Board of Trustees of the University of
3 Illinois, the Board of Trustees of Southern Illinois University
4 at Carbondale, the Board of Trustees of Southern Illinois
5 University at Edwardsville, the Board of Trustees of Chicago
6 State University, the Board of Trustees of Eastern Illinois
7 University, the Board of Trustees of Governors State
8 University, the Board of Trustees of Illinois State University,
9 the Board of Trustees of Northeastern Illinois University, the
10 Board of Trustees of Northern Illinois University, the Board of
11 Trustees of Western Illinois University, and the Illinois
12 Community College Board shall submit to the Board not later
13 than the 15th day of November of each year its budget proposals
14 for the operation and capital needs of the institutions under
15 its governance or supervision for the ensuing fiscal year. Each
16 budget proposal shall conform to the procedures developed by
17 the Board in the design of an information system for State
18 universities and colleges.

19 In order to maintain a cohesive system of higher education,
20 the Board and its staff shall communicate on a regular basis
21 with all public university presidents. They shall meet at least
22 semiannually to achieve economies of scale where possible and
23 provide the most innovative and efficient programs and
24 services.

25 The Board, in the analysis of formulating the annual budget
26 request, shall consider rates of tuition and fees at the state
27 universities and colleges. The Board shall also consider the
28 current and projected utilization of the total physical plant
29 of each campus of a university or college in approving the
30 capital budget for any new building or facility.

31 The Board of Higher Education shall submit to the Governor,
32 to the General Assembly, and to the appropriate budget agencies
33 of the Governor and General Assembly its analysis and
34 recommendations on such budget proposals.

35 Each state supported institution within the application of

1 this Act must submit its plan for capital improvements of
2 non-instructional facilities to the Board for approval before
3 final commitments are made. Non-instructional uses shall
4 include but not be limited to dormitories, union buildings,
5 field houses, stadium, other recreational facilities and
6 parking lots. The Board shall determine whether or not any
7 project submitted for approval is consistent with the master
8 plan for higher education and with instructional buildings that
9 are provided for therein. If the project is found by a majority
10 of the Board not to be consistent, such capital improvement
11 shall not be constructed.

12 (Source: P.A. 89-4, eff. 1-1-96.)

13 (110 ILCS 205/9.11) (from Ch. 144, par. 189.11)

14 Sec. 9.11. Effective January 1, 1980, to require the
15 preparation of an annual capital plan which details the
16 proposed budget year and 3-year ~~3-year~~ capital needs of the
17 Board of Trustees of the University of Illinois, the Board of
18 Trustees of Southern Illinois University at Carbondale, the
19 Board of Trustees of Southern Illinois University at
20 Edwardsville, the Board of Trustees of Chicago State
21 University, the Board of Trustees of Eastern Illinois
22 University, the Board of Trustees of Governors State
23 University, the Board of Trustees of Illinois State University,
24 the Board of Trustees of Northeastern Illinois University, the
25 Board of Trustees of Northern Illinois University, and the
26 Board of Trustees of Western Illinois University. Such plan
27 shall detail capital expenditures to finance revenue producing
28 facilities through the issuance of revenue bonds. This plan
29 shall detail each project and the project cost in current
30 dollar amounts. The plan shall contain the appropriate detail
31 for the proposed budget year and the 3-year ~~3-year~~ plan which
32 will justify the projects ability to meet: the debt service
33 requirements by producing sufficient revenue, life expectancy
34 and maintenance requirements. Such annual capital plans shall
35 be submitted to the Illinois Economic and Fiscal Commission no

1 later than March 15th of each year.

2 (Source: P.A. 89-4, eff. 1-1-96.)

3 (110 ILCS 205/9.29)

4 Sec. 9.29. Tuition and fee waiver report. The Board of
5 Higher Education shall annually compile information concerning
6 tuition and fee waivers and tuition and fee waiver programs
7 that has been provided by the Boards of Trustees of the
8 University of Illinois, Southern Illinois University at
9 Carbondale, Southern Illinois University at Edwardsville,
10 Chicago State University, Eastern Illinois University,
11 Governors State University, Illinois State University,
12 Northeastern Illinois University, Northern Illinois
13 University, and Western Illinois University and shall report
14 its findings and recommendations concerning tuition and fee
15 waivers and tuition and fee waiver programs to the General
16 Assembly by filing copies of its report by December 31 of each
17 year as provided in Section 3.1 of the General Assembly
18 Organization Act.

19 (Source: P.A. 92-51, eff. 1-1-02.)

20 (110 ILCS 205/10) (from Ch. 144, par. 190)

21 Sec. 10. The Board of Trustees of the University of
22 Illinois, the Board of Trustees of Southern Illinois University
23 at Carbondale, the Board of Trustees of Southern Illinois
24 University at Edwardsville, the Board of Trustees of Chicago
25 State University, the Board of Trustees of Eastern Illinois
26 University, the Board of Trustees of Governors State
27 University, the Board of Trustees of Illinois State University,
28 the Board of Trustees of Northeastern Illinois University, the
29 Board of Trustees of Northern Illinois University, the Board of
30 Trustees of Western Illinois University, and the Illinois
31 Community College Board shall retain all the powers and duties
32 heretofore given and conferred upon them by statute, except
33 insofar as they are limited by the powers and duties delegated
34 to the Board of Higher Education by this Act.

1 Nothing, however, in this Act shall be construed to prevent
2 individual state universities and colleges from establishing
3 higher minimum admission requirements and higher minimum
4 admission requirements may be established for out-of-state
5 students than for Illinois residents.

6 (Source: P.A. 89-4, eff. 1-1-96.)

7 Section 210. The Higher Education Cooperation Act is
8 amended by changing Section 2 as follows:

9 (110 ILCS 220/2) (from Ch. 144, par. 282)

10 Sec. 2. As used in this Act, unless the context otherwise
11 requires:

12 "Board" means the Board of Higher Education;

13 "Nonpublic institution of higher education" means an
14 educational organization, other than a public institution of
15 higher education, which provides a minimum of an organized 2
16 year program at the private junior college level or higher and
17 which operates not-for-profit and in conformity with standards
18 substantially equivalent to those of the public institutions of
19 higher education;

20 "Public institution of higher education" means the
21 University of Illinois, Southern Illinois University at
22 Carbondale, Southern Illinois University at Edwardsville,
23 Chicago State University, Eastern Illinois University,
24 Governors State University, Illinois State University,
25 Northeastern Illinois University, Northern Illinois
26 University, Western Illinois University, the public community
27 colleges of this State, and any other public universities,
28 colleges and community colleges now or hereafter established or
29 authorized by the General Assembly.

30 (Source: P.A. 89-4, eff. 1-1-96.)

31 Section 215. The Illinois Cooperative Work Study Program
32 Act is amended by changing Section 2 as follows:

1 (110 ILCS 225/2) (from Ch. 144, par. 2952)

2 Sec. 2. Definitions. In this Act:

3 "Board" means the Illinois Board of Higher Education.

4 "Nonpublic institution of higher education" means an
5 educational organization, other than a public institution of
6 higher education, that provides a minimum of an organized 2
7 year program at the private junior college level or higher and
8 that operates in conformity with standards substantially
9 equivalent to those of the public institutions of higher
10 education.

11 "Public institution of higher education" means the
12 University of Illinois, Southern Illinois University at
13 Carbondale, Southern Illinois University at Edwardsville,
14 Chicago State University, Eastern Illinois University,
15 Governors State University, Illinois State University,
16 Northeastern Illinois University, Northern Illinois
17 University, Western Illinois University, the public community
18 colleges of this State, and any other public universities,
19 colleges and community colleges now or hereafter established or
20 authorized by the General Assembly.

21 "Cooperative work study" means an academically related
22 work and study experience with business, industry, government
23 or other agencies and organizations. Cooperative work study may
24 include, but is not limited to, summer internships, clinical
25 placements, internships and work experiences during the
26 academic year.

27 (Source: P.A. 89-4, eff. 1-1-96.)

28 Section 220. The University of Illinois Act is amended by
29 changing Sections 7f and 8a as follows:

30 (110 ILCS 305/7f) (from Ch. 144, par. 28f)

31 Sec. 7f. Partial tuition waivers.

32 (a) As used in this Section, "Illinois college or
33 university" means any of the following: the University of
34 Illinois, Southern Illinois University at Carbondale, Southern

1 Illinois University at Edwardsville, Chicago State University,
2 Eastern Illinois University, Governors State University,
3 Illinois State University, Northeastern Illinois University,
4 Northern Illinois University, and Western Illinois University.

5 (b) Each year the Board of Trustees of the University of
6 Illinois shall offer 50% tuition waivers for undergraduate
7 education at any campus under its governance or supervision to
8 the children of employees of an Illinois college or university
9 who have been employed by any one or by more than one Illinois
10 college or university for an aggregate period of at least 7
11 years. To be eligible to receive a partial tuition waiver, the
12 child of an employee of an Illinois college or university (i)
13 must be under the age of 25 at the commencement of the academic
14 year during which the partial tuition waiver is to be
15 effective, and (ii) must qualify for admission to the
16 University of Illinois under the same admissions requirements,
17 standards and policies which the University of Illinois applies
18 to applicants for admission generally to its respective
19 undergraduate colleges and programs.

20 (c) Subject to the provisions and limitations of subsection
21 (b), an eligible applicant who has continued to maintain
22 satisfactory academic progress toward graduation may have his
23 or her partial tuition waiver renewed until the time as he or
24 she has expended 4 years of undergraduate partial tuition
25 waiver benefits under this Section.

26 (d) No partial tuition waiver offered or allocated to any
27 eligible applicant in accordance with the provisions of this
28 Section shall be charged against any tuition waiver limitation
29 established by the Illinois Board of Higher Education.

30 (e) The Board of Trustees shall prescribe rules and
31 regulations as are necessary to implement and administer the
32 provisions of this Section.

33 (Source: P.A. 90-282, eff. 1-1-98.)

34 (110 ILCS 305/8a) (from Ch. 144, par. 29a)

35 Sec. 8a. The Board of Trustees of the University of

1 Illinois shall establish a feedback system to monitor the
2 academic progress and success of Illinois high school students
3 enrolled at the University. The Board of Trustees of the
4 University of Illinois, in cooperation with the Board of
5 Trustees of Southern Illinois University at Carbondale, the
6 Board of Trustees of Southern Illinois University at
7 Edwardsville, the Board of Trustees of Chicago State
8 University, the Board of Trustees of Eastern Illinois
9 University, the Board of Trustees of Governors State
10 University, the Board of Trustees of Illinois State University,
11 the Board of Trustees of Northeastern Illinois University, the
12 Board of Trustees of Northern Illinois University, and the
13 Board of Trustees of Western Illinois University shall submit
14 annually to each high school attendance center located in the
15 State a single report with respect to the graduates of that
16 high school attendance center. The report shall include, but
17 need not be limited to, the following information: the number
18 of high school graduates enrolled in each public university and
19 the major of each; the number of high school graduates who have
20 withdrawn from each public university; and student performance
21 in university coursework.

22 (Source: P.A. 89-4, eff. 1-1-96.)

23 Section 225. The Southern Illinois University Objects Act
24 is amended by changing the title and Sections 2, 12, and 15 as
25 follows:

26 (110 ILCS 510/Act title)

27 An Act in relation to the Southern Illinois University
28 at Carbondale and Southern Illinois University at
29 Edwardsville.

30 (110 ILCS 510/2) (from Ch. 144, par. 602)

31 Sec. 2. The objects of Southern Illinois University at
32 Carbondale and Southern Illinois University at Edwardsville
33 shall be to qualify teachers for the schools of this State in

1 all branches of study which pertain to a common school
2 education; to teach such branches of learning as are related to
3 agriculture and the mechanic arts, including military tactics;
4 to offer such courses of instruction as shall best serve to
5 provide liberal and vocational education customarily offered
6 at the college level; and to offer such other courses of
7 instruction as these Universities determine ~~the University~~
8 ~~determines~~; provided no professional courses culminating in
9 degrees in law, medicine, dentistry or pharmacy may be offered
10 by such Universities ~~University~~ unless approved by the Board of
11 Higher Education as provided in Section 7 of the Board of
12 Higher Education Act ~~"An Act creating a Board of Higher~~
13 ~~Education, defining its powers and duties, making an~~
14 ~~appropriation therefor, and repealing an Act herein named",~~
15 ~~approved August 22, 1961, as heretofore and hereafter amended.~~

16 (Source: Laws 1963, p. 3272.)

17 (110 ILCS 510/12) (from Ch. 144, par. 612)

18 Sec. 12. The Board of Trustees of Southern Illinois
19 University at Carbondale and the Board of Trustees of Southern
20 Illinois University at Edwardsville shall appoint instructors,
21 and such officers as may be required, fix their respective
22 salaries and prescribe their duties. Each ~~The~~ board may remove
23 any instructor or officer for proper cause giving 10 ~~ten~~ days'
24 notice of any charge presented, and reasonable opportunity of
25 defense. Each ~~The~~ board shall prescribe and provide the
26 textbooks, apparatus and furniture to be used in the university
27 and make all regulations necessary for its management. Each ~~The~~
28 board may, on recommendation of the faculty of the university,
29 issue diplomas to persons who have satisfactorily completed the
30 required studies and confer such degrees as are suitable for
31 the courses of study authorized by Section 2.

32 (Source: Laws 1949, p. 1420.)

33 (110 ILCS 510/15) (from Ch. 144, par. 615)

34 Sec. 15. The expense of the building, improving, repairing

1 and supplying fuel and furniture and the necessary appliances
2 and apparatus for conducting said universities school, and the
3 salaries or compensation of the Board of Trustees of Southern
4 Illinois University at Carbondale and the Board of Trustees of
5 Southern Illinois University at Edwardsville, superintendent,
6 assistants, agents and employees, shall be a charge upon the
7 State Treasury; all other expenses shall be chargeable against
8 pupils, and each ~~the~~ Board of Trustees ~~of Southern Illinois~~
9 ~~University~~ shall regulate the charges accordingly.

10 (Source: Laws 1949, p. 1420.)

11 Section 230. The Southern Illinois University Management
12 Act is amended by changing the title and Sections 1, 2, 4, 5,
13 6.6, 8, 8a, 8b, 8c, 8d, 8e, and 8f and adding Sections 0.05,
14 1.5, 1.10, 3.5, 3.10, and 3.15 as follows:

15 (110 ILCS 520/Act title)

16 An Act providing for the management, operation,
17 control and maintenance of Southern Illinois University at
18 Carbondale and Southern Illinois University at Edwardsville.

19 (110 ILCS 520/0.05 new)

20 Sec. 0.05. Definitions. In this Act:

21 "Board" and "Board of Trustees" mean both the Board of
22 Trustees of Southern Illinois University at Carbondale and the
23 Board of Trustees of Southern Illinois University at
24 Edwardsville.

25 "University" means both Southern Illinois University at
26 Carbondale and Southern Illinois University at Edwardsville.

27 (110 ILCS 520/1) (from Ch. 144, par. 651)

28 Sec. 1. There is hereby created a body politic and
29 corporate which shall be styled the Board of Trustees of
30 Southern Illinois University to operate, manage, control and
31 maintain the University, ~~hereinafter called the Board.~~ The
32 Board of Trustees of Southern Illinois University is abolished

1 on July 31, 2006. On July 1, 2006, the governance and control
2 of Southern Illinois University shall pass to and rest within
3 the new boards of trustees created under Sections 1.5 and 1.10
4 of this Act as provided by law. The sole function and power of
5 the Board of Trustees of Southern Illinois University from July
6 1, 2006 until its abolition on July 31, 2006 shall be to assist
7 in transferring all books, records, papers, documents, pending
8 business, accounts, and all real and personal property
9 belonging to or held for the use and benefit of Southern
10 Illinois University that until July 1, 2006 was under the Board
11 of Trustees' governance to the new boards of trustees as
12 provided by law.

13 (Source: Laws 1951, p. 1407.)

14 (110 ILCS 520/1.5 new)

15 Sec. 1.5. Southern Illinois University at Carbondale;
16 creation of board.

17 (a) There is hereby created a body politic and corporate
18 that shall be styled the Board of Trustees of Southern Illinois
19 University at Carbondale to operate, manage, control, and
20 maintain Southern Illinois University at Carbondale.

21 (b) That part of Southern Illinois University associated
22 with the Carbondale campus before July 1, 2006, shall hereafter
23 be known as Southern Illinois University at Carbondale, shall
24 be under the governance and control of the Board of Trustees of
25 Southern Illinois University at Carbondale, and beginning on
26 July 1, 2006, shall award appropriate degrees in the name of
27 Southern Illinois University at Carbondale.

28 (110 ILCS 520/1.10 new)

29 Sec. 1.10. Southern Illinois University at Edwardsville;
30 creation of board.

31 (a) There is hereby created a body politic and corporate
32 that shall be styled the Board of Trustees of Southern Illinois
33 University at Edwardsville to operate, manage, control, and
34 maintain Southern Illinois University at Edwardsville.

1 (b) That part of the Southern Illinois University
2 associated with the Edwardsville campus before July 1, 2006
3 shall hereafter be known as Southern Illinois University at
4 Edwardsville, shall be under the governance and control of the
5 Board of Trustees of Southern Illinois University at
6 Edwardsville, and beginning on July 1, 2006, shall award
7 appropriate degrees in the name of Southern Illinois University
8 at Edwardsville.

9 (110 ILCS 520/2) (from Ch. 144, par. 652)

10 Sec. 2. The Board shall consist of 7 voting members
11 appointed by the Governor, by and with the advice and consent
12 of the Senate, ~~the Superintendent of Public Instruction, or his~~
13 ~~chief assistant for liaison with higher education when~~
14 ~~designated to serve in his place, ex officio, and one voting~~
15 ~~student member designated by the Governor from one campus of~~
16 ~~the University and one nonvoting student member who is a~~
17 ~~student at from the campus of the University not represented by~~
18 ~~the voting student member. The Governor shall designate one of~~
19 ~~the student members serving on the Board to serve as the voting~~
20 ~~student member. Each student member shall be chosen by the~~
21 ~~respective campuses of Southern Illinois University at~~
22 ~~Carbondale and Edwardsville.~~ The method of choosing the ~~these~~
23 student member ~~members~~ shall be by campus-wide student
24 election, ~~and any student designated by the Governor to be a~~
25 ~~voting student member shall be one of the students chosen by~~
26 ~~this method.~~ The student member ~~members~~ shall serve term ~~terms~~
27 of one year beginning on July 1 of each year, except that the
28 student member ~~members~~ initially selected shall serve a term
29 beginning on the date of such selection and expiring on the
30 next succeeding June 30. To be eligible for selection as a
31 student member and to be eligible to remain as a ~~voting or~~
32 ~~nonvoting~~ student member of the Board, the ~~a~~ student member
33 must be a resident of this State, must have and maintain a
34 grade point average that is equivalent to at least 2.5 on a 4.0
35 scale, and must be a full time student enrolled at all times

1 during his or her term of office except for that part of the
2 term which follows the completion of the last full regular
3 semester of an academic year and precedes the first full
4 regular semester of the succeeding academic year at the
5 university (sometimes commonly referred to as the summer
6 session or summer school). If ~~the a voting or nonvoting~~ student
7 member ~~servng on the Board~~ fails to continue to meet or
8 maintain the residency, minimum grade point average, or
9 enrollment requirement established by this Section, his or her
10 membership on the Board shall be deemed to have terminated by
11 operation of law. No more than 4 of the members appointed by
12 the Governor shall be affiliated with the same political party.
13 Each member appointed by the Governor must be a resident of
14 this State. A failure to meet or maintain this residency
15 requirement constitutes a resignation from and creates a
16 vacancy in the Board. Of the members first appointed by the
17 Governor, 4 shall be appointed for terms to expire on the third
18 Monday in January, 2010 and 3 shall be appointed for terms to
19 expire on the third Monday in January, 2012. If the Senate is
20 not in session on July 1, 2006 or if a vacancy in an appointive
21 membership occurs at a time when the Senate is not in session,
22 the Governor shall make temporary appointments until the next
23 meeting of the Senate when he or she shall nominate persons to
24 fill such memberships for the remainder of their respective
25 terms. Upon the expiration of the terms of members appointed by
26 the Governor, their respective successors shall be appointed
27 for terms of 6 years from the third Monday in January of each
28 odd-numbered year and until their respective successors are
29 appointed for like terms. ~~If the Senate is not in session~~
30 ~~appointments shall be made as in the case of vacancies.~~
31 (Source: P.A. 91-778, eff. 1-1-01; 91-798, eff. 7-9-00; 92-16,
32 eff. 6-28-01.)

33 (110 ILCS 520/3.5 new)

34 Sec. 3.5. Southern Illinois University at Carbondale;
35 transfer of authority. All of the rights, powers, and duties

1 vested by law in the Board of Trustees of Southern Illinois
2 University before July 1, 2006 and relating to the operation,
3 management, control, and maintenance of Southern Illinois
4 University at Carbondale prior to its change of name and status
5 are hereby transferred to and vested in the Board of Trustees
6 of Southern Illinois University at Carbondale.

7 All books, records, papers, documents, and pending
8 business in any way pertaining to Southern Illinois University
9 at Carbondale prior to its change of name and status and held
10 by the Board of Trustees of Southern Illinois University before
11 July 1, 2006 are hereby transferred from the Board of Trustees
12 of Southern Illinois University to the Board of Trustees of
13 Southern Illinois University at Carbondale.

14 On July 1, 2006, the rules and regulations previously
15 promulgated by the Board of Trustees of Southern Illinois
16 University and applicable to Southern Illinois University at
17 Carbondale prior to its change of name and status shall be the
18 rules and regulations applicable to Southern Illinois
19 University at Carbondale, provided that, beginning on July 1,
20 2006, any or all of the rules and regulations may be changed or
21 rescinded by the Board of Trustees of Southern Illinois
22 University at Carbondale.

23 The right of custody, possession, and control over all
24 items of income, funds, or deposits in any way pertaining to
25 Southern Illinois University at Carbondale prior to its change
26 of name and status that before July 1, 2006 were held or
27 retained by or under the jurisdiction of the Board of Trustees
28 of Southern Illinois University under the authority of the
29 State Finance Act as that Act existed before July 1, 2006, is
30 hereby transferred to and vested in the Board of Trustees of
31 Southern Illinois University at Carbondale to be retained by
32 Southern Illinois University at Carbondale in its own treasury,
33 or deposited with a bank or savings and loan association, all
34 in accordance with the provisions of the State Finance Act.

35 There is hereby transferred from the Board of Trustees of
36 Southern Illinois University to the Board of Trustees of

1 Southern Illinois University at Carbondale the power of order
2 and direction over the disbursement of those funds in any way
3 pertaining to Southern Illinois University at Carbondale prior
4 to its change of name and status that immediately prior to the
5 effective date of this amendatory Act of the 94th General
6 Assembly were retained by Southern Illinois University in its
7 own treasury under the authority of the State Finance Act as
8 that Act existed prior to July 1, 2006, provided that such
9 funds shall be disbursed from time to time pursuant to the
10 order and direction of the Board of Trustees of Southern
11 Illinois University at Carbondale in accordance with any
12 contracts, pledges, trusts, or agreements heretofore made with
13 respect to the use or application of such funds by the Board of
14 Trustees of Southern Illinois University.

15 The Board of Trustees of Southern Illinois University at
16 Carbondale shall succeed to, assume, and exercise all rights,
17 powers, duties, and responsibilities formerly exercised by the
18 Board of Trustees of Southern Illinois University on behalf of
19 Southern Illinois University at Carbondale before its change of
20 name and status. All contracts and agreements entered into by
21 the Board of Trustees of Southern Illinois University on behalf
22 of Southern Illinois University at Carbondale before its change
23 of name and status shall subsist notwithstanding the transfer
24 of the functions of the Board of Trustees of Southern Illinois
25 University, with respect to Southern Illinois University at
26 Carbondale prior to its change of name and status, to the Board
27 of Trustees of Southern Illinois University at Carbondale. All
28 bonds, notes, and other evidences of indebtedness outstanding
29 on July 1, 2006 issued by the Board of Trustees of Southern
30 Illinois University on behalf of Southern Illinois University
31 at Carbondale before its change of name and status shall become
32 the bonds, notes, or other evidences of indebtedness of
33 Southern Illinois University at Carbondale and shall be
34 otherwise unaffected by the transfer of functions to the Board
35 of Trustees of Southern Illinois University at Carbondale. Any
36 action with respect to Southern Illinois University at

1 Carbondale prior to its change of name and status, including
2 without limitation approvals of applications for bonds and
3 resolutions constituting official action under the Internal
4 Revenue Code, by the Board of Trustees of Southern Illinois
5 University before July 1, 2006 shall remain effective to the
6 same extent as if that action had been taken by the Board of
7 Trustees of Southern Illinois University at Carbondale and
8 shall be deemed to be action taken by the Board of Trustees of
9 Southern Illinois University at Carbondale for Southern
10 Illinois University at Carbondale.

11 The title to all other property, whether real, personal or
12 mixed, and all accounts receivable belonging to or under the
13 jurisdiction of the Board of Trustees of Southern Illinois
14 University for Southern Illinois University at Carbondale
15 prior to its change of name and status is hereby transferred to
16 and vested in the Board of Trustees of Southern Illinois
17 University at Carbondale to be held for the People of the State
18 of Illinois.

19 The employment of all academic and nonacademic personnel of
20 Southern Illinois University at Carbondale prior to its change
21 of name and status is hereby transferred from the Board of
22 Trustees of Southern Illinois University to the Board of
23 Trustees of Southern Illinois University at Carbondale, but the
24 locus of employment shall not be transferred. The transfer
25 shall not affect the status and rights of any person under the
26 State Universities Retirement System or the State Universities
27 Civil Service System. On July 1, 2006, the individuals whose
28 employment is so transferred shall be credited with earned
29 vacation days and sick leave days accrued before the transfer.

30 On July 1, 2006, individuals who were students of Southern
31 Illinois University at Carbondale prior to its change of name
32 and status shall be students of Southern Illinois University at
33 Carbondale.

34 (110 ILCS 520/3.10 new)

35 Sec. 3.10. Southern Illinois University at Edwardsville;

1 transfer of authority. All of the rights, powers, and duties
2 vested by law in the Board of Trustees of Southern Illinois
3 University before July 1, 2006 and relating to the operation,
4 management, control, and maintenance of Southern Illinois
5 University at Edwardsville prior to its change of name and
6 status are hereby transferred to and vested in the Board of
7 Trustees of Southern Illinois University at Edwardsville.

8 All books, records, papers, documents, and pending
9 business in any way pertaining to Southern Illinois University
10 at Edwardsville prior to its change of name and status and held
11 by the Board of Trustees of Southern Illinois University before
12 July 1, 2006 are hereby transferred from the Board of Trustees
13 of Southern Illinois University to the Board of Trustees of
14 Southern Illinois University at Edwardsville.

15 On July 1, 2006, the rules and regulations previously
16 promulgated by the Board of Trustees of Southern Illinois
17 University and applicable to Southern Illinois University at
18 Edwardsville prior to its change of name and status shall be
19 the rules and regulations applicable to Southern Illinois
20 University at Edwardsville, provided that, beginning on July 1,
21 2006, any or all of the rules and regulations may be changed or
22 rescinded by the Board of Trustees of Southern Illinois
23 University at Edwardsville.

24 The right of custody, possession, and control over all
25 items of income, funds, or deposits in any way pertaining to
26 Southern Illinois University at Edwardsville prior to its
27 change of name and status that before July 1, 2006 were held or
28 retained by or under the jurisdiction of the Board of Trustees
29 of Southern Illinois University under the authority of the
30 State Finance Act as that Act existed before July 1, 2006, is
31 hereby transferred to and vested in the Board of Trustees of
32 Southern Illinois University at Edwardsville to be retained by
33 Southern Illinois University at Edwardsville in its own
34 treasury, or deposited with a bank or savings and loan
35 association, all in accordance with the provisions of the State
36 Finance Act.

1 There is hereby transferred from the Board of Trustees of
2 Southern Illinois University to the Board of Trustees of
3 Southern Illinois University at Edwardsville the power of order
4 and direction over the disbursement of those funds in any way
5 pertaining to Southern Illinois University at Edwardsville
6 prior to its change of name and status that immediately prior
7 to the effective date of this amendatory Act of the 94th
8 General Assembly were retained by Southern Illinois University
9 in its own treasury under the authority of the State Finance
10 Act as that Act existed prior to July 1, 2006, provided that
11 such funds shall be disbursed from time to time pursuant to the
12 order and direction of the Board of Trustees of Southern
13 Illinois University at Edwardsville in accordance with any
14 contracts, pledges, trusts, or agreements heretofore made with
15 respect to the use or application of such funds by the Board of
16 Trustees of Southern Illinois University.

17 The Board of Trustees of Southern Illinois University at
18 Edwardsville shall succeed to, assume, and exercise all rights,
19 powers, duties, and responsibilities formerly exercised by the
20 Board of Trustees of Southern Illinois University on behalf of
21 Southern Illinois University at Edwardsville before its change
22 of name and status. All contracts and agreements entered into
23 by the Board of Trustees of Southern Illinois University on
24 behalf of Southern Illinois University at Edwardsville before
25 its change of name and status shall subsist notwithstanding the
26 transfer of the functions of the Board of Trustees of Southern
27 Illinois University, with respect to Southern Illinois
28 University at Edwardsville prior to its change of name and
29 status, to the Board of Trustees of Southern Illinois
30 University at Edwardsville. All bonds, notes, and other
31 evidences of indebtedness outstanding on July 1, 2006 issued by
32 the Board of Trustees of Southern Illinois University on behalf
33 of Southern Illinois University at Edwardsville before its
34 change of name and status shall become the bonds, notes, or
35 other evidences of indebtedness of Southern Illinois
36 University at Edwardsville and shall be otherwise unaffected by

1 the transfer of functions to the Board of Trustees of Southern
2 Illinois University at Edwardsville. Any action with respect to
3 Southern Illinois University at Edwardsville prior to its
4 change of name and status, including without limitation
5 approvals of applications for bonds and resolutions
6 constituting official action under the Internal Revenue Code,
7 by the Board of Trustees of Southern Illinois University before
8 July 1, 2006 shall remain effective to the same extent as if
9 that action had been taken by the Board of Trustees of Southern
10 Illinois University at Edwardsville and shall be deemed to be
11 action taken by the Board of Trustees of Southern Illinois
12 University at Edwardsville for Southern Illinois University at
13 Edwardsville.

14 The title to all other property, whether real, personal or
15 mixed, and all accounts receivable belonging to or under the
16 jurisdiction of the Board of Trustees of Southern Illinois
17 University for Southern Illinois University at Edwardsville
18 prior to its change of name and status is hereby transferred to
19 and vested in the Board of Trustees of Southern Illinois
20 University at Edwardsville to be held for the People of the
21 State of Illinois.

22 The employment of all academic and nonacademic personnel of
23 Southern Illinois University at Edwardsville prior to its
24 change of name and status is hereby transferred from the Board
25 of Trustees of Southern Illinois University to the Board of
26 Trustees of Southern Illinois University at Edwardsville, but
27 the locus of employment shall not be transferred. The transfer
28 shall not affect the status and rights of any person under the
29 State Universities Retirement System or the State Universities
30 Civil Service System. On July 1, 2006, the individuals whose
31 employment is so transferred shall be credited with earned
32 vacation days and sick leave days accrued before the transfer.

33 On July 1, 2006, individuals who were students of Southern
34 Illinois University at Edwardsville prior to its change of name
35 and status shall be students of Southern Illinois University at
36 Edwardsville.

1 (110 ILCS 520/3.15 new)

2 Sec. 3.15. Inability to transfer. Anything under Section
3 3.5 or 3.10 of this Act that cannot be transferred to the Board
4 of Trustees of Southern Illinois University at Carbondale or
5 the Board of Trustees of Southern Illinois University at
6 Edwardsville because it was not related to either Southern
7 Illinois University at Carbondale prior to its change of name
8 and status or Southern Illinois University at Edwardsville
9 prior to its change of name and status shall be divided
10 equally, if possible, or shared between the 2 universities.

11 (110 ILCS 520/4) (from Ch. 144, par. 654)

12 Sec. 4. Members of the Board shall serve without
13 compensation but shall be entitled to reasonable amounts for
14 expenses necessarily incurred in the performance of their
15 duties. Such expenses incurred by the ~~any non-voting~~ student
16 member may, at the discretion of the Chairperson ~~Chairman~~ of
17 the Board, be provided for by advance payment to the student
18 ~~such~~ member, who shall account therefor to the Board
19 immediately after each meeting.

20 No member of the Board shall hold or be employed in or
21 appointed to any office or place under the authority of the
22 Board, nor shall any member of the Board be directly or
23 indirectly interested in any contract made by the Board, nor
24 shall he or she be an employee of the State or federal
25 government. This Section does not prohibit the student member
26 ~~members~~ of the Board from maintaining normal and official
27 status as an enrolled student ~~students~~ or normal student
28 employment at the Southern Illinois University.

29 (Source: P.A. 79-932.)

30 (110 ILCS 520/5) (from Ch. 144, par. 655)

31 Sec. 5. Members of the Board shall elect annually by secret
32 ballot from their own number a chairperson ~~chairman~~ who shall
33 preside over meetings of the Board and a secretary.

1 Meetings of the Board shall be held at least once each
2 quarter on the ~~a~~ campus of the ~~Southern Illinois~~ University. At
3 all regular meetings of the Board, a majority of its voting
4 members shall constitute a quorum. The student member ~~members~~
5 shall have all of the privileges of membership, including the
6 right to make and second motions and to attend executive
7 sessions, other than the right to vote, but the ~~except that the~~
8 ~~student member designated by the Governor as the voting student~~
9 ~~member shall have the right to vote on all Board matters except~~
10 ~~those involving faculty tenure, faculty promotion or any issue~~
11 ~~on which the student member has a direct conflict of interest.~~
12 ~~A student member who is not entitled to vote on a measure at a~~
13 ~~meeting of the Board or any of its committees~~ shall not be
14 considered a member for the purpose of determining whether a
15 quorum is present at any meeting of the Board or any of its
16 committees ~~the time that measure is voted upon~~. No action of
17 the Board shall be invalidated by reason of any vacancies on
18 the Board, or by reason of any failure to select a student
19 member.

20 Special meetings of the Board may be called by the
21 chairperson ~~chairman~~ of the Board or by any 3 members of the
22 Board.

23 At each regular and special meeting that is open to the
24 public, members of the public and employees of the University
25 shall be afforded time, subject to reasonable constraints, to
26 make comments to or ask questions of the Board.

27 (Source: P.A. 91-715, eff. 1-1-01; 91-778, eff. 1-1-01; 92-16,
28 eff. 6-28-01.)

29 (110 ILCS 520/6.6)

30 Sec. 6.6. The Illinois Ethanol Research Advisory Board.

31 (a) There is established the Illinois Ethanol Research
32 Advisory Board (the "Advisory Board").

33 (b) The Advisory Board shall be composed of 13 members
34 including: the President of Southern Illinois University at
35 Edwardsville who shall be Chairperson ~~Chairman~~; the Director of

1 Commerce and Economic Opportunity ~~Community Affairs~~; the
2 Director of Agriculture; the President of the Illinois Corn
3 Growers Association; the President of the National Corn Growers
4 Association; the President of the Renewable Fuels Association;
5 the Dean of the College of Agricultural, Consumer, and
6 Environmental Science, University of Illinois at
7 Champaign-Urbana; and 6 at-large members appointed by the
8 Governor representing the ethanol industry, growers,
9 suppliers, and universities.

10 (c) The 6 at-large members shall serve a term of 4 years.
11 The Advisory Board shall meet at least annually or at the call
12 of the Chairperson ~~Chairman~~. At any time a majority of the
13 Advisory Board may petition the Chairperson ~~Chairman~~ for a
14 meeting of the Board. Seven members of the Advisory Board shall
15 constitute a quorum.

16 (d) The Advisory Board shall:

17 (1) Review the annual operating plans and budget of the
18 National Corn-to-Ethanol Research Pilot Plant.

19 (2) Advise on research and development priorities and
20 projects to be carried out at the Corn-to-Ethanol Research
21 Pilot Plant.

22 (3) Advise on policies and procedures regarding the
23 management and operation of the ethanol research pilot
24 plant. This may include contracts, project selection, and
25 personnel issues.

26 (4) Develop bylaws.

27 (5) Submit a final report to the Governor and General
28 Assembly outlining the progress and accomplishments made
29 during the year along with a financial report for the year.

30 (e) The Advisory Board established by this Section is a
31 continuation, as changed by the Section, of the Board
32 established under Section 8a of the Energy Conservation and
33 Coal Act and repealed by this amendatory Act of the 92nd
34 General Assembly.

35 (Source: P.A. 92-736, eff. 7-25-02; revised 12-6-03.)

1 (110 ILCS 520/8) (from Ch. 144, par. 658)

2 Sec. 8. Powers and duties of the Board. The Board shall
3 have power and it shall be its duty:

4 1. To make rules, regulations and by-laws, not
5 inconsistent with law, for the government and management of
6 the ~~Southern Illinois~~ University and its branches;

7 2. To employ, and, for good cause, to remove a
8 president of the ~~Southern Illinois~~ University, and all
9 necessary deans, professors, associate professors,
10 assistant professors, instructors, and other educational
11 and administrative assistants, and all other necessary
12 employees, and contract with them upon matters relating to
13 tenure, salaries and retirement benefits in accordance
14 with the State Universities Civil Service Act; the Board
15 shall, upon the written request of an employee of the
16 ~~Southern Illinois~~ University, withhold from the
17 compensation of that employee any dues, payments or
18 contributions payable by such employee to any labor
19 organization as defined in the Illinois Educational Labor
20 Relations Act. Under such arrangement, an amount shall be
21 withheld from each regular payroll period which is equal to
22 the pro rata share of the annual dues plus any payments or
23 contributions, and the Board shall transmit such
24 withholdings to the specified labor organization within 10
25 working days from the time of the withholding. Whenever the
26 Board establishes a search committee to fill the position
27 of president of the ~~Southern Illinois~~ University, there
28 shall be minority representation, including women, on that
29 search committee;

30 3. To prescribe the course of study to be followed, and
31 textbooks and apparatus to be used at the ~~Southern Illinois~~
32 University;

33 4. To issue upon the recommendation of the faculty,
34 diplomas to such persons as have satisfactorily completed
35 the required studies of the ~~Southern Illinois~~ University,
36 and confer such professional and literary degrees as are

1 usually conferred by other institutions of like character
2 for similar or equivalent courses of study, or such as the
3 Board may deem appropriate;

4 5. To examine into the conditions, management, and
5 administration of the ~~Southern Illinois~~ University, to
6 provide the requisite buildings, apparatus, equipment and
7 auxiliary enterprises, and to fix and collect
8 matriculation fees; tuition fees; fees for student
9 activities; fees for student facilities such as student
10 union buildings or field houses or stadium or other
11 recreational facilities; student welfare fees; laboratory
12 fees and similar fees for supplies and material;

13 6. To succeed to and to administer all trusts, trust
14 property, and gifts now or hereafter belonging or
15 pertaining to the ~~Southern Illinois~~ University;

16 7. To accept endowments of professorships or
17 departments in the University from any person who may
18 proffer them and, at regular meetings, to prescribe rules
19 and regulations in relation to endowments and declare on
20 what general principles they may be accepted;

21 8. To enter into contracts with the Federal government
22 for providing courses of instruction and other services at
23 the ~~Southern Illinois~~ University for persons serving in or
24 with the military or naval forces of the United States, and
25 to provide such courses of instruction and other services;

26 9. To provide for the receipt and expenditures of
27 Federal funds, paid to the ~~Southern Illinois~~ University by
28 the Federal government for instruction and other services
29 for persons serving in or with the military or naval forces
30 of the United States and to provide for audits of such
31 funds;

32 10. To appoint, subject to the applicable civil service
33 law, persons to be members of the ~~Southern Illinois~~
34 University Police Department. Members of the Police
35 Department shall be conservators of the peace and as such
36 have all powers possessed by policemen in cities, and

1 sheriffs, including the power to make arrests on view or
2 warrants of violations of state statutes, university rules
3 and regulations and city or county ordinances, except that
4 they may exercise such powers only within counties wherein
5 the university and any of its branches or properties are
6 located when such is required for the protection of
7 university properties and interests, and its students and
8 personnel, and otherwise, within such counties, when
9 requested by appropriate State or local law enforcement
10 officials. However, such officers shall have no power to
11 serve and execute civil processes.

12 The Board must authorize to each member of the ~~Southern~~
13 ~~Illinois~~ University Police Department and to any other
14 employee of the ~~Southern Illinois~~ University exercising
15 the powers of a peace officer a distinct badge that, on its
16 face, (i) clearly states that the badge is authorized by
17 the ~~Southern Illinois~~ University and (ii) contains a unique
18 identifying number. No other badge shall be authorized by
19 the ~~Southern Illinois~~ University.

20 11. With respect to the Board of Trustees of Southern
21 Illinois University at Carbondale, to administer a plan or
22 plans established by the clinical faculty of the School of
23 Medicine for the billing, collection and disbursement of
24 charges made by individual faculty members for
25 professional services performed by them in the course of or
26 in support of their academic responsibilities, provided
27 that such plan has been first approved by Board action. All
28 such collections shall be deposited into a special fund or
29 funds administered by the Board from which disbursements
30 may be made according to the provisions of said plan. The
31 reasonable costs incurred, by the University,
32 administering the billing, collection and disbursement
33 provisions of a plan shall have first priority for payment
34 before distribution or disbursement for any other purpose.
35 Charges established pursuant to this plan must be itemized
36 in any billing and any amounts collected which are not used

1 to off-set the cost of operating or maintaining the
2 activity which generated the funds collected, must be
3 accounted for separately. This accounting must clearly
4 show the use and application made of the funds and the
5 Board shall report such accountings for the previous fiscal
6 year to the Legislative Audit Commission annually by
7 December 31 of each fiscal year.

8 The Board of Trustees may own, operate, or govern, by
9 or through the School of Medicine, a managed care community
10 network established under subsection (b) of Section 5-11 of
11 the Illinois Public Aid Code.

12 12. The Board of Trustees may, directly or in
13 cooperation with other institutions of higher education,
14 acquire by purchase or lease or otherwise, and construct,
15 enlarge, improve, equip, complete, operate, control and
16 manage medical research and high technology parks,
17 together with the necessary lands, buildings, facilities,
18 equipment, and personal property therefor, to encourage
19 and facilitate (a) the location and development of business
20 and industry in the State of Illinois, and (b) the
21 increased application and development of technology and
22 (c) the improvement and development of the State's economy.
23 The Board of Trustees may lease to nonprofit corporations
24 all or any part of the land, buildings, facilities,
25 equipment or other property included in a medical research
26 and high technology park upon such terms and conditions as
27 the Board of Trustees may deem advisable and enter into any
28 contract or agreement with such nonprofit corporations as
29 may be necessary or suitable for the construction,
30 financing, operation and maintenance and management of any
31 such park; and may lease to any person, firm, partnership
32 or corporation, either public or private, any part or all
33 of the land, building, facilities, equipment or other
34 property of such park for such purposes and upon such
35 rentals, terms and conditions as the Board of Trustees may
36 deem advisable; and may finance all or part of the cost of

1 any such park, including the purchase, lease,
2 construction, reconstruction, improvement, remodeling,
3 addition to, and extension and maintenance of all or part
4 of such high technology park, and all equipment and
5 furnishings, by legislative appropriations, government
6 grants, contracts, private gifts, loans, receipts from the
7 operation of such high technology park, rentals and similar
8 receipts; and may make its other facilities and services
9 available to tenants or other occupants of any such park at
10 rates which are reasonable and appropriate.

11 The powers of the Board as herein designated are subject to
12 the Board of Higher Education Act.

13 (Source: P.A. 91-883, eff. 1-1-01; 92-370, eff. 8-15-01.)

14 (110 ILCS 520/8a) (from Ch. 144, par. 658a)

15 Sec. 8a. (1) The Board shall provide each member of the
16 ~~Southern Illinois~~ University Police Department without cost to
17 him public liability insurance covering him for any liability
18 which arises out of his employment to the extent of the
19 insurance policy limits which shall be not less than \$50,000.

20 (2) The Board shall have power to insure the Board, the
21 University and its branches ~~universities~~ under Board
22 jurisdiction, Board members, paid and unpaid employees of the
23 Board, and any students, volunteer workers, visiting faculty
24 and professionals who are agents of the Board in the
25 performance or delivery of its programs or services against
26 claims, damages, losses, expenses and civil suits arising out
27 of statements, acts or omissions in the discharge of their
28 duties, which statements, acts or omissions do not involve
29 intentional or willful and wanton misconduct on the part of
30 such persons; and to insure against losses to real and personal
31 property owned by the Board or in the actual or constructive
32 custody of the Board and for loss of income from such real and
33 personal property. The Board shall have power to defend, hold
34 harmless and indemnify, in whole or in part, all persons as to
35 whom any such insurance is provided. Pursuant to its power to

1 insure, the Board may establish and accumulate reserves for
2 payment of such claims, damages, losses, expenses and civil
3 suit awards or obtain insurance affording coverage for such
4 matters. Reserves established by the Board for the foregoing
5 purpose shall be subject to the following conditions:

6 (a) The amount of such reserves shall not exceed the amount
7 necessary and proper, based on past experience or independent
8 actuarial determinations;

9 (b) All earnings derived from such reserves shall be
10 considered part of the reserves and may be used only for the
11 same purposes for which the reserves may be used;

12 (c) Reserves may be used only for the purposes of making
13 payments for civil suits, claims, damages, losses and expenses,
14 including attorneys fees, claims investigation costs and
15 actuarial studies associated with liabilities arising out of
16 statements, acts or omissions of individuals in the discharge
17 of their duties, which statements, acts or omissions do not
18 involve intentional or willful and wanton misconduct on the
19 part of such individuals, for payment of insurance premiums,
20 and for the purposes of making payments for losses resulting
21 from any insured peril;

22 (d) All funds collected for the purposes specified in
23 paragraph (c) or earmarked for such purposes must be placed in
24 the reserves;

25 (e) Whenever the reserves have a balance in excess of what
26 is necessary and proper, then contributions, charges,
27 assessments or other forms of funding for the reserves shall be
28 appropriately decreased.

29 (3) As to all claims, damages, losses, expenses and civil
30 suits covered by insurance provided by the Board or as to which
31 the Board has not provided insurance, to the extent permitted
32 by law, sovereign immunity shall apply and recourse shall be
33 limited to the Court of Claims.

34 (4) When permitted by law to enter into an agreement with
35 any unit of government, institution of higher education,
36 person, or corporation for the use of property or the

1 performance of any function, service or act, the Board may
2 agree to the sharing or allocation of liabilities and damages
3 resulting from such use of property or performance of any
4 function, service or act. Such agreement may provide for
5 contribution or indemnification by any or all of the parties to
6 the agreement upon any liability arising out of the performance
7 of the agreement.

8 (Source: P.A. 84-1126.)

9 (110 ILCS 520/8b) (from Ch. 144, par. 658b)

10 Sec. 8b. (a) If the Board has provided access to any of the
11 campuses under its jurisdiction to persons or groups whose
12 purpose is to make students aware of educational or
13 occupational options, the board shall provide, on an equal
14 basis, access to the official recruiting representatives of the
15 armed forces of Illinois and the United States for the purpose
16 of informing students of educational and career opportunities
17 available to them in the military. The board is not required to
18 give greater notice regarding the right of access to recruiting
19 representatives than is given to other persons and groups.

20 (b) The Board shall not bar or exclude from the curriculum,
21 campus, or school facilities of the ~~Southern Illinois~~
22 University any armed forces training program or organization
23 operated under the authority of the United States government
24 because the program or organization complies with rules,
25 regulations, or policies of the United States government or any
26 agency, branch, or department thereof.

27 (Source: P.A. 87-788.)

28 (110 ILCS 520/8c) (from Ch. 144, par. 658c)

29 Sec. 8c. The Board of Trustees ~~of Southern Illinois~~
30 University shall establish a program to assess the oral English
31 language proficiency of all persons providing classroom
32 instruction to students at each campus under the jurisdiction,
33 governance or supervision of the Board, and shall ensure that
34 each person who is not orally proficient in the English

1 language attain such proficiency prior to providing any
2 classroom instruction to students. The program required by this
3 Section shall be fully implemented to ensure the oral English
4 language proficiency of all classroom instructors at each
5 campus under the jurisdiction, governance or supervision of the
6 Board ~~by the beginning of the 1987-88 academic year~~. Any other
7 provisions of this Section to the contrary notwithstanding,
8 nothing in this Section shall be deemed or construed to apply
9 to, or to require such oral English language proficiency of any
10 person who provides classroom instruction to students in
11 foreign language courses only.

12 (Source: P.A. 84-1434.)

13 (110 ILCS 520/8d) (from Ch. 144, par. 658d)

14 Sec. 8d. The Board of Trustees ~~of Southern Illinois~~
15 ~~University~~ shall establish a feedback system to monitor the
16 academic progress and success of Illinois high school students
17 enrolled at the University. The Board of Trustees ~~of Southern~~
18 ~~Illinois University~~, in cooperation with the governing boards
19 of the other public universities in this State, ~~the Board of~~
20 ~~Trustees of the University of Illinois~~, ~~the Board of Trustees~~
21 ~~of Chicago State University~~, ~~the Board of Trustees of Eastern~~
22 ~~Illinois University~~, ~~the Board of Trustees of Governors State~~
23 ~~University~~, ~~the Board of Trustees of Illinois State University~~,
24 ~~the Board of Trustees of Northeastern Illinois University~~, ~~the~~
25 ~~Board of Trustees of Northern Illinois University~~, and ~~the~~
26 ~~Board of Trustees of Western Illinois University~~ shall submit
27 annually to each high school attendance center located in the
28 State a single report with respect to the graduates of that
29 high school attendance center. The report shall include, but
30 need not be limited to, the following information: the number
31 of high school graduates enrolled in each public university and
32 the major of each; the number of high school graduates who have
33 withdrawn from each public university; and student performance
34 in university coursework.

35 (Source: P.A. 89-4, eff. 1-1-96.)

1 (110 ILCS 520/8e) (from Ch. 144, par. 658e)

2 Sec. 8e. Admissions.

3 (a) ~~Commencing in the fall of 1993,~~ No new student shall
4 ~~then or thereafter~~ be admitted to instruction in any of the
5 departments or colleges of the University unless such student
6 also has satisfactorily completed:

7 (1) at least 15 units of high school coursework from
8 the following 5 categories:

9 (A) 4 years of English (emphasizing written and
10 oral communications and literature), of which up to 2
11 years may be collegiate level instruction;

12 (B) 3 years of social studies (emphasizing history
13 and government);

14 (C) 3 years of mathematics (introductory through
15 advanced algebra, geometry, trigonometry, or
16 fundamentals of computer programming);

17 (D) 3 years of science (laboratory sciences); and

18 (E) 2 years of electives in foreign language,
19 music, vocational education or art;

20 (2) except that institutions may admit individual
21 applicants if the institution determines through
22 assessment or through evaluation based on learning
23 outcomes of the coursework taken, including vocational
24 education courses and courses taken in a charter school
25 established under Article 27A of the School Code, that the
26 applicant demonstrates knowledge and skills substantially
27 equivalent to the knowledge and skills expected to be
28 acquired in the high school courses required for admission.
29 The Board of Trustees ~~of Southern Illinois University~~ shall
30 not discriminate in the University's admissions process
31 against an applicant for admission because of the
32 applicant's enrollment in a charter school established
33 under Article 27A of the School Code. Institutions may also
34 admit 1) applicants who did not have an opportunity to
35 complete the minimum college preparatory curriculum in

1 high school, and 2) educationally disadvantaged applicants
2 who are admitted to the formal organized special assistance
3 programs that are tailored to the needs of such students,
4 providing that in either case, the institution
5 incorporates in the applicant's baccalaureate curriculum
6 courses or other academic activities that compensate for
7 course deficiencies; and

8 (3) except that up to 3 of 15 units of coursework
9 required by paragraph (1) of this subsection may be
10 distributed by deducting no more than one unit each from
11 the categories of social studies, mathematics, sciences
12 and electives and completing those 3 units in any of the 5
13 categories of coursework described in paragraph (1).

14 (b) When allocating funds, local boards of education shall
15 recognize their obligation to their students to offer the
16 coursework required by subsection (a).

17 (c) A student who has graduated from high school and has
18 scored within the University's accepted range on the ACT or SAT
19 shall not be required to take the high school level General
20 Educational Development (GED) Test as a prerequisite to
21 admission.

22 (Source: P.A. 91-374, eff. 7-30-99.)

23 (110 ILCS 520/8f) (from Ch. 144, par. 658f)

24 Sec. 8f. Partial tuition waivers.

25 (a) As used in this Section, "Illinois college or
26 university" means any of the following: the University of
27 Illinois, Southern Illinois University at Carbondale, Southern
28 Illinois University at Edwardsville, Chicago State University,
29 Eastern Illinois University, Governors State University,
30 Illinois State University, Northeastern Illinois University,
31 Northern Illinois University, and Western Illinois University.

32 (b) Each year the Board of Trustees ~~of Southern Illinois~~
33 ~~University~~ shall offer 50% tuition waivers for undergraduate
34 education at any campus under its governance or supervision to
35 the children of employees of an Illinois college or university

1 who have been employed by any one or by more than one Illinois
2 college or university for an aggregate period of at least 7
3 years. To be eligible to receive a partial tuition waiver, the
4 child of an employee of an Illinois college or university (i)
5 must be under the age of 25 at the commencement of the academic
6 year during which the partial tuition waiver is to be
7 effective, and (ii) must qualify for admission to the Southern
8 ~~Illinois~~ University under the same admissions requirements,
9 standards and policies which the Southern Illinois University
10 applies to applicants for admission generally to its respective
11 undergraduate colleges and programs.

12 (c) Subject to the provisions and limitations of subsection
13 (b), an eligible applicant who has continued to maintain
14 satisfactory academic progress toward graduation may have his
15 or her partial tuition waiver renewed until the time as he or
16 she has expended 4 years of undergraduate partial tuition
17 waiver benefits under this Section.

18 (d) No partial tuition waiver offered or allocated to any
19 eligible applicant in accordance with the provisions of this
20 Section shall be charged against any tuition waiver limitation
21 established by the Illinois Board of Higher Education.

22 (e) The Board of Trustees shall prescribe rules and
23 regulations as are necessary to implement and administer the
24 provisions of this Section.

25 (Source: P.A. 90-282, eff. 1-1-98.)

26 Section 235. The Southern Illinois University Revenue Bond
27 Act is amended by changing the title and Section 2 as follows:

28 (110 ILCS 525/Act title)

29 An Act to authorize the Board of Trustees of Southern
30 Illinois University at Carbondale and the Board of Trustees of
31 Southern Illinois University at Edwardsville to acquire, own,
32 operate and maintain projects as herein defined, to issue its
33 bonds therefor, to refund its bonds heretofore and hereafter
34 issued, and to provide for the payment and security of all

1 bonds issued hereunder; and to define the powers and duties of
2 said Boards ~~Board~~ in reference thereto.

3 (110 ILCS 525/2) (from Ch. 144, par. 672)

4 Sec. 2. Definitions.

5 In this Act, unless the context otherwise requires:

6 1. "Board" means both the Board of Trustees of Southern
7 Illinois University at Carbondale and the Board of Trustees of
8 Southern Illinois University at Edwardsville, or their
9 successors ~~its successor~~.

10 2. "University" means both Southern Illinois University,
11 ~~located~~ at Carbondale and Southern Illinois University at
12 Edwardsville, Illinois, and their ~~its~~ branches.

13 3. "Federal Agency" means the United States of America, the
14 President of the United States of America, the Housing and Home
15 Finance Agency, or such other agency or agencies of the United
16 States of America as may be designated or created to make loans
17 or grants or both.

18 4. "Acquire" includes to purchase, erect, build,
19 construct, reconstruct, complete, repair, replace, alter,
20 extend, better, equip, develop, and improve a project,
21 including the acquisition and clearing of a site or sites
22 therefor.

23 5. "Project" means and includes student residence halls;
24 apartments; staff housing facilities; dormitories; health,
25 hospital or medical facilities; dining halls; student union
26 buildings; field houses; stadiums; physical education
27 installations and facilities; auditoriums; facilities for
28 student or staff services; any facility or building leased to
29 the United States of America; heretofore, or as may be
30 hereafter, acquired, and any other revenue producing building
31 or buildings of such type and character for which the Board
32 shall hereafter from time to time find a necessity exists and
33 as may be required for the good and benefit of the University,
34 with all equipment and appurtenant facilities, including
35 off-street parking facilities; or any one or more than one, or

1 all, of the foregoing, or any combination thereof, for the
2 University.

3 (Source: Laws 1965, p. 2913.)

4 Section 240. The Sewage and Water System Training Institute
5 Act is amended by changing Sections 1 and 2 as follows:

6 (110 ILCS 530/1) (from Ch. 144, par. 691)

7 Sec. 1. The Board of Trustees of the Southern Illinois
8 University at Carbondale shall establish a Sewage Treatment
9 Plant Operators Training Institute and a Public Water Supply
10 Operators Training Institute and shall designate the location
11 within this State for and the number of times each year the
12 programs provided for in this Act shall be offered.

13 (Source: Laws 1967, p. 3465.)

14 (110 ILCS 530/2) (from Ch. 144, par. 692)

15 Sec. 2. There is created the Sewage Treatment Operators
16 Training Institute Committee composed of 3 sewage treatment
17 operators designated by the Governor and 3 representatives of
18 Southern Illinois University at Carbondale designated by the
19 Board of Trustees thereof and a Public Water Supply Operators
20 Training Institute Committee composed of 3 public water supply
21 operators designated by the Governor and 3 representatives of
22 Southern Illinois University at Carbondale designated by the
23 Board of Trustees thereof. However, if in the discretion of the
24 Board of Trustees of Southern Illinois University at Carbondale
25 the purposes of this Act can best be served by one committee,
26 such committee shall be composed of 6 members designated by the
27 Governor, 3 of whom are sewage treatment operators and 3 of
28 whom are public water supply operators, and 3 representatives
29 of Southern Illinois University at Carbondale designated by the
30 Board of Trustees thereof. Members of the Committee shall serve
31 without compensation but shall be reimbursed for their actual
32 expenses incurred in the performance of their duties. Members
33 shall serve at the pleasure of the appointing authority

1 designating them to Committee membership.

2 (Source: P.A. 84-1308.)

3 Section 245. The Chicago State University Law is amended by
4 changing Section 5-90 as follows:

5 (110 ILCS 660/5-90)

6 Sec. 5-90. Partial tuition waivers.

7 (a) As used in this Section, "Illinois college or
8 university" means any of the following: the University of
9 Illinois, Southern Illinois University at Carbondale, Southern
10 Illinois University at Edwardsville, Chicago State University,
11 Eastern Illinois University, Governors State University,
12 Illinois State University, Northeastern Illinois University,
13 Northern Illinois University, and Western Illinois University.

14 (b) Each year the Board of Chicago State University shall
15 offer 50% tuition waivers for undergraduate education at any
16 campus under its governance to the children of employees of an
17 Illinois college or university who have been employed by any
18 one or by more than one Illinois college or university for an
19 aggregate period of at least 7 years. To be eligible to receive
20 a partial tuition waiver, the child of an employee of an
21 Illinois college or university (i) must be under the age of 25
22 at the commencement of the academic year during which the
23 partial tuition waiver is to be effective, and (ii) must
24 qualify for admission to Chicago State University under the
25 same admissions requirements, standards and policies which
26 Chicago State University applies to applicants for admission
27 generally to its respective undergraduate colleges and
28 programs.

29 (c) Subject to the provisions and limitations of subsection
30 (b), an eligible applicant who has continued to maintain
31 satisfactory academic progress toward graduation may have his
32 or her partial tuition waiver renewed until the time as he or
33 she has expended 4 years of undergraduate partial tuition
34 waiver benefits under this Section.

1 (d) No partial tuition waiver offered or allocated to any
2 eligible applicant in accordance with the provisions of this
3 Section shall be charged against any tuition waiver limitation
4 established by the Illinois Board of Higher Education.

5 (e) The Board shall prescribe rules and regulations as are
6 necessary to implement and administer the provisions of this
7 Section.

8 (Source: P.A. 89-4, eff. 1-1-96; 90-282, eff. 1-1-98.)

9 Section 250. The Eastern Illinois University Law is amended
10 by changing Section 10-90 as follows:

11 (110 ILCS 665/10-90)

12 Sec. 10-90. Partial tuition waivers.

13 (a) As used in this Section, "Illinois college or
14 university" means any of the following: the University of
15 Illinois, Southern Illinois University at Carbondale, Southern
16 Illinois University at Edwardsville, Chicago State University,
17 Eastern Illinois University, Governors State University,
18 Illinois State University, Northeastern Illinois University,
19 Northern Illinois University, and Western Illinois University.

20 (b) Each year the Board of Eastern Illinois University
21 shall offer 50% tuition waivers for undergraduate education at
22 any campus under its governance to the children of employees of
23 an Illinois college or university who have been employed by any
24 one or by more than one Illinois college or university for an
25 aggregate period of at least 7 years. To be eligible to receive
26 a partial tuition waiver, the child of an employee of an
27 Illinois college or university (i) must be under the age of 25
28 at the commencement of the academic year during which the
29 partial tuition waiver is to be effective, and (ii) must
30 qualify for admission to Eastern Illinois University under the
31 same admissions requirements, standards and policies which
32 Eastern Illinois University applies to applicants for
33 admission generally to its respective undergraduate colleges
34 and programs.

1 (c) Subject to the provisions and limitations of subsection
2 (b), an eligible applicant who has continued to maintain
3 satisfactory academic progress toward graduation may have his
4 or her partial tuition waiver renewed until the time as he or
5 she has expended 4 years of undergraduate partial tuition
6 waiver benefits under this Section.

7 (d) No partial tuition waiver offered or allocated to any
8 eligible applicant in accordance with the provisions of this
9 Section shall be charged against any tuition waiver limitation
10 established by the Illinois Board of Higher Education.

11 (e) The Board shall prescribe rules and regulations as are
12 necessary to implement and administer the provisions of this
13 Section.

14 (Source: P.A. 89-4, eff. 1-1-96; 90-282, eff. 1-1-98.)

15 Section 255. The Governors State University Law is amended
16 by changing Section 15-90 as follows:

17 (110 ILCS 670/15-90)

18 Sec. 15-90. Partial tuition waivers.

19 (a) As used in this Section, "Illinois college or
20 university" means any of the following: the University of
21 Illinois, Southern Illinois University at Carbondale, Southern
22 Illinois University at Edwardsville, Chicago State University,
23 Eastern Illinois University, Governors State University,
24 Illinois State University, Northeastern Illinois University,
25 Northern Illinois University, and Western Illinois University.

26 (b) Each year the Board of Governors State University shall
27 offer 50% tuition waivers for undergraduate education at any
28 campus under its governance to the children of employees of an
29 Illinois college or university who have been employed by any
30 one or by more than one Illinois college or university for an
31 aggregate period of at least 7 years. To be eligible to receive
32 a partial tuition waiver, the child of an employee of an
33 Illinois college or university (i) must be under the age of 25
34 at the commencement of the academic year during which the

1 partial tuition waiver is to be effective, and (ii) must
2 qualify for admission to Governors State University under the
3 same admissions requirements, standards and policies which
4 Governors State University applies to applicants for admission
5 generally to its respective undergraduate colleges and
6 programs.

7 (c) Subject to the provisions and limitations of subsection
8 (b), an eligible applicant who has continued to maintain
9 satisfactory academic progress toward graduation may have his
10 or her partial tuition waiver renewed until the time as he or
11 she has expended 4 years of undergraduate partial tuition
12 waiver benefits under this Section.

13 (d) No partial tuition waiver offered or allocated to any
14 eligible applicant in accordance with the provisions of this
15 Section shall be charged against any tuition waiver limitation
16 established by the Illinois Board of Higher Education.

17 (e) The Board shall prescribe rules and regulations as are
18 necessary to implement and administer the provisions of this
19 Section.

20 (Source: P.A. 89-4, eff. 1-1-96; 90-282, eff. 1-1-98.)

21 Section 260. The Illinois State University Law is amended
22 by changing Section 20-90 as follows:

23 (110 ILCS 675/20-90)

24 Sec. 20-90. Partial tuition waivers.

25 (a) As used in this Section, "Illinois college or
26 university" means any of the following: the University of
27 Illinois, Southern Illinois University at Carbondale, Southern
28 Illinois University at Edwardsville, Chicago State University,
29 Eastern Illinois University, Governors State University,
30 Illinois State University, Northeastern Illinois University,
31 Northern Illinois University, and Western Illinois University.

32 (b) Each year the Board of Illinois State University shall
33 offer 50% tuition waivers for undergraduate education at any
34 campus under its governance to the children of employees of an

1 Illinois college or university who have been employed by any
2 one or by more than one Illinois college or university for an
3 aggregate period of at least 7 years. To be eligible to receive
4 a partial tuition waiver, the child of an employee of an
5 Illinois college or university (i) must be under the age of 25
6 at the commencement of the academic year during which the
7 partial tuition waiver is to be effective, and (ii) must
8 qualify for admission to Illinois State University under the
9 same admissions requirements, standards and policies which
10 Illinois State University applies to applicants for admission
11 generally to its respective undergraduate colleges and
12 programs.

13 (c) Subject to the provisions and limitations of subsection
14 (b), an eligible applicant who has continued to maintain
15 satisfactory academic progress toward graduation may have his
16 or her partial tuition waiver renewed until the time as he or
17 she has expended 4 years of undergraduate partial tuition
18 waiver benefits under this Section.

19 (d) No partial tuition waiver offered or allocated to any
20 eligible applicant in accordance with the provisions of this
21 Section shall be charged against any tuition waiver limitation
22 established by the Illinois Board of Higher Education.

23 (e) The Board shall prescribe rules and regulations as are
24 necessary to implement and administer the provisions of this
25 Section.

26 (Source: P.A. 89-4, eff. 1-1-96; 90-282, eff. 1-1-98.)

27 Section 265. The Northeastern Illinois University Law is
28 amended by changing Section 25-90 as follows:

29 (110 ILCS 680/25-90)

30 Sec. 25-90. Partial tuition waivers.

31 (a) As used in this Section, "Illinois college or
32 university" means any of the following: the University of
33 Illinois, Southern Illinois University at Carbondale, Southern
34 Illinois University at Edwardsville, Chicago State University,

1 Eastern Illinois University, Governors State University,
2 Illinois State University, Northeastern Illinois University,
3 Northern Illinois University, and Western Illinois University.

4 (b) Each year the Board of Northeastern Illinois University
5 shall offer 50% tuition waivers for undergraduate education at
6 any campus under its governance to the children of employees of
7 an Illinois college or university who have been employed by any
8 one or by more than one Illinois college or university for an
9 aggregate period of at least 7 years. To be eligible to receive
10 a partial tuition waiver, the child of an employee of an
11 Illinois college or university (i) must be under the age of 25
12 at the commencement of the academic year during which the
13 partial tuition waiver is to be effective, and (ii) must
14 qualify for admission to Northeastern Illinois University
15 under the same admissions requirements, standards and policies
16 which Northeastern Illinois University applies to applicants
17 for admission generally to its respective undergraduate
18 colleges and programs.

19 (c) Subject to the provisions and limitations of subsection
20 (b), an eligible applicant who has continued to maintain
21 satisfactory academic progress toward graduation may have his
22 or her partial tuition waiver renewed until the time as he or
23 she has expended 4 years of undergraduate partial tuition
24 waiver benefits under this Section.

25 (d) No partial tuition waiver offered or allocated to any
26 eligible applicant in accordance with the provisions of this
27 Section shall be charged against any tuition waiver limitation
28 established by the Illinois Board of Higher Education.

29 (e) The Board shall prescribe rules and regulations as are
30 necessary to implement and administer the provisions of this
31 Section.

32 (Source: P.A. 89-4, eff. 1-1-96; 90-282, eff. 1-1-98.)

33 Section 270. The Northern Illinois University Law is
34 amended by changing Section 30-90 as follows:

1 (110 ILCS 685/30-90)

2 Sec. 30-90. Partial tuition waivers.

3 (a) As used in this Section, "Illinois college or
4 university" means any of the following: the University of
5 Illinois, Southern Illinois University at Carbondale, Southern
6 Illinois University at Edwardsville, Chicago State University,
7 Eastern Illinois University, Governors State University,
8 Illinois State University, Northeastern Illinois University,
9 Northern Illinois University, and Western Illinois University.

10 (b) Each year the Board of Northern Illinois University
11 shall offer 50% tuition waivers for undergraduate education at
12 any campus under its governance to the children of employees of
13 an Illinois college or university who have been employed by any
14 one or by more than one Illinois college or university for an
15 aggregate period of at least 7 years. To be eligible to receive
16 a partial tuition waiver, the child of an employee of an
17 Illinois college or university (i) must be under the age of 25
18 at the commencement of the academic year during which the
19 partial tuition waiver is to be effective, and (ii) must
20 qualify for admission to Northern Illinois University under the
21 same admissions requirements, standards and policies which
22 Northern Illinois University applies to applicants for
23 admission generally to its respective undergraduate colleges
24 and programs.

25 (c) Subject to the provisions and limitations of subsection
26 (b), an eligible applicant who has continued to maintain
27 satisfactory academic progress toward graduation may have his
28 or her partial tuition waiver renewed until the time as he or
29 she has expended 4 years of undergraduate partial tuition
30 waiver benefits under this Section.

31 (d) No partial tuition waiver offered or allocated to any
32 eligible applicant in accordance with the provisions of this
33 Section shall be charged against any tuition waiver limitation
34 established by the Illinois Board of Higher Education.

35 (e) The Board shall prescribe rules and regulations as are
36 necessary to implement and administer the provisions of this

1 Section.

2 (Source: P.A. 89-4, eff. 1-1-96; 90-282, eff. 1-1-98.)

3 Section 275. The Western Illinois University Law is amended
4 by changing Section 35-90 as follows:

5 (110 ILCS 690/35-90)

6 Sec. 35-90. Partial tuition waivers.

7 (a) As used in this Section, "Illinois college or
8 university" means any of the following: the University of
9 Illinois, Southern Illinois University at Carbondale, Southern
10 Illinois University at Edwardsville, Chicago State University,
11 Eastern Illinois University, Governors State University,
12 Illinois State University, Northeastern Illinois University,
13 Northern Illinois University, and Western Illinois University.

14 (b) Each year the Board of Western Illinois University
15 shall offer 50% tuition waivers for undergraduate education at
16 any campus under its governance to the children of employees of
17 an Illinois college or university who have been employed by any
18 one or by more than one Illinois college or university for an
19 aggregate period of at least 7 years. To be eligible to receive
20 a partial tuition waiver, the child of an employee of an
21 Illinois college or university (i) must be under the age of 25
22 at the commencement of the academic year during which the
23 partial tuition waiver is to be effective, and (ii) must
24 qualify for admission to Western Illinois University under the
25 same admissions requirements, standards and policies which
26 Western Illinois University applies to applicants for
27 admission generally to its respective undergraduate colleges
28 and programs.

29 (c) Subject to the provisions and limitations of subsection
30 (b), an eligible applicant who has continued to maintain
31 satisfactory academic progress toward graduation may have his
32 or her partial tuition waiver renewed until the time as he or
33 she has expended 4 years of undergraduate partial tuition
34 waiver benefits under this Section.

1 (d) No partial tuition waiver offered or allocated to any
2 eligible applicant in accordance with the provisions of this
3 Section shall be charged against any tuition waiver limitation
4 established by the Illinois Board of Higher Education.

5 (e) The Board shall prescribe rules and regulations as are
6 necessary to implement and administer the provisions of this
7 Section.

8 (Source: P.A. 89-4, eff. 1-1-96; 90-282, eff. 1-1-98.)

9 Section 280. The Baccalaureate Savings Act is amended by
10 changing Section 3 as follows:

11 (110 ILCS 920/3) (from Ch. 144, par. 2403)

12 Sec. 3. Definitions. The following terms shall have the
13 meanings ascribed to them in this Section unless the context
14 clearly indicates otherwise:

15 (a) "College Savings Bonds" mean general obligation bonds
16 of the State issued under the General Obligation Bond Act in
17 accordance with this Act and designated as General Obligation
18 College Savings Bonds.

19 (b) "Institution of Higher Education" includes: The
20 University of Illinois; Southern Illinois University at
21 Carbondale; Southern Illinois University at Edwardsville;
22 Chicago State University; Eastern Illinois University;
23 Governors State University; Illinois State University;
24 Northeastern Illinois University; Northern Illinois
25 University; Western Illinois University; the public community
26 colleges of the State; any public universities, colleges and
27 community colleges now or hereafter established or authorized
28 by the General Assembly; any nonpublicly supported
29 postsecondary educational organization located and authorized
30 to operate in this State which operates privately,
31 not-for-profit. "Institution of higher education" does not
32 include any educational organization used for sectarian
33 instruction, as a place of religious teaching or worship or for
34 any religious denomination or the training of ministers,

1 priests, rabbis or other professional persons in the field of
2 religion.

3 (Source: P.A. 89-4, eff. 1-1-96; 90-372, eff. 7-1-98.)

4 Section 285. The Higher Education Student Assistance Act is
5 amended by changing Sections 45, 65, 65.20, 65.25, 65.30, and
6 65.40 as follows:

7 (110 ILCS 947/45)

8 Sec. 45. Illinois National Guard grant program.

9 (a) As used in this Section:

10 "State controlled university or community college" means
11 those institutions under the administration of the Chicago
12 State University Board of Trustees, the Eastern Illinois
13 University Board of Trustees, the Governors State University
14 Board of Trustees, the Illinois State University Board of
15 Trustees, the Northeastern Illinois University Board of
16 Trustees, the Northern Illinois University Board of Trustees,
17 the Western Illinois University Board of Trustees, Southern
18 Illinois University at Carbondale Board of Trustees,
19 University of Illinois Board of Trustees, Southern Illinois
20 University at Edwardsville Board of Trustees, or the Illinois
21 Community College Board.

22 "Tuition and fees" shall not include expenses for any
23 sectarian or denominational instruction, the construction or
24 maintenance of sectarian or denominational facilities, or any
25 other sectarian or denominational purposes or activity.

26 "Fees" means matriculation, graduation, activity, term, or
27 incidental fees. Exemption shall not be granted from any other
28 fees, including book rental, service, laboratory, supply, and
29 union building fees, hospital and medical insurance fees, and
30 any fees established for the operation and maintenance of
31 buildings, the income of which is pledged to the payment of
32 interest and principal on bonds issued by the governing board
33 of any university or community college.

34 (b) Any enlisted person or any company grade officer,

1 including warrant officers, First and Second Lieutenants, and
2 Captains in the Army and Air National Guard, who has served at
3 least one year in the Illinois National Guard and who possesses
4 all necessary entrance requirements shall, upon application
5 and proper proof, be awarded a grant to the State-controlled
6 university or community college of his or her choice,
7 consisting of exemption from tuition and fees for not more than
8 the equivalent of 4 years of full-time enrollment in relation
9 to his or her course of study at that State controlled
10 university or community college while he or she is a member of
11 the Illinois National Guard. Except as otherwise provided in
12 this Section, if the recipient of any grant awarded under this
13 Section ceases to be a member of the Illinois National Guard
14 while enrolled in a course of study under that grant, the grant
15 shall be terminated as of the date membership in the Illinois
16 National Guard ended, and the recipient shall be permitted to
17 complete the school term in which he or she is then enrolled
18 only upon payment of tuition and other fees allocable to the
19 part of the term then remaining. If the recipient of a grant
20 awarded under this Section ceases to be a member of the
21 Illinois National Guard while enrolled in a course of study
22 under that grant but (i) has served in the Illinois National
23 Guard for at least 5 years and (ii) has served a cumulative
24 total of at least 6 months of active duty, then that recipient
25 shall continue to be eligible for a grant for one year after
26 membership in the Illinois National Guard ended, provided that
27 the recipient has not already received the exemption from
28 tuition and fees for the equivalent of 4 years of full-time
29 enrollment under this Section. If the recipient of the grant
30 fails to complete his or her military service obligations or
31 requirements for satisfactory participation, the Department of
32 Military Affairs shall require the recipient to repay the
33 amount of the grant received, prorated according to the
34 fraction of the service obligation not completed, and, if
35 applicable, reasonable collection fees. The Department of
36 Military Affairs may adopt rules relating to its collection

1 activities for repayment of the grant under this Section.
2 Unsatisfactory participation shall be defined by rules adopted
3 by the Department of Military Affairs. Repayments shall be
4 deposited in the National Guard Grant Fund. The National Guard
5 Grant Fund is created as a special fund in the State treasury.
6 All money in the National Guard Grant Fund shall be used,
7 subject to appropriation, by the Illinois Student Assistance
8 Commission for the purposes of this Section.

9 A grant awarded under this Section shall be considered an
10 entitlement which the State-controlled university or community
11 college in which the holder is enrolled shall honor without any
12 condition other than the holder's maintenance of minimum grade
13 levels and a satisfactory student loan repayment record
14 pursuant to subsection (c) of Section 20 of this Act.

15 (c) Subject to a separate appropriation for such purposes,
16 the Commission may reimburse the State-controlled university
17 or community college for grants authorized by this Section.

18 (Source: P.A. 92-589, eff. 7-1-02; 93-838, eff. 7-30-04;
19 93-856, eff. 8-3-04; revised 10-22-04.)

20 (110 ILCS 947/65)

21 Sec. 65. Student to student grant program.

22 (a) As used in this Section:

23 "Voluntary contribution" includes fees collected from
24 students by college or university officials when the fee is
25 optional or refundable to students and has been approved by
26 a majority of those voting in a campus-wide referendum of
27 students.

28 "College or university" means any of the
29 State-supported institutions of higher learning
30 administered by the Board of Trustees of the University of
31 Illinois, the Board of Trustees of Southern Illinois
32 University at Carbondale, the Board of Trustees of Southern
33 Illinois University at Edwardsville, the Board of Trustees
34 of Chicago State University, the Board of Trustees of
35 Eastern Illinois University, the Board of Trustees of

1 Governors State University, the Board of Trustees of
2 Illinois State University, the Board of Trustees of
3 Northeastern Illinois University, the Board of Trustees of
4 Northern Illinois University, the Board of Trustees of
5 Western Illinois University, or the boards of trustees of
6 public community college districts as established and
7 defined by the Public Community College Act.

8 (b) Subject to a separate appropriation for such purposes,
9 the Commission shall make matching grants to each college or
10 university for a program of student grant assistance. Such
11 grants shall match equally the amount raised by college or
12 university students for the grant program. Contributions from
13 individuals who are not then enrolled as college or university
14 students or from private or eleemosynary groups and
15 associations made directly to the student fund or through a
16 college or university student shall not be included in the
17 total amount that the State shall match. If the sum
18 appropriated is insufficient to match equally the amount raised
19 by students, the amount payable to each college or university
20 shall be proportionately reduced.

21 (c) Grant programs under this Section shall be administered
22 by each college or university, and grants under those programs
23 shall be awarded to individuals on a need basis as prescribed
24 by the Commission.

25 (d) No grant to any student from funds raised through
26 voluntary contributions and matched from the State
27 appropriation under this Section may exceed \$1,000 per year.

28 (e) Each college or university shall submit to the
29 Commission an annual report of the activities, operation and
30 results of its grant program under this Section.

31 (Source: P.A. 89-4, eff. 1-1-96.)

32 (110 ILCS 947/65.20)

33 Sec. 65.20. Science-mathematics teacher scholarships.

34 (a) The Commission may annually award a number of
35 scholarships, not to exceed 200, to persons holding valid

1 teaching certificates issued under Article 21 of the School
2 Code. Such scholarships shall be issued to teachers who make
3 application to the Commission and who agree to take courses at
4 qualified institutions of higher learning that will prepare
5 them to teach science or mathematics at the secondary school
6 level.

7 (b) Scholarships awarded under this Section shall be issued
8 pursuant to regulations promulgated by the Commission;
9 provided that no rule or regulation promulgated by the State
10 Board of Education prior to the effective date of this
11 amendatory Act of 1993 pursuant to the exercise of any right,
12 power, duty, responsibility or matter of pending business
13 transferred from the State Board of Education to the Commission
14 under this Section shall be affected thereby, and all such
15 rules and regulations shall become the rules and regulations of
16 the Commission until modified or changed by the Commission in
17 accordance with law. In awarding scholarships, the Commission
18 shall give priority to those teachers with the greatest amount
19 of seniority within school districts.

20 (c) Each scholarship shall be utilized by its holder for
21 the payment of tuition at any qualified institution of higher
22 learning. Such tuition shall be available only for courses that
23 will enable the teacher to be certified to teach science or
24 mathematics at the secondary school level. The Commission, in
25 consultation with the State Teacher Certification Board, shall
26 determine which courses are eligible for tuition payments under
27 this Section.

28 (d) The Commission shall make tuition payments directly to
29 the qualified institution of higher learning which the teacher
30 attends for the courses prescribed or may make payments to the
31 teacher. Any teacher who receives payments and who fails to
32 enroll in the courses prescribed shall refund the payments to
33 the Commission.

34 (e) Following the completion of the program of study, the
35 teacher must accept employment within 2 years in a secondary
36 school in Illinois within 60 miles of the teacher's residence

1 to teach science or mathematics; provided, however, that the
2 teacher instead may elect to accept employment within such 2
3 year period to teach science or mathematics in a secondary
4 school in Illinois which is more than 60 miles from the
5 teacher's residence. Teachers who fail to comply with this
6 provision shall refund all of the scholarship awarded to the
7 Commission, whether payments were made directly to the
8 institutions of higher learning or to the teachers, and this
9 condition shall be agreed to in writing by all scholarship
10 recipients at the time the scholarship is awarded. No teacher
11 shall be required to refund tuition payments if his or her
12 failure to obtain employment as a mathematics or science
13 teacher in a secondary school is the result of financial
14 conditions within school districts. The rules and regulations
15 promulgated as provided in this Section shall include
16 provisions regarding the waiving and deferral of such payments.

17 (f) The Commission, with the cooperation of the State Board
18 of Education, shall assist teachers who have participated in
19 the scholarship program established by this Section in finding
20 employment to teach science or mathematics at the secondary
21 level.

22 (g) This Section is substantially the same as Section 30-4b
23 of the School Code, which Section is repealed by this
24 amendatory Act of 1993, and shall be construed as a
25 continuation of the science-mathematics teacher scholarship
26 program established by that prior law, and not as a new or
27 different science-mathematics teacher scholarship program. The
28 State Board of Education shall transfer to the Commission, as
29 the successor to the State Board of Education for all purposes
30 of administering and implementing the provisions of this
31 Section, all books, accounts, records, papers, documents,
32 contracts, agreements, and pending business in any way relating
33 to the science-mathematics teacher scholarship program
34 continued under this Section; and all scholarships at any time
35 awarded under that program by, and all applications for any
36 such scholarships at any time made to, the State Board of

1 Education shall be unaffected by the transfer to the Commission
2 of all responsibility for the administration and
3 implementation of the science-mathematics teacher scholarship
4 program continued under this Section. The State Board of
5 Education shall furnish to the Commission such other
6 information as the Commission may request to assist it in
7 administering this Section.

8 (h) Appropriations for the scholarships outlined in this
9 Section shall be made to the Commission from funds appropriated
10 by the General Assembly.

11 (i) For the purposes of this Section:

12 "Qualified institution of higher learning" means the
13 University of Illinois, Southern Illinois University at
14 Carbondale, Southern Illinois University at Edwardsville,
15 Chicago State University, Eastern Illinois University,
16 Governors State University, Illinois State University,
17 Northeastern Illinois University, Northern Illinois
18 University, Western Illinois University, and the public
19 community colleges subject to the Public Community College Act.

20 "Secondary school level" means grades 9 through 12 or a
21 portion of such grades.

22 (Source: P.A. 88-228; 88-670, eff. 12-2-94; 89-4, eff. 1-1-96.)

23 (110 ILCS 947/65.25)

24 Sec. 65.25. Teacher shortage scholarships.

25 (a) The Commission may annually award a number of
26 scholarships to persons preparing to teach in areas of
27 identified staff shortages. Such scholarships shall be issued
28 to individuals who make application to the Commission and who
29 agree to take courses at qualified institutions of higher
30 learning which will prepare them to teach in areas of
31 identified staff shortages.

32 (b) Scholarships awarded under this Section shall be issued
33 pursuant to regulations promulgated by the Commission;
34 provided that no rule or regulation promulgated by the State
35 Board of Education prior to the effective date of this

1 amendatory Act of 1993 pursuant to the exercise of any right,
2 power, duty, responsibility or matter of pending business
3 transferred from the State Board of Education to the Commission
4 under this Section shall be affected thereby, and all such
5 rules and regulations shall become the rules and regulations of
6 the Commission until modified or changed by the Commission in
7 accordance with law. The Commission shall allocate the
8 scholarships awarded between persons initially preparing to
9 teach, persons holding valid teaching certificates issued
10 under Articles 21 and 34 of the School Code, and persons
11 holding a bachelor's degree from any accredited college or
12 university who have been employed for a minimum of 10 years in
13 a field other than teaching.

14 (c) Each scholarship shall be utilized by its holder for
15 the payment of tuition and non-revenue bond fees at any
16 qualified institution of higher learning. Such tuition and fees
17 shall be available only for courses that will enable the
18 individual to be certified to teach in areas of identified
19 staff shortages. The Commission shall determine which courses
20 are eligible for tuition payments under this Section.

21 (d) The Commission may make tuition payments directly to
22 the qualified institution of higher learning which the
23 individual attends for the courses prescribed or may make
24 payments to the teacher. Any teacher who received payments and
25 who fails to enroll in the courses prescribed shall refund the
26 payments to the Commission.

27 (e) Following the completion of the program of study,
28 persons who held valid teaching certificates and persons
29 holding a bachelor's degree from any accredited college or
30 university who have been employed for a minimum of 10 years in
31 a field other than teaching prior to receiving a teacher
32 shortage scholarship must accept employment within 2 years in a
33 school in Illinois within 60 miles of the person's residence to
34 teach in an area of identified staff shortage for a period of
35 at least 3 years; provided, however that any such person
36 instead may elect to accept employment within such 2 year

1 period to teach in an area of identified staff shortage for a
2 period of at least 3 years in a school in Illinois which is
3 more than 60 miles from such person's residence. Persons
4 initially preparing to teach prior to receiving a teacher
5 shortage scholarship must accept employment within 2 years in a
6 school in Illinois to teach in an area of identified staff
7 shortage for a period of at least 3 years. Individuals who fail
8 to comply with this provision shall refund all of the
9 scholarships awarded to the Commission, whether payments were
10 made directly to the institutions of higher learning or to the
11 individuals, and this condition shall be agreed to in writing
12 by all scholarship recipients at the time the scholarship is
13 awarded. No individual shall be required to refund tuition
14 payments if his or her failure to obtain employment as a
15 teacher in a school is the result of financial conditions
16 within school districts. The rules and regulations promulgated
17 as provided in this Section shall contain provisions regarding
18 the waiving and deferral of such payments.

19 (f) The Commission, with the cooperation of the State Board
20 of Education, shall assist individuals who have participated in
21 the scholarship program established by this Section in finding
22 employment in areas of identified staff shortages.

23 (g) Beginning in September, 1994 and annually thereafter,
24 the Commission, using data annually supplied by the State Board
25 of Education under procedures developed by it to measure the
26 level of shortage of qualified bilingual personnel serving
27 students with disabilities, shall annually publish (i) the
28 level of shortage of qualified bilingual personnel serving
29 students with disabilities, and (ii) allocations of
30 scholarships for personnel preparation training programs in
31 the areas of bilingual special education teacher training and
32 bilingual school service personnel.

33 (h) Appropriations for the scholarships outlined in this
34 Section shall be made to the Commission from funds appropriated
35 by the General Assembly.

36 (i) This Section is substantially the same as Section 30-4c

1 of the School Code, which Section is repealed by this
2 amendatory Act of 1993, and shall be construed as a
3 continuation of the teacher shortage scholarship program
4 established under that prior law, and not as a new or different
5 teacher shortage scholarship program. The State Board of
6 Education shall transfer to the Commission, as the successor to
7 the State Board of Education for all purposes of administering
8 and implementing the provisions of this Section, all books,
9 accounts, records, papers, documents, contracts, agreements,
10 and pending business in any way relating to the teacher
11 shortage scholarship program continued under this Section; and
12 all scholarships at any time awarded under that program by, and
13 all applications for any such scholarships at any time made to,
14 the State Board of Education shall be unaffected by the
15 transfer to the Commission of all responsibility for the
16 administration and implementation of the teacher shortage
17 scholarship program continued under this Section. The State
18 Board of Education shall furnish to the Commission such other
19 information as the Commission may request to assist it in
20 administering this Section.

21 (j) For the purposes of this Section:

22 "Qualified institution of higher learning" means the
23 University of Illinois, Southern Illinois University at
24 Carbondale, Southern Illinois University at Edwardsville,
25 Chicago State University, Eastern Illinois University,
26 Governors State University, Illinois State University,
27 Northeastern Illinois University, Northern Illinois
28 University, Western Illinois University, the public community
29 colleges subject to the Public Community College Act and any
30 Illinois privately operated college, community college or
31 university offering degrees and instructional programs above
32 the high school level either in residence or by correspondence.
33 The Board of Higher Education and the Commission, in
34 consultation with the State Board of Education, shall identify
35 qualified institutions to supply the demand for bilingual
36 special education teachers and bilingual school service

1 personnel.

2 "Areas of identified staff shortages" means courses of
3 study in which the number of teachers is insufficient to meet
4 student or school district demand for such instruction as
5 determined by the State Board of Education.

6 (Source: P.A. 88-228; 89-4, eff. 1-1-96.)

7 (110 ILCS 947/65.30)

8 Sec. 65.30. Equal opportunity scholarships.

9 (a) The Commission may annually award a number of
10 scholarships to students who are interested in pursuing studies
11 in educational administration. Such scholarships shall be
12 issued to students who make application to the Commission and
13 who agree to take courses at qualified institutions of higher
14 learning that will allow them to complete a degree in
15 educational administration.

16 (b) Scholarships awarded under this Section shall be issued
17 pursuant to regulations promulgated by the Commission;
18 provided that no rule or regulation promulgated by the State
19 Board of Education prior to the effective date of this
20 amendatory Act of 1993 pursuant to the exercise of any right,
21 power, duty, responsibility or matter of pending business
22 transferred from the State Board of Education to the Commission
23 under this Section shall be affected thereby, and all such
24 rules and regulations shall become the rules and regulations of
25 the Commission until modified or changed by the Commission in
26 accordance with law.

27 (c) Such scholarships shall be utilized for the payment of
28 tuition and non-revenue bond fees at any qualified institution
29 of higher learning. Such tuition and fees shall only be
30 available for courses that will enable the student to complete
31 training in educational administration. The Commission shall
32 determine which courses are eligible for tuition payments under
33 this Section.

34 (d) The Commission may make tuition payments directly to
35 the qualified institution of higher learning which the student

1 attends for the courses prescribed or may make payments to the
2 student. Any student who receives payments and who fails to
3 enroll in the courses prescribed shall refund the payments to
4 the Commission.

5 (e) The Commission, with the cooperation of the State Board
6 of Education, shall assist students who have participated in
7 the scholarship program established by this Section in finding
8 employment in positions relating to educational
9 administration.

10 (f) Appropriations for the scholarships outlined in this
11 Section shall be made to the Commission from funds appropriated
12 by the General Assembly.

13 (g) This Section is substantially the same as Section 30-4d
14 of the School Code, which Section is repealed by this
15 amendatory Act of 1993, and shall be construed as a
16 continuation of the equal opportunity scholarship program
17 established under that prior law, and not as a new or different
18 equal opportunity scholarship program. The State Board of
19 Education shall transfer to the Commission, as the successor to
20 the State Board of Education for all purposes of administering
21 and implementing the provisions of this Section, all books,
22 accounts, records, papers, documents, contracts, agreements,
23 and pending business in any way relating to the equal
24 opportunity scholarship program continued under this Section;
25 and all scholarships at any time awarded under that program by,
26 and all applications for any such scholarship at any time made
27 to, the State Board of Education shall be unaffected by the
28 transfer to the Commission of all responsibility for the
29 administration and implementation of the equal opportunity
30 scholarship program continued under this Section. The State
31 Board of Education shall furnish to the Commission such other
32 information as the Commission may request to assist it in
33 administering this Section.

34 (h) For purposes of this Section:

35 (1) "Qualified institution of higher learning" means
36 the University of Illinois; Southern Illinois University

1 at Carbondale; Southern Illinois University at
2 Edwardsville; Chicago State University; Eastern Illinois
3 University; Governors State University; Illinois State
4 University; Northeastern Illinois University; Northern
5 Illinois University; Western Illinois University; the
6 public community colleges of the State; any other public
7 universities, colleges and community colleges now or
8 hereafter established or authorized by the General
9 Assembly; and any Illinois privately operated, not for
10 profit institution located in this State which provides at
11 least an organized 2-year program of collegiate grade in
12 liberal arts or sciences, or both, directly applicable
13 toward the attainment of a baccalaureate or graduate
14 degree.

15 (2) "Racial minority" means a:

16 (i) Black (a person having origins in any of the
17 black racial groups in Africa);

18 (ii) Hispanic (a person of Spanish or Portuguese
19 culture with origins in Mexico, South or Central
20 America, or the Caribbean Islands, regardless of
21 race);

22 (iii) Asian American (a person having origins in
23 any of the original peoples of the Far East, Southeast
24 Asia, the Indian Subcontinent or the Pacific Islands);

25 or

26 (iv) American Indian or Alaskan Native (a person
27 having origins in any of the original peoples of North
28 America).

29 (3) "Student" means a woman or racial minority.

30 (Source: P.A. 91-357, eff. 7-29-99.)

31 (110 ILCS 947/65.40)

32 Sec. 65.40. General provisions; leaves of absence.

33 (a) The scholarships issued under Section 65.15 may be used
34 at the University of Illinois, Southern Illinois University at
35 Carbondale, Southern Illinois University at Edwardsville,

1 Chicago State University, Eastern Illinois University,
2 Governors State University, Illinois State University,
3 Northeastern Illinois University, Northern Illinois
4 University, and Western Illinois University. Unless otherwise
5 indicated, the scholarships shall exempt the holder from the
6 payment of tuition and other necessary fees as defined in
7 Section 35 of this Act.

8 Any student who has been or shall be awarded a scholarship
9 shall be reimbursed by the appropriate university or community
10 college for any charges which he or she has paid and for which
11 exemption is granted under this Section, if application for
12 such reimbursement is made within 2 months following the school
13 term for which the charges were paid.

14 The holder of a scholarship shall be subject to all
15 examinations, rules and requirements of the university or
16 community college in which he or she is enrolled except as
17 herein directed.

18 This Section does not prohibit the Board of Trustees of the
19 University of Illinois, the Board of Trustees of Southern
20 Illinois University at Carbondale, the Board of Trustees of
21 Southern Illinois University at Edwardsville, the Board of
22 Trustees of Chicago State University, the Board of Trustees of
23 Eastern Illinois University, the Board of Trustees of Governors
24 State University, the Board of Trustees of Illinois State
25 University, the Board of Trustees of Northeastern Illinois
26 University, the Board of Trustees of Northern Illinois
27 University, and the Board of Trustees of Western Illinois
28 University for the institutions under their respective
29 jurisdictions from granting other scholarships.

30 (b) Any student enrolled in a university to which he or she
31 is holding a scholarship issued under Section 65.15 who
32 satisfies the president of the university or someone designated
33 by the president that the student requires leave of absence for
34 the purpose of earning funds to defray his or her expenses
35 while in attendance or on account of illness or military
36 service may be granted such leave and allowed a period of not

1 to exceed 6 years in which to complete his or her course at the
2 university. Time spent in the armed forces shall not be part of
3 the 6 years.

4 (Source: P.A. 91-496, eff. 8-13-99.)

5 Section 290. The Illinois Prepaid Tuition Act is amended by
6 changing Section 10 as follows:

7 (110 ILCS 979/10)

8 Sec. 10. Definitions. In this Act:

9 "Illinois public university" means the University of
10 Illinois, Illinois State University, Chicago State University,
11 Governors State University, Southern Illinois University at
12 Carbondale, Southern Illinois University at Edwardsville,
13 Northern Illinois University, Eastern Illinois University,
14 Western Illinois University, or Northeastern Illinois
15 University.

16 "Illinois community college" means a public community
17 college as defined in Section 1-2 of the Public Community
18 College Act.

19 "MAP-eligible institution" means a public institution of
20 higher education or a nonpublic institution of higher education
21 whose students are eligible to receive need-based student
22 financial assistance through State Monetary Award Program
23 (MAP) grants administered by the Illinois Student Assistance
24 Commission under the Higher Education Student Assistance Act
25 and whose students also are eligible to receive benefits under
26 Section 529(a) of the Internal Revenue Code of 1986, as
27 specified by the federal Small Business Act of 1996 and
28 subsequent amendments to this federal law.

29 "Illinois prepaid tuition contract" or "contract" means a
30 contract entered into between the State and a Purchaser under
31 Section 45 to provide for the higher education of a qualified
32 beneficiary.

33 "Illinois prepaid tuition program" or "program" means the
34 program created in Section 15.

1 "Purchaser" means a person who makes or has contracted to
2 make payments under an Illinois prepaid tuition contract.

3 "Public institution of higher education" means an Illinois
4 public university or Illinois community college.

5 "Nonpublic institution of higher education" means any
6 MAP-eligible educational organization, other than a public
7 institution of higher education, that provides a minimum of an
8 organized 2-year program at the postsecondary level and that
9 operates in conformity with standards substantially equivalent
10 to those of public institutions of higher education.

11 "Qualified beneficiary" means (i) anyone who has been a
12 resident of this State for at least 12 months prior to the date
13 of the contract, or (ii) a nonresident, so long as the
14 purchaser has been a resident of the State for at least 12
15 months prior to the date of the contract, or (iii) any person
16 less than one year of age whose parent or legal guardian has
17 been a resident of this State for at least 12 months prior to
18 the date of the contract.

19 "Tuition" means the quarter or semester charges imposed on
20 a qualified beneficiary to attend a MAP-eligible institution.

21 "Mandatory Fees" means those quarter or semester fees
22 imposed upon all students enrolled at a MAP-eligible
23 institution.

24 "Registration Fees" means the charges derived by combining
25 tuition and mandatory fees.

26 "Contract Unit" means 15 credit hours of instruction at a
27 MAP-eligible institution.

28 "Panel" means the investment advisory panel created under
29 Section 20.

30 "Commission" means the Illinois Student Assistance
31 Commission.

32 (Source: P.A. 93-56, eff. 7-1-03.)

33 Section 295. The Senior Citizen Courses Act is amended by
34 changing Section 1 as follows:

1 (110 ILCS 990/1) (from Ch. 144, par. 1801)

2 Sec. 1. Definitions. For the purposes of this Act:

3 (a) "Public institutions of higher education" means the
4 University of Illinois, Southern Illinois University at
5 Carbondale, Southern Illinois University at Edwardsville,
6 Chicago State University, Eastern Illinois University,
7 Governors State University, Illinois State University,
8 Northeastern Illinois University, Northern Illinois
9 University, Western Illinois University, and the public
10 community colleges subject to the "Public Community College
11 Act".

12 (b) "Credit Course" means any program of study for which
13 public institutions of higher education award credit hours.

14 (c) "Senior citizen" means any person 65 years or older
15 whose annual household income is less than the threshold amount
16 provided in Section 4 of the "Senior Citizens and Disabled
17 Persons Property Tax Relief and Pharmaceutical Assistance
18 Act", approved July 17, 1972, as amended.

19 (Source: P.A. 89-4, eff. 1-1-96.)

20 Section 300. The Public Utilities Act is amended by
21 changing Sections 16-111.1 and 16-111.2 as follows:

22 (220 ILCS 5/16-111.1)

23 Sec. 16-111.1. Illinois Clean Energy Community Trust.

24 (a) An electric utility which has sold or transferred
25 generating facilities in a transaction to which subsection (k)
26 of Section 16-111 applies is authorized to establish an
27 Illinois clean energy community trust or foundation for the
28 purposes of providing financial support and assistance to
29 entities, public or private, within the State of Illinois
30 including, but not limited to, units of State and local
31 government, educational institutions, corporations, and
32 charitable, educational, environmental and community
33 organizations, for programs and projects that benefit the
34 public by improving energy efficiency, developing renewable

1 energy resources, supporting other energy related projects
2 that improve the State's environmental quality, and supporting
3 projects and programs intended to preserve or enhance the
4 natural habitats and wildlife areas of the State. Provided,
5 however, that the trust or foundation funds shall not be used
6 for the remediation of environmentally impaired property. The
7 trust or foundation may also assist in identifying other energy
8 and environmental grant opportunities.

9 (b) Such trust or foundation shall be governed by a
10 declaration of trust or articles of incorporation and bylaws
11 which shall, at a minimum, provide that:

12 (1) There shall be 6 voting trustees of the trust or
13 foundation, one of whom shall be appointed by the Governor,
14 one of whom shall be appointed by the President of the
15 Illinois Senate, one of whom shall be appointed by the
16 Minority Leader of the Illinois Senate, one of whom shall
17 be appointed by the Speaker of the Illinois House of
18 Representatives, one of whom shall be appointed by the
19 Minority Leader of the Illinois House of Representatives,
20 and one of whom shall be appointed by the electric utility
21 establishing the trust or foundation, provided that the
22 voting trustee appointed by the utility shall be a
23 representative of a recognized environmental action group
24 selected by the utility. The Governor shall designate one
25 of the 6 voting trustees to serve as chairman of the trust
26 or foundation, who shall serve as chairman of the trust or
27 foundation at the pleasure of the Governor. In addition,
28 there shall be 4 non-voting trustees, one of whom shall be
29 appointed by the Director of ~~the Department of~~ Commerce and
30 Economic Opportunity ~~Community Affairs~~, one of whom shall
31 be appointed by the Director of the Illinois Environmental
32 Protection Agency, one of whom shall be appointed by the
33 Director of ~~the Department of~~ Natural Resources, and one of
34 whom shall be appointed by the electric utility
35 establishing the trust or foundation, provided that the
36 non-voting trustee appointed by the utility shall bring

1 financial expertise to the trust or foundation and shall
2 have appropriate credentials therefor.

3 (2) All voting trustees and the non-voting trustee with
4 financial expertise shall be entitled to compensation for
5 their services as trustees, provided, however, that no
6 member of the General Assembly and no employee of the
7 electric utility establishing the trust or foundation
8 serving as a voting trustee shall receive any compensation
9 for his or her services as a trustee, and provided further
10 that the compensation to the chairman of the trust shall
11 not exceed \$25,000 annually and the compensation to any
12 other trustee shall not exceed \$20,000 annually. All
13 trustees shall be entitled to reimbursement for reasonable
14 expenses incurred on behalf of the trust in the performance
15 of their duties as trustees. All such compensation and
16 reimbursements shall be paid out of the trust.

17 (3) Trustees shall be appointed within 30 days after
18 the creation of the trust or foundation and shall serve for
19 a term of 5 years commencing upon the date of their
20 respective appointments, until their respective successors
21 are appointed and qualified.

22 (4) A vacancy in the office of trustee shall be filled
23 by the person holding the office responsible for appointing
24 the trustee whose death or resignation creates the vacancy,
25 and a trustee appointed to fill a vacancy shall serve the
26 remainder of the term of the trustee whose resignation or
27 death created the vacancy.

28 (5) The trust or foundation shall have an indefinite
29 term, and shall terminate at such time as no trust assets
30 remain.

31 (6) The trust or foundation shall be funded in the
32 minimum amount of \$250,000,000, with the allocation and
33 disbursement of funds for the various purposes for which
34 the trust or foundation is established to be determined by
35 the trustees in accordance with the declaration of trust or
36 the articles of incorporation and bylaws; provided,

1 however, that this amount may be reduced by up to
2 \$25,000,000 if, at the time the trust or foundation is
3 funded, a corresponding amount is contributed by the
4 electric utility establishing the trust or foundation to
5 the Board of Trustees of Southern Illinois University at
6 Carbondale for the purpose of funding programs or projects
7 related to clean coal and provided further that \$25,000,000
8 of the amount contributed to the trust or foundation shall
9 be available to fund programs or projects related to clean
10 coal.

11 (7) The trust or foundation shall be authorized to
12 employ an executive director and other employees, to enter
13 into leases, contracts and other obligations on behalf of
14 the trust or foundation, and to incur expenses that the
15 trustees deem necessary or appropriate for the fulfillment
16 of the purposes for which the trust or foundation is
17 established, provided, however, that salaries and
18 administrative expenses incurred on behalf of the trust or
19 foundation shall not exceed \$500,000 in the first fiscal
20 year after the trust or foundation is established and shall
21 not exceed \$1,000,000 in each subsequent fiscal year.

22 (8) The trustees may create and appoint advisory boards
23 or committees to assist them with the administration of the
24 trust or foundation, and to advise and make recommendations
25 to them regarding the contribution and disbursement of the
26 trust or foundation funds.

27 (c)(1) In addition to the allocation and disbursement of
28 funds for the purposes set forth in subsection (a) of this
29 Section, the trustees of the trust or foundation shall
30 annually contribute funds in amounts set forth in
31 subparagraph (2) of this subsection to the Citizens Utility
32 Board created by the Citizens Utility Board Act; provided,
33 however, that any such funds shall be used solely for the
34 representation of the interests of utility consumers
35 before the Illinois Commerce Commission, the Federal
36 Energy Regulatory Commission, and the Federal

1 Communications Commission and for the provision of
2 consumer education on utility service and prices and on
3 benefits and methods of energy conservation. Provided,
4 however, that no part of such funds shall be used to
5 support (i) any lobbying activity, (ii) activities related
6 to fundraising, (iii) advertising or other marketing
7 efforts regarding a particular utility, or (iv)
8 solicitation of support for, or advocacy of, a particular
9 position regarding any specific utility or a utility's
10 docketed proceeding.

11 (2) In the calendar year in which the trust or
12 foundation is first funded, the trustees shall contribute
13 \$1,000,000 to the Citizens Utility Board within 60 days
14 after such trust or foundation is established; provided,
15 however, that such contribution shall be made after
16 December 31, 1999. In each of the 6 calendar years
17 subsequent to the first contribution, if the trust or
18 foundation is in existence, the trustees shall contribute
19 to the Citizens Utility Board an amount equal to the total
20 expenditures by such organization in the prior calendar
21 year, as set forth in the report filed by the Citizens
22 Utility Board with the chairman of such trust or foundation
23 as required by subparagraph (3) of this subsection. Such
24 subsequent contributions shall be made within 30 days of
25 submission by the Citizens Utility Board of such report to
26 the Chairman of the trust or foundation, but in no event
27 shall any annual contribution by the trustees to the
28 Citizens Utility Board exceed \$1,000,000. Following such
29 7-year period, an Illinois statutory consumer protection
30 agency may petition the trust or foundation for
31 contributions to fund expenditures of the type identified
32 in paragraph (1), but in no event shall annual
33 contributions by the trust or foundation for such
34 expenditures exceed \$1,000,000.

35 (3) The Citizens Utility Board shall file a report with
36 the chairman of such trust or foundation for each year in

1 which it expends any funds received from the trust or
2 foundation setting forth the amount of any expenditures
3 (regardless of the source of funds for such expenditures)
4 for: (i) the representation of the interests of utility
5 consumers before the Illinois Commerce Commission, the
6 Federal Energy Regulatory Commission, and the Federal
7 Communications Commission, and (ii) the provision of
8 consumer education on utility service and prices and on
9 benefits and methods of energy conservation. Such report
10 shall separately state the total amount of expenditures for
11 the purposes or activities identified by items (i) and (ii)
12 of this paragraph, the name and address of the external
13 recipient of any such expenditure, if applicable, and the
14 specific purposes or activities (including internal
15 purposes or activities) for which each expenditure was
16 made. Any report required by this subsection shall be filed
17 with the chairman of such trust or foundation no later than
18 March 31 of the year immediately following the year for
19 which the report is required.

20 (d) In addition to any other allocation and disbursement of
21 funds in this Section, the trustees of the trust or foundation
22 shall contribute an amount up to \$125,000,000 (1) for deposit
23 into the General Obligation Bond Retirement and Interest Fund
24 held in the State treasury to assist in the repayment on
25 general obligation bonds issued under subsection (d) of Section
26 7 of the General Obligation Bond Act, and (2) for deposit into
27 funds administered by agencies with responsibility for
28 environmental activities to assist in payment for
29 environmental programs. The amount required to be contributed
30 shall be provided to the trustees in a certification letter
31 from the Director of the Bureau of the Budget that shall be
32 provided no later than August 1, 2003. The payment from the
33 trustees shall be paid to the State no later than December 31st
34 following the receipt of the letter.

35 (Source: P.A. 93-32, eff. 6-20-03; revised 12-6-03.)

1 (220 ILCS 5/16-111.2)

2 Sec. 16-111.2. Provisions related to proposed utility
3 transactions.

4 (a) The General Assembly finds:

5 (1) A transaction as described in paragraph (3) of this
6 subsection (a) will contribute to improved reliability of
7 the electric supply system in Illinois which is one of the
8 key purposes of the Illinois Electric Service Customer
9 Choice and Rate Relief Law of 1997.

10 (2) A transaction as described in paragraph (3) of this
11 subsection (a) is likely to promote additional investment
12 in the existing generating assets and in the development of
13 additional generation capacity in Illinois, and such
14 change in ownership is in the public interest, consistent
15 with the intent of the Illinois Electric Service Customer
16 Choice and Rate Relief Law of 1997 and beneficial for the
17 citizens of this State.

18 (3) As of the date on which this amendatory Act of 1999
19 becomes law, an electric utility providing service to more
20 than 1,000,000 customers in this State has proposed to sell
21 or transfer to a single buyer 5 or more generating plants
22 with a total net dependable capacity of 5000 megawatts or
23 more pursuant to subsection (g) of Section 16-111.

24 (4) Such electric utility anticipates receiving a sale
25 price or consideration as a result of such transaction
26 exceeding 200% of the book value of these plants.

27 (5) Such electric utility has presented to the Governor
28 and the leaders of the General Assembly a written
29 commitment in which such electric utility agrees to expend
30 \$2,000,000,000 outside the corporate limits of any
31 municipality with 1,000,000 or more inhabitants within
32 such electric utility's service area, over a 6-year period
33 beginning with this calendar year on projects, programs and
34 improvements within its service area relating to
35 transmission and distribution including, without
36 limitation, infrastructure expansion, repair and

1 replacement, capital investments, operations and
2 maintenance, and vegetation management.

3 (6) Such electric utility has committed that, if the
4 sale or transfer contemplated by paragraph (3) of this
5 subsection is consummated on or before December 31, 1999,
6 the electric utility shall make contributions totaling
7 \$250,000,000 to entities within this State for, among other
8 purposes, environmental and clean coal initiatives
9 pursuant to Section 16-111.1, which commitment includes a
10 contribution of \$25,000,000 to the Board of Trustees of
11 Southern Illinois University at Carbondale for the purpose
12 of funding programs or projects related to clean coal.

13 (b) That, in light of the findings in paragraphs (1) and
14 (2) of subsection (a) and, in this instance, the circumstances
15 described in paragraphs (3) through (6) of subsection (a) and
16 otherwise, the General Assembly hereby finds that allowing the
17 generating facilities being acquired to be eligible facilities
18 under the provisions of the National Energy Policy Act of 1992
19 that apply to exempt wholesale generators (A) will benefit
20 consumers; (B) is in the public interest; and (C) does not
21 violate the law of this State.

22 (c) Nothing in this Section shall have any effect on the
23 authority of the Commission under subsection (g) of Section
24 16-111 of this Act.

25 (Source: P.A. 91-50, eff. 6-30-99.)

26 Section 305. The Solicitation for Charity Act is amended by
27 changing Section 3 as follows:

28 (225 ILCS 460/3) (from Ch. 23, par. 5103)

29 Sec. 3. Exemptions.

30 (a) Upon initial filing of a registration statement
31 pursuant to Section 2 of this Act and notification by the
32 Attorney General of his determination that the organizational
33 purposes or circumstances specified in this paragraph for
34 exemption are actual and genuine, the following entities shall

1 be exempt from all the report filing provisions of this Act,
2 except for the requirements set forth in Section 2 of this Act:

3 1. A corporation sole or other religious corporation,
4 trust or organization incorporated or established for
5 religious purposes, nor to any agency or organization
6 incorporated or established for charitable, hospital or
7 educational purposes and engaged in effectuating one or
8 more of such purposes, that is affiliated with, operated
9 by, or supervised or controlled by a corporation sole or
10 other religious corporation, trust or organization
11 incorporated or established for religious purposes, nor to
12 other religious agencies or organizations which serve
13 religion by the preservation of religious rights and
14 freedom from persecution or prejudice or by fostering
15 religion, including the moral and ethical aspects of a
16 particular religious faith.

17 2. Any charitable organization which does not intend to
18 solicit and receive and does not actually receive
19 contributions in excess of \$15,000 during any 12 month
20 period ending December 31 of any year. However, if the
21 gross contributions received by such charitable
22 organization during any 12 month period ending December 31
23 of any year shall be in excess of \$15,000, it shall file
24 reports as required under this Act and the provisions of
25 this Act shall apply.

26 (b) The following persons shall not be required to register
27 with the Attorney General:

28 1. The University of Illinois, Southern Illinois
29 University at Carbondale, Southern Illinois University at
30 Edwardsville, Eastern Illinois University, Illinois State
31 Normal University, Northern Illinois University, Western
32 Illinois University, all educational institutions that are
33 recognized by the State Board of Education or that are
34 accredited by a regional accrediting association or by an
35 organization affiliated with the National Commission on
36 Accrediting, any foundation having an established identity

1 with any of the aforementioned educational institutions,
2 any other educational institution confining its
3 solicitation of contributions to its student body, alumni,
4 faculty and trustees, and their families, or a library
5 established under the laws of this State, provided that the
6 annual financial report of such institution or library
7 shall be filed with the State Board of Education, Governor,
8 Illinois State Library, County Library Board or County
9 Board, as provided by law.

10 2. Fraternal, patriotic, social, educational, alumni
11 organizations and historical societies when solicitation
12 of contributions is confined to their membership. This
13 exemption shall be extended to any subsidiary of a parent
14 or superior organization exempted by Sub-paragraph 2 of
15 Paragraph (b) of Section 3 of this Act where such
16 solicitation is confined to the membership of the
17 subsidiary, parent or superior organization.

18 3. Persons requesting any contributions for the relief
19 or benefit of any individual, specified by name at the time
20 of the solicitation, if the contributions collected are
21 turned over to the named beneficiary, first deducting
22 reasonable expenses for costs of banquets, or social
23 gatherings, if any, provided all fund raising functions are
24 carried on by persons who are unpaid, directly or
25 indirectly, for such services.

26 4. Any bona fide union, bona fide political
27 organization or bona fide political action committee,
28 which does not solicit funds for a charitable purpose.

29 5. Any charitable organization receiving an allocation
30 from an incorporated community chest or united fund,
31 provided such chest or fund is complying with the
32 provisions of this Act relating to registration and filing
33 of annual reports with the Attorney General, and provided
34 such organization does not actually receive, in addition to
35 such allocation, contributions in excess of \$4,000 during
36 any 12 month period ending June 30th of any year, and

1 provided further that all the fund raising functions of
2 such organization are carried on by persons who are unpaid
3 for such services. However, if the gross contributions
4 other than such allocation received by such charitable
5 organization during any 12 month period ending June 30th of
6 any year shall be in excess of \$4,000, it shall within 30
7 days after the date it shall have received such
8 contributions in excess of \$4,000 register with the
9 Attorney General as required by Section 2.

10 6. A bona fide organization of volunteer firemen, or a
11 bona fide auxiliary or affiliate of such organization,
12 provided all its fund raising activities are carried on by
13 members of such an organization or an affiliate thereof and
14 such members receive no compensation, directly or
15 indirectly, therefor.

16 7. Any charitable organization operating a nursery for
17 infants awaiting adoption providing that all its fund
18 raising activities are carried on by members of such an
19 organization or an affiliate thereof and such members
20 receive no compensation, directly or indirectly therefor.

21 8. Any corporation established by the Federal Congress
22 that is required by federal law to submit annual reports of
23 its activities to Congress containing itemized accounts of
24 all receipts and expenditures after being duly audited.

25 9. Any boys' club which is affiliated with the Boys'
26 Club of America, a corporation chartered by Congress;
27 provided, however, that such an affiliate properly files
28 the reports required by the Boys' Club of America and that
29 the Boys' Club of America files with the Government of the
30 United States the reports required by its federal charter.

31 10. Any veterans organization chartered or
32 incorporated under federal law and any veterans
33 organization which is affiliated with, and recognized in
34 the bylaws of, a congressionally chartered or incorporated
35 veterans organization; provided, however, that the
36 affiliate properly files the reports required by the

1 congressionally chartered or incorporated veterans
2 organization, that the congressionally chartered or
3 incorporated veterans organization files with the
4 government of the United States the reports required by its
5 federal charter, and that copies of such federally required
6 reports are filed with the Attorney General.

7 11. Any parent-teacher organization that is controlled
8 by teachers and parents of children attending a particular
9 public or private school for which the organization is
10 named and solicits contributions for the benefit of that
11 particular school; provided that:

12 (i) the school is specified by name at the time the
13 solicitation is made;

14 (ii) all of the contributions are turned over to
15 the school, after first deducting reasonable expenses
16 for fundraising and parent-teacher activities;

17 (iii) all fundraising functions are carried on by
18 persons who are not paid, either directly or
19 indirectly, for their fundraising services;

20 (iv) the total contributions, less reasonable
21 fundraising expenses, do not exceed \$50,000 in any
22 calendar year;

23 (v) the organization provides the school at least
24 annually with a complete accounting of all
25 contributions received; and

26 (vi) the governing board of the school certifies to
27 the Attorney General, if the Attorney General makes a
28 request for certification, that the parent-teacher
29 organization has provided the school with a full
30 accounting and that the organization has provided
31 benefits and contributions to the school.

32 (Source: P.A. 90-469, eff. 8-17-97; 91-444, eff. 8-6-99.)

33 Section 310. The Liquor Control Act of 1934 is amended by
34 changing Section 12-1 as follows:

1 (235 ILCS 5/12-1)

2 Sec. 12-1. Grape and Wine Resources Council.

3 (a) There is hereby created the Grape and Wine Resources
4 Council, which shall have the powers and duties specified in
5 this Article and all other powers necessary and proper to
6 execute the provisions of this Article.

7 (b) The Council shall consist of 17 members including:

8 (1) The Director of ~~the Illinois Department of~~
9 Agriculture, ex officio, or the Director's designee.

10 (2) The Dean of the Southern Illinois University at
11 Carbondale ~~SIU~~ College of Agriculture, or the Dean's
12 designee.

13 (3) The Dean of the University of Illinois College of
14 Agriculture, or the Dean's designee.

15 (4) An expert in enology or food science and nutrition
16 to be named by the Director of ~~the Illinois Department of~~
17 Agriculture from nominations submitted jointly by the
18 Deans of the Colleges of Agriculture at Southern Illinois
19 University at Carbondale and the University of Illinois.

20 (5) An expert in marketing to be named by the Director
21 of ~~the Illinois Department of~~ Agriculture from nominations
22 submitted jointly by the Deans of the Colleges of
23 Agriculture at Southern Illinois University at Carbondale
24 and the University of Illinois.

25 (6) An expert in viticulture to be named by the
26 Director of ~~the Illinois Department of~~ Agriculture from
27 nominations submitted jointly by the Deans of the Colleges
28 of Agriculture at Southern Illinois University at
29 Carbondale and the University of Illinois.

30 (7) A representative from the Illinois Division of
31 Tourism, to be named by the Director of ~~the Illinois~~
32 ~~Department of~~ Commerce and Economic Opportunity Community
33 Affairs.

34 (8) Six persons to be named by the Director of ~~the~~
35 ~~Illinois Department of~~ Agriculture from nominations from
36 the President of the Illinois Grape Growers and Vintners

1 Association, of whom 3 shall be grape growers and 3 shall
2 be vintners.

3 (9) Four persons, one of whom shall be named by the
4 Speaker of the House of Representatives, one of whom shall
5 be named by the Minority Leader of the House of
6 Representatives, one of whom shall be named by the
7 President of the Senate, and one of whom shall be named by
8 the Minority Leader of the Senate.

9 Members of the Council shall receive no compensation, but shall
10 be reimbursed for necessary expenses incurred in the
11 performance of their duties. The Council's Chair shall be the
12 Dean of the College of Agriculture at the University where the
13 Council is housed.

14 (c) The Council shall be housed at Southern Illinois
15 University at Carbondale, which shall maintain a collaborative
16 relationship with the University of Illinois at Champaign.

17 (Source: P.A. 90-77, eff. 7-8-97; revised 12-6-03.)

18 Section 315. The Illinois Rural/Downstate Health Act is
19 amended by changing Sections 3, 3.1, and 5.5 as follows:

20 (410 ILCS 65/3) (from Ch. 111 1/2, par. 8053)

21 Sec. 3. The Illinois Department of Public Health shall
22 establish a downstate health care program as a component of
23 primary care development. The Department shall create a Center
24 for Rural Health to coordinate programs and activities within
25 the agency relating to access to health care in rural areas and
26 designated shortage areas. The Center may work with
27 universities, private foundations, health care providers or
28 other interested organizations, private foundations, health
29 care providers or other interested organizations on innovative
30 strategies to respond to the health care needs of residents of
31 these areas.

32 The Center shall cooperate with ~~Southern Illinois~~
33 ~~University~~ programs and services of Southern Illinois
34 University at Carbondale and Southern Illinois University at

1 Edwardsville that respond to the health care needs of residents
2 of downstate areas, including but not limited to the
3 development of primary care centers, the development of
4 obstetrical care centers through affiliation with hospitals
5 and clinics, and the conduct of health research and evaluation.

6 The Center shall cooperate with University of Illinois
7 programs and services that respond to the health care needs of
8 residents of downstate areas, including but not limited to:
9 developing innovative educational strategies designed to
10 graduate primary care physicians, especially family
11 physicians, for all Illinois, particularly the rural
12 underserved areas; developing primary care centers with
13 comprehensive care, including emergency and obstetric care
14 through affiliation with hospitals and clinics; and conducting
15 health research and evaluation.

16 (Source: P.A. 86-965; 86-1187; 87-1162.)

17 (410 ILCS 65/3.1) (from Ch. 111 1/2, par. 8053.1)

18 Sec. 3.1. Southern Illinois University at Carbondale and
19 Southern Illinois University at Edwardsville shall expand
20 their ~~its~~ focus on rural health care as a component of health
21 professions education programs on their ~~its several~~ campuses,
22 including, but not limited to, ~~its~~ programs in medicine,
23 nursing, dentistry, and technical careers, and through
24 research and technical assistance programs. Southern Illinois
25 ~~The~~ University at Carbondale shall further encourage the
26 regional outreach mission of its School of Medicine through the
27 establishment of a dedicated administrative entity within the
28 School with responsibility for rural health care planning and
29 programming. Southern Illinois ~~The~~ University at Carbondale
30 and Southern Illinois University at Edwardsville may work with
31 communities, State agencies, other colleges and universities,
32 private foundations, health care providers, and other
33 interested organizations on innovative strategies to respond
34 to the health care needs of residents of rural areas.

35 Southern Illinois ~~The~~ University at Carbondale and

1 Southern Illinois University at Edwardsville shall have the
2 authority:

3 (a) To establish such clinical centers as may be necessary
4 to carry out the intent of this Act according to the following
5 priorities:

6 (1) Preference for programs which are designed to
7 facilitate the education of health professions students.

8 (2) Preference for programs established in locations
9 which exhibit potential for locating physicians in health
10 manpower shortage areas.

11 (3) Preference for programs which are located away from
12 communities in which medical school and residency programs
13 are located.

14 (4) Preference for programs which are geographically
15 distributed throughout downstate Illinois.

16 (b) To receive and disburse funds in accordance with the
17 purpose stated in Section 2 of this Act.

18 (c) To enter into contracts or agreements with any agency
19 or department of the State of Illinois or the United States to
20 carry out the provisions of this Act.

21 (Source: P.A. 86-1187.)

22 (410 ILCS 65/5.5)

23 Sec. 5.5. Rural/Downstate Health Access Fund. The
24 Rural/Downstate Health Access Fund is created as a special fund
25 in the State treasury. Moneys from gifts, grants, or donations
26 made to the Center for Rural Health shall be deposited into the
27 Fund. Subject to appropriation, moneys in the Fund shall be
28 used in the following manner for rural health programs
29 authorized under this Act: 60.2% shall be distributed to the
30 Department of Public Health, 26.3% shall be distributed equally
31 between ~~to~~ the Board of Trustees of Southern Illinois
32 University at Carbondale and the Board of Trustees of Southern
33 Illinois University at Edwardsville, and 13.5% shall be
34 distributed to the Board of Trustees of the University of
35 Illinois. The Center for Rural Health shall administer the

1 Fund.

2 (Source: P.A. 88-312; 88-535; 88-670, eff. 12-2-94.)

3 Section 320. The Illinois Solid Waste Management Act is
4 amended by changing Section 3.1 as follows:

5 (415 ILCS 20/3.1) (from Ch. 111 1/2, par. 7053.1)

6 Sec. 3.1. Institutions of higher learning.

7 (a) For purposes of this Section "State-supported
8 institutions of higher learning" or "institutions" means the
9 University of Illinois, Southern Illinois University at
10 Carbondale, Southern Illinois University at Edwardsville, the
11 colleges and universities under the jurisdiction of the Board
12 of Governors of State Colleges and Universities, the colleges
13 and universities under the jurisdiction of the Board of Regents
14 of Regency Universities, and the public community colleges
15 subject to the Public Community College Act.

16 (b) Each State-supported institution of higher learning
17 shall develop a comprehensive waste reduction plan covering a
18 period of 10 years which addresses the management of solid
19 waste generated by academic, administrative, student housing
20 and other institutional functions. The waste reduction plan
21 shall be developed by January 1, 1995. The initial plan
22 required under this Section shall be updated by the institution
23 every 5 years, and any proposed amendments to the plan shall be
24 submitted for review in accordance with subsection (f).

25 (c) Each waste reduction plan shall address, at a minimum,
26 the following topics: existing waste generation by volume,
27 waste composition, existing waste reduction and recycling
28 activities, waste collection and disposal costs, future waste
29 management methods, and specific goals to reduce the amount of
30 waste generated that is subject to landfill disposal.

31 (d) Each waste reduction plan shall provide for recycling
32 of marketable materials currently present in the institution's
33 waste stream, including but not limited to landscape waste,
34 corrugated cardboard, computer paper, and white office paper,

1 and shall provide for the investigation of potential markets
2 for other recyclable materials present in the institution's
3 waste stream. The recycling provisions of the waste reduction
4 plan shall be designed to achieve, by January 1, 2000, at least
5 a 40% reduction (referenced to a base year of 1987) in the
6 amount of solid waste that is generated by the institution and
7 identified in the waste reduction plan as being subject to
8 landfill disposal.

9 (e) Each waste reduction plan shall evaluate the
10 institution's procurement policies and practices to eliminate
11 procedures which discriminate against items with recycled
12 content, and to identify products or items which are procured
13 by the institution on a frequent or repetitive basis for which
14 products with recycled content may be substituted. Each waste
15 reduction plan shall prescribe that it will be the policy of
16 the institution to purchase products with recycled content
17 whenever such products have met specifications and standards of
18 equivalent products which do not contain recycled content.

19 (f) Each waste reduction plan developed in accordance with
20 this Section shall be submitted to the Department of Commerce
21 and Economic Opportunity ~~Community Affairs~~ for review and
22 approval. The Department's review shall be conducted in
23 cooperation with the Board of Higher Education and the Illinois
24 Community College Board.

25 (g) The Department of Commerce and Economic Opportunity
26 ~~Community Affairs~~ shall provide technical assistance,
27 technical materials, workshops and other information necessary
28 to assist in the development and implementation of the waste
29 reduction plans. The Department shall develop guidelines and
30 funding criteria for providing grant assistance to
31 institutions for the implementation of approved waste
32 reduction plans.

33 (Source: P.A. 89-445, eff. 2-7-96; revised 12-6-03.)

34 Section 325. The Illinois Groundwater Protection Act is
35 amended by changing Section 7 as follows:

1 (415 ILCS 55/7) (from Ch. 111 1/2, par. 7457)

2 Sec. 7. (a) The Department, with the advice of the
3 Committee and the Council, shall develop a coordinated
4 groundwater data collection and automation program. The
5 collected and automated data shall include but need not be
6 limited to groundwater monitoring results, well logs,
7 pollution source permits and water quality assessments. The
8 Department shall act as the repository for such data and shall
9 automate this data in a manner that is accessible and usable by
10 all State agencies.

11 (b) The Department, in consultation with the Agency, the
12 Committee and the Council, shall develop and administer an
13 ongoing program of basic and applied research relating to
14 groundwater. Information generated from this program will be
15 made available to local governments seeking technical
16 assistance from the Department. The research program shall
17 include but need not be limited to:

18 (1) Long-term statewide groundwater quality
19 monitoring. A statewide monitoring well network shall be
20 composed of public water supply wells sampled by the
21 Agency, non-community wells sampled by the Department of
22 Public Health, and a representative sampling of other
23 existing private wells and newly constructed, dedicated
24 monitoring wells. The monitoring program shall be operated
25 for the following purposes: to evaluate, over time, the
26 appropriateness and effectiveness of groundwater quality
27 protection measures; to determine regional trends in
28 groundwater quality which may affect public health and
29 welfare; and to help identify the need for corrective
30 action. The Department shall periodically publish the
31 results of groundwater quality monitoring activities.

32 (2) Statewide groundwater assessment. The Department
33 shall conduct assessments to enhance the State's data base
34 concerning groundwater resources. The assessments shall
35 include location of groundwater resources, mapping of

1 aquifers, identification of appropriate recharge areas,
2 and evaluation of baseline groundwater quality. The
3 Department shall complete the statewide mapping of
4 appropriate recharge areas within 18 months after the
5 enactment of this Act at a level of detail suitable for
6 guiding the Agency in establishing priority groundwater
7 protection planning regions.

8 (3) Evaluation of pesticide impacts upon groundwater.
9 Such evaluation shall include the general location and
10 extent of any contamination of groundwaters resulting from
11 pesticide use, determination of any practices which may
12 contribute to contamination of groundwaters, and
13 recommendations regarding measures which may help prevent
14 degradation of groundwater quality by pesticides. Priority
15 shall be given to those areas of the State where pesticides
16 are utilized most intensively. The Department shall
17 prepare an initial report by January 1, 1990.

18 (4) Other basic and applied research. The Department
19 may conduct research in at least the following areas:
20 groundwater hydrology and hydraulics, movement of
21 contaminants through geologic materials, aquifer
22 restoration, and remediation technologies.

23 (c) The Department is authorized to accept and expend,
24 subject to appropriation by the General Assembly, any and all
25 grants, matching funds, appropriations from whatever source,
26 or other items of value from the federal or state governments
27 or from any institution, person, partnership, joint venture, or
28 corporation, public or private, for the purposes of fulfilling
29 its obligations under this Act.

30 (d) Southern Illinois University at Carbondale is
31 authorized to conduct basic and applied research relating to
32 chemical contamination of groundwater. It may assist the
33 Department in conducting research on any of the subjects
34 included in subsection (b) of this Section, and may accept and
35 expend grants and other support from the Department or other
36 sources for that purpose.

1 (Source: P.A. 87-479.)

2 Section 330. The Food and Agriculture Research Act is
3 amended by changing Section 15 as follows:

4 (505 ILCS 82/15)

5 Sec. 15. Allocation of funds. Appropriations for the
6 purposes of this Act shall be made to the Illinois Department
7 of Agriculture, which shall allocate funds appropriated under
8 this Act to the following entities providing each the pro rata
9 share indicated: the Illinois Agricultural Experiment Station,
10 82%; Southern Illinois University at Carbondale College of
11 Agriculture, 11%; Illinois State University Department of
12 Agriculture, 4%; Western Illinois University Department of
13 Agriculture, 3%. Three years after the effective date of this
14 Act and every 3 years thereafter, the Director of Agriculture
15 shall review these percentages, ascertain their
16 appropriateness, and report to the General Assembly.

17 To offset the cost of administering the appropriation, the
18 Department of Agriculture may retain \$50,000 or 1/2 of 1% of
19 the total appropriation, whichever is less.

20 To offset the cost of members of C-FAR incurred while
21 performing their duties as official group representatives, up
22 to 1% of the funds appropriated for the purposes of this Act
23 may be allocated by the Department of Agriculture to cover
24 these expenses. Members shall serve without compensation, but
25 shall be reimbursed for ordinary and necessary expenses
26 incurred in the performance of their duties. The reimbursement
27 rates shall not exceed those rates that apply to State
28 employees.

29 (Source: P.A. 89-182, eff. 7-19-95; 90-94, eff. 1-1-98.)

30 Section 335. The Court of Claims Act is amended by changing
31 Sections 8, 22-1, and 22-2 as follows:

32 (705 ILCS 505/8) (from Ch. 37, par. 439.8)

1 Sec. 8. Court of Claims jurisdiction. The court shall have
2 exclusive jurisdiction to hear and determine the following
3 matters:

4 (a) All claims against the State founded upon any law of
5 the State of Illinois or upon any regulation adopted thereunder
6 by an executive or administrative officer or agency; provided,
7 however, the court shall not have jurisdiction (i) to hear or
8 determine claims arising under the Workers' Compensation Act or
9 the Workers' Occupational Diseases Act, or claims for expenses
10 in civil litigation, or (ii) to review administrative decisions
11 for which a statute provides that review shall be in the
12 circuit or appellate court.

13 (b) All claims against the State founded upon any contract
14 entered into with the State of Illinois.

15 (c) All claims against the State for time unjustly served
16 in prisons of this State where the persons imprisoned shall
17 receive a pardon from the governor stating that such pardon is
18 issued on the ground of innocence of the crime for which they
19 were imprisoned; provided, the court shall make no award in
20 excess of the following amounts: for imprisonment of 5 years or
21 less, not more than \$15,000; for imprisonment of 14 years or
22 less but over 5 years, not more than \$30,000; for imprisonment
23 of over 14 years, not more than \$35,000; and provided further,
24 the court shall fix attorney's fees not to exceed 25% of the
25 award granted. On December 31, 1996, the court shall make a
26 one-time adjustment in the maximum awards authorized by this
27 subsection (c), to reflect the increase in the cost of living
28 from the year in which these maximum awards were last adjusted
29 until 1996, but with no annual increment exceeding 5%.
30 Thereafter, the court shall annually adjust the maximum awards
31 authorized by this subsection (c) to reflect the increase, if
32 any, in the Consumer Price Index For All Urban Consumers for
33 the previous calendar year, as determined by the United States
34 Department of Labor, except that no annual increment may exceed
35 5%. For both the one-time adjustment and the subsequent annual
36 adjustments, if the Consumer Price Index decreases during a

1 calendar year, there shall be no adjustment for that calendar
2 year. The changes made by Public Act 89-689 apply to all claims
3 filed on or after January 1, 1995 that are pending on December
4 31, 1996 and all claims filed on or after December 31, 1996.

5 (d) All claims against the State for damages in cases
6 sounding in tort, if a like cause of action would lie against a
7 private person or corporation in a civil suit, and all like
8 claims sounding in tort against the Medical Center Commission,
9 the Board of Trustees of the University of Illinois, the Board
10 of Trustees of Southern Illinois University at Carbondale, the
11 Board of Trustees of Southern Illinois University at
12 Edwardsville, the Board of Trustees of Chicago State
13 University, the Board of Trustees of Eastern Illinois
14 University, the Board of Trustees of Governors State
15 University, the Board of Trustees of Illinois State University,
16 the Board of Trustees of Northeastern Illinois University, the
17 Board of Trustees of Northern Illinois University, the Board of
18 Trustees of Western Illinois University, or the Board of
19 Trustees of the Illinois Mathematics and Science Academy;
20 provided, that an award for damages in a case sounding in tort,
21 other than certain cases involving the operation of a State
22 vehicle described in this paragraph, shall not exceed the sum
23 of \$100,000 to or for the benefit of any claimant. The \$100,000
24 limit prescribed by this Section does not apply to an award of
25 damages in any case sounding in tort arising out of the
26 operation by a State employee of a vehicle owned, leased or
27 controlled by the State. The defense that the State or the
28 Medical Center Commission or the Board of Trustees of the
29 University of Illinois, the Board of Trustees of Southern
30 Illinois University at Carbondale, the Board of Trustees of
31 Southern Illinois University at Edwardsville, the Board of
32 Trustees of Chicago State University, the Board of Trustees of
33 Eastern Illinois University, the Board of Trustees of Governors
34 State University, the Board of Trustees of Illinois State
35 University, the Board of Trustees of Northeastern Illinois
36 University, the Board of Trustees of Northern Illinois

1 University, the Board of Trustees of Western Illinois
2 University, or the Board of Trustees of the Illinois
3 Mathematics and Science Academy is not liable for the
4 negligence of its officers, agents, and employees in the course
5 of their employment is not applicable to the hearing and
6 determination of such claims.

7 (e) All claims for recoupment made by the State of Illinois
8 against any claimant.

9 (f) All claims pursuant to the Line of Duty Compensation
10 Act.

11 (g) All claims filed pursuant to the Crime Victims
12 Compensation Act.

13 (h) All claims pursuant to the Illinois National
14 Guardsman's Compensation Act.

15 (i) All claims authorized by subsection (a) of Section
16 10-55 of the Illinois Administrative Procedure Act for the
17 expenses incurred by a party in a contested case on the
18 administrative level.

19 (Source: P.A. 93-1047, eff. 10-18-04.)

20 (705 ILCS 505/22-1) (from Ch. 37, par. 439.22-1)

21 Sec. 22-1. Within 1 year from the date that such an injury
22 was received or such a cause of action accrued, any person who
23 is about to commence any action in the Court of Claims against
24 the State of Illinois, the Medical Center Commission, the Board
25 of Trustees of the University of Illinois, the Board of
26 Trustees of Southern Illinois University at Carbondale, the
27 Board of Trustees of Southern Illinois University at
28 Edwardsville, the Board of Trustees of Chicago State
29 University, the Board of Trustees of Eastern Illinois
30 University, the Board of Trustees of Governors State
31 University, the Board of Trustees of Illinois State University,
32 the Board of Trustees of Northeastern Illinois University, the
33 Board of Trustees of Northern Illinois University, the Board of
34 Trustees of Western Illinois University, or the Board of
35 Trustees of the Illinois Mathematics and Science Academy, for

1 damages on account of any injury to his person shall file in
2 the office of the Attorney General and also in the office of
3 the Clerk of the Court of Claims, either by himself, his agent,
4 or attorney, giving the name of the person to whom the cause of
5 action has accrued, the name and residence of the person
6 injured, the date and about the hour of the accident, the place
7 or location where the accident occurred, a brief description of
8 how the accident occurred, and the name and address of the
9 attending physician, if any, except as otherwise provided by
10 the Crime Victims Compensation Act.

11 In actions for death by wrongful act, neglect or default,
12 the executor of the estate, or in the event there is no will,
13 the administrator or other personal representative of the
14 decedent, shall file within 1 year of the date of death or the
15 date that the executor or administrator is qualified, whichever
16 occurs later, in the office of the Attorney General and also in
17 the office of the Clerk of the Court of Claims, giving the name
18 of the person to whom the cause of action has accrued, the name
19 and last residence of the decedent, the date of the accident
20 causing death, the date of the decedent's demise, the place or
21 location where the accident causing the death occurred, the
22 date and about the hour of the accident, a brief description of
23 how the accident occurred, and the names and addresses of the
24 attending physician and treating hospital if any, except as
25 otherwise provided by the Crime Victims Compensation Act.

26 A claimant is not required to file the notice required by
27 this Section if he or she files his or her claim within one
28 year of its accrual.

29 (Source: P.A. 89-4, eff. 1-1-96; 90-492, eff. 8-17-97.)

30 (705 ILCS 505/22-2) (from Ch. 37, par. 439.22-2)

31 Sec. 22-2. If the notice provided for by Section 22-1 is
32 not filed as provided in that Section, any such action
33 commenced against the State of Illinois, the Medical Center
34 Commission, the Board of Trustees of the University of
35 Illinois, the Board of Trustees of Southern Illinois University

1 at Carbondale, the Board of Trustees of Southern Illinois
2 University at Edwardsville, the Board of Trustees of Chicago
3 State University, the Board of Trustees of Eastern Illinois
4 University, the Board of Trustees of Governors State
5 University, the Board of Trustees of Illinois State University,
6 the Board of Trustees of Northeastern Illinois University, the
7 Board of Trustees of Northern Illinois University, the Board of
8 Trustees of Western Illinois University, or the Board of
9 Trustees of the Illinois Mathematics and Science Academy, shall
10 be dismissed and the person to whom any such cause of action
11 accrued for any personal injury shall be forever barred from
12 further action in the Court of Claims for such personal injury,
13 except as otherwise provided by the Crime Victims Compensation
14 Act.

15 (Source: P.A. 89-4, eff. 1-1-96.)

16 (110 ILCS 520/3 rep.)

17 Section 500. The Southern Illinois University Management
18 Act is amended by repealing Section 3.

19 Section 999. Effective date. This Act takes effect July 1,
20 2006.

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2 Statutes amended in order of appearance

3	5 ILCS 225/2	from Ch. 111 2/3, par. 602
4	5 ILCS 260/14.3	from Ch. 103, par. 14.3
5	5 ILCS 340/4	from Ch. 15, par. 504
6	5 ILCS 340/5	from Ch. 15, par. 505
7	5 ILCS 365/2	from Ch. 127, par. 352
8	5 ILCS 410/10	
9	5 ILCS 420/4A-101	from Ch. 127, par. 604A-101
10	15 ILCS 405/13	from Ch. 15, par. 213
11	15 ILCS 405/13.1	from Ch. 15, par. 213.1
12	15 ILCS 405/21	from Ch. 15, par. 221
13	20 ILCS 5/5-525	was 20 ILCS 5/6.01
14	20 ILCS 415/4c	from Ch. 127, par. 63b104c
15	20 ILCS 435/4	from Ch. 127, par. 1404
16	20 ILCS 605/605-355	was 20 ILCS 605/46.19a in part
17	20 ILCS 801/15-10	
18	20 ILCS 3105/12	from Ch. 127, par. 782
19	20 ILCS 3110/3	from Ch. 127, par. 213.3
20	20 ILCS 3110/4	from Ch. 127, par. 213.4
21	20 ILCS 3110/5	from Ch. 127, par. 213.5
22	20 ILCS 3110/9	from Ch. 127, par. 213.9
23	20 ILCS 3931/15	
24	30 ILCS 105/6a-1	from Ch. 127, par. 142a1
25	30 ILCS 105/6a-1h new	
26	30 ILCS 105/6a-2	from Ch. 127, par. 142a2
27	30 ILCS 105/6a-3	from Ch. 127, par. 142a3
28	30 ILCS 105/10	from Ch. 127, par. 146
29	30 ILCS 105/12-1	from Ch. 127, par. 148-1
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31	30 ILCS 105/13.5	
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33	30 ILCS 235/6	from Ch. 85, par. 906
34	30 ILCS 395/1	from Ch. 127, par. 307
35	30 ILCS 500/1-15.100	

1	30 ILCS 500/50-13	
2	30 ILCS 575/2	from Ch. 127, par. 132.602
3	30 ILCS 750/1-3	from Ch. 127, par. 2701-3
4	40 ILCS 5/15-106	from Ch. 108 1/2, par. 15-106
5	40 ILCS 5/24-109	from Ch. 108 1/2, par. 24-109
6	55 ILCS 5/4-2001	from Ch. 34, par. 4-2001
7	65 ILCS 50/2	from Ch. 144, par. 61.52
8	65 ILCS 80/4	from Ch. 24, par. 1554
9	70 ILCS 910/15	from Ch. 23, par. 1265
10	105 ILCS 5/30-13	from Ch. 122, par. 30-13
11	105 ILCS 5/30-15.25	from Ch. 122, par. 30-15.25
12	105 ILCS 5/30-16.4	from Ch. 122, par. 30-16.4
13	105 ILCS 5/30-16.6	from Ch. 122, par. 30-16.6
14	105 ILCS 30/2-3	from Ch. 122, par. 2003
15	105 ILCS 415/1	from Ch. 122, par. 698.1
16	110 ILCS 10/1	from Ch. 144, par. 225
17	110 ILCS 20/1	from Ch. 144, par. 2601
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22	110 ILCS 70/36c	from Ch. 24 1/2, par. 38b2
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34	110 ILCS 205/9.11	from Ch. 144, par. 189.11
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1	110 ILCS 220/2	from Ch. 144, par. 282
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