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1 AMENDMENT TO HOUSE BILL 2407

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2407 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Agricultural Fair Act is amended by  
5 changing Sections 9, 12, 13, 14, 16, 17, 18, and 20 as follows:

6 (30 ILCS 120/9) (from Ch. 85, par. 659)

7 Sec. 9. Premiums. The formulas for distributing monies from  
8 the Agricultural Premium Fund to eligible county fairs shall be  
9 contingent upon the following provisions:

10 (a) Of the total amount of premiums which are to be paid to  
11 persons for exhibitions at its annual fair for the current year  
12 for exhibits of any events related to agriculture including  
13 horticulture, flora culture, poultry, livestock, light horses,  
14 harness-racing and running horse races, rodeos, and domestic  
15 and mechanical arts, no one department or class shall be paid  
16 premiums awarded in excess of 30% of the total premiums awarded  
17 by the county fair except those departments or classes limited  
18 to junior exhibitors. Harness horse races and running horse  
19 races shall be considered as one department.

20 (b) (Blank).

21 (c) A reasonable entry fee for all classes may be charged  
22 which will not exceed the maximum limit as established by the  
23 Department.

24 (d) No part of any appropriation made for the benefit of

1 county fairs shall be used in payment for personnel or acts  
2 which are solely for the entertainment of persons attending the  
3 fair or for acts which have been hired or contracted for by the  
4 fair, except events related to agriculture, including tractor  
5 pulls, truck pulls, rodeos and other acts which may be exempt  
6 in the judgment of the Director.

7 (e) Prizes awarded for light horses, and for harness-racing  
8 and running horses shall be payable from such appropriation.

9 (Source: P.A. 91-934, eff. 6-1-01.)

10 (30 ILCS 120/12) (from Ch. 85, par. 662)

11 Sec. 12. On or before ~~Before~~ October 15 of each year, the  
12 president and secretary of each county fair claiming state aid  
13 shall have postmarked to or shall file with the Department a  
14 fiscal accounting of the expenditure of the grant monies  
15 received under Section 10 and a sworn statement of the actual  
16 amount of cash premiums paid at the fair that year. The sworn  
17 statement shall state the following:

18 a) That all gambling and gambling devices which are  
19 declared unlawful by laws of Illinois and the sale of alcoholic  
20 liquors other than beer have been prohibited and excluded from  
21 the grounds of the fair and from adjacent grounds under the  
22 fair's authority, during the fair and at all other times when  
23 the fair grounds or adjacent grounds are in the possession of  
24 and under the immediate control and supervision of the fair  
25 officials.

26 b) That all receipts from any source other than admissions  
27 to the grandstand and entry fees for races, not necessary for  
28 the payment of labor and advertising, have been prorated among  
29 all other claims and expenses or that all other claims and  
30 expenses have been paid in full.

31 The statement shall correspond with the published offer of  
32 premiums, and shall be accompanied by an itemized list of all  
33 premiums paid upon the basis of the premiums provided, a copy

1 of the published premium list of the fair, and a full statement  
2 of receipts and expenditures for the current year that has been  
3 duly verified by the president and secretary of the fair.

4 The Department may within the period not to exceed 30 days  
5 after a fair has filed its claim pay 75% of the fair's  
6 authorized base amount if the claim for premiums filed is equal  
7 to or exceeds such fair's authorized base for that year. If the  
8 claim filed is less than the fair's authorized base, the  
9 Department shall only pay 75% of the amount of the claim filed.  
10 Should the amount paid a fair exceed the amount authorized  
11 after the final audit of such claim, then the fair shall within  
12 30 days after notice by the Department pay to the Department  
13 the difference between the amount received and the amount as  
14 approved for such fair in the final audit as long as funds are  
15 available.

16 (Source: P.A. 81-159.)

17 (30 ILCS 120/13) (from Ch. 85, par. 663)

18 Sec. 13. Rehabilitation ~~State reimbursement~~. Except as  
19 otherwise allowed by the Director, to qualify for disbursements  
20 made by the Department from an appropriation made under the  
21 provisions of this Section, the land on which the fair is held  
22 must be owned by the county fair board participating in this  
23 disbursement or by a State, city, village, or county government  
24 body, or be held under a lease that is at least 20 years in  
25 duration, the terms of which require the lessee to have  
26 continuous possession of the land during every day of the lease  
27 period. No county fair shall qualify for disbursements made by  
28 the Department from an appropriation made under the provisions  
29 of this Section unless it shall have notified the Department in  
30 writing of its intent to participate prior to obligating any  
31 funds for which reimbursement will be requested. Each county  
32 fair shall be reimbursed annually for that part of the amount  
33 expended by the fair during the year for liability and casualty

1 insurance, as provided in this Section, and the rehabilitation  
2 of its grounds, including major construction projects and minor  
3 maintenance and repair projects; as follows:

4 100% of the first \$5,000 or any part thereof;

5 75% of the next \$20,000 or any part thereof;

6 50% of the next \$20,000 or any part thereof.

7 The lesser of either \$20,000 ~~\$10,000~~ or 50% of the amount  
8 received by a county fair pursuant to this Section may be  
9 expended for liability and casualty insurance.

10 If a county fair expends more than is needed in any year  
11 for approved projects to maximize State reimbursement under  
12 this Section and provides itemized receipts and other evidence  
13 of expenditures for that year, any excess may be carried over  
14 to the succeeding year. The amount carried over shall  
15 constitute a claim for reimbursement for a subsequent period  
16 not to exceed 7 years as long as funds are available.

17 Before June 30 of each year, the president and secretary of  
18 each county fair which has participated in this program shall  
19 file with the Department a sworn statement of the amount  
20 expended during the period July 1 to June 30 of the State's  
21 fiscal year, accompanied by itemized receipted bills and other  
22 evidence of expenditures. If the Department approves the claim,  
23 the State Comptroller is authorized and directed to draw a  
24 warrant payable from the Agricultural Premium Fund on the State  
25 Treasurer for the amount of the rehabilitation claims.

26 If after all claims are paid, there remains any amount of  
27 the appropriation for rehabilitation, the remaining amount  
28 shall be distributed as a grant to the participating fairs  
29 qualifying for the maximum reimbursement and shall be  
30 distributed to the eligible fairs on an equal basis not to  
31 exceed each eligible fair's pro rata share granted in this  
32 paragraph. A sworn statement of the amount expended accompanied  
33 by the itemized receipted bills as evidence of expenditure must  
34 be filed with the Department by June 30 of each year.

1 (Source: P.A. 90-329, eff. 8-8-97; 91-934, eff. 6-1-01.)

2 (30 ILCS 120/14) (from Ch. 85, par. 664)

3 Sec. 14. 4-H. University of Illinois extension units that  
4 conduct Extension 4-H groups supervised by the University of  
5 Illinois Extension and conducting at least one show or  
6 exhibition of the eligible members' project work approved by  
7 the State 4-H Office of the members and that pay premium moneys  
8 paying promptly in cash or an award of comparable monetary  
9 value, including \$800 maximum in judges' fees, shall be  
10 eligible to participate in an appropriation made for this  
11 purpose by the General Assembly. As directed by the University,  
12 each county's extension leader shall report to the State 4-H  
13 Office the eligible number of members participating in the 4-H  
14 year. The University shall then file with the Bureau of County  
15 Fairs and Horse Racing an Accountability for Agricultural  
16 Premiums report certifying the number of eligible 4-H members.  
17 All appropriated moneys are to be fully expended as specified  
18 (see Part 260 Fairs Operating Under the Agricultural Fair Act  
19 Sec. 260.305). If moneys are not fully expended, they shall be  
20 returned to the Illinois Department of Agriculture, Bureau of  
21 County Fairs and Horse Racing. The provisions of this Section  
22 shall not apply to more than one show or exhibition per  
23 calendar year of any one class or type of project work. Based  
24 on each year's specified appropriation and as determined by the  
25 Department, the county or extension unit ~~The clubs~~ shall  
26 participate ~~in the appropriation~~ at a rate predetermined by the  
27 Bureau of not less than \$10.50 per eligible member enrolled for  
28 the year as recorded in the State "4-H" Office. The rate per  
29 member shall be specified for each year in the Act making the  
30 appropriation for this purpose. In addition, \$400 per county is  
31 allotted for judges' fees.

32 The extension leader ~~Extension Leader~~ of each county ~~County~~  
33 or unit ~~Unit~~ shall certify to the State "4-H" Officer under

1 oath, on a form furnished by the Department, the amount paid  
2 out in premiums, judges' fees, and ribbons at the show or  
3 exhibition for the current year, and the name of the officer or  
4 organization making the payments and the number of eligible  
5 members ~~enrolled~~ for the current year. This certification shall  
6 be accompanied by itemized receipts as evidence of the  
7 certified amounts, and it must be filed with the Department  
8 before December 31 of each year. Upon receipt of the  
9 certification the Department shall reimburse the officer or  
10 organization making the payments in accordance with the  
11 provisions of this Section.

12 ~~If the amount appropriated by the General Assembly for the~~  
13 ~~payments of the premiums is insufficient to pay in full the~~  
14 ~~amount which the Extension "4 H" Groups are entitled, the sum~~  
15 ~~shall be prorated among all those entitled to it.~~

16 ~~If after all approved claims are paid and there remains any~~  
17 ~~amount of the appropriation, the remaining portion shall be~~  
18 ~~distributed as a grant to the participating Cooperative~~  
19 ~~Extension "4 H" Groups. These monies shall be granted on a~~  
20 ~~prorated basis of membership. A fiscal accounting of the~~  
21 ~~expenditures of the grant monies shall be filed with the~~  
22 ~~Department no later than December 31 of the year in which the~~  
23 ~~club receives such grant monies.~~

24 (Source: P.A. 91-934, eff. 6-1-01.)

25 (30 ILCS 120/16) (from Ch. 85, par. 666)

26 Sec. 16. Agricultural education. ~~Vocational~~ Agricultural  
27 Education Section Fairs, which shall not be located in more  
28 than 25 sections, shall be organized and conducted under the  
29 supervision of the Department ~~State Board of Education~~. The  
30 Department ~~State Board of Education~~ shall designate the  
31 sections of the State for Agricultural Education ~~Vocational~~  
32 ~~Agricultural~~ Fairs. These fairs shall participate in an  
33 appropriation ~~appropriations~~ at a rate designated by the Bureau

1 that is in compliance with the current year's appropriation of  
2 ~~not less than \$10,250~~ for each section holding an Agricultural  
3 Education a Vocational Agricultural Section Fair or Fairs  
4 during the current year.

5 ~~The rate per section shall be specified for each year in~~  
6 ~~the Act making the appropriation for this purpose.~~ Such monies  
7 are to be paid as premiums awarded to agricultural education  
8 ~~vocational agricultural~~ students exhibiting livestock or  
9 agricultural products at the fair or fairs in the section in  
10 which the student resides. No premium shall be duplicated for  
11 any particular exhibition of livestock or agricultural  
12 products in the fair or fairs held in any one section.

13 ~~The State Board of Education shall certify to the~~  
14 ~~Department, under oath, at least 10 days prior to the holding~~  
15 ~~of any sections fair, a list of all premiums to be offered at~~  
16 ~~that fair.~~ Within 30 days after the close of the fair, a  
17 section fair manager as designated by the Department ~~the~~  
18 ~~Supervisor~~ shall certify to the Department, ~~7~~ under oath, ~~7~~ on  
19 ~~blank~~ forms furnished by the Department, ~~7~~ a detailed report of  
20 premium awards ~~financial statement~~ showing all premiums  
21 awarded to agricultural education ~~vocational agricultural~~  
22 students at that fair. Warrants shall be issued by the State  
23 Comptroller payable to the agricultural education teacher or  
24 teachers ~~persons entitled to them~~ on vouchers certified by the  
25 Department.

26 If after all approved claims are paid there remains any  
27 amount of the appropriation, the remaining portion shall be  
28 distributed equally among the participating agricultural  
29 education ~~vocational agricultural~~ section fairs to be expended  
30 for the purposes set forth in this Section. A fiscal accounting  
31 of the expenditure of funds distributed under this paragraph  
32 shall be filed with the Department by each participating fair  
33 not later than one year after the date of its receipt of such  
34 funds.

1 (Source: P.A. 81-159.)

2 (30 ILCS 120/17) (from Ch. 85, par. 667)

3 Sec. 17. Fair and expositions. Any county fair eligible to  
4 participate in appropriations made from the Agricultural  
5 Premium Fund, except in counties where a Fair and Exposition  
6 Authority participated in the appropriation in 1999, may elect  
7 instead in any odd numbered year to participate in the  
8 appropriation from the Fair and Exposition Fund. The Department  
9 must be notified of such election by January 1 of the year of  
10 participation in that fund. Any such election shall be binding  
11 for 4 calendar years. No county fair shall participate for the  
12 same calendar year in appropriations under both this Fund and  
13 the Agricultural Premium Fund.

14 In counties where a Fair and Exposition Authority  
15 participated in 1999, the Authority shall continue to  
16 participate in the appropriation from the Fair and Exposition  
17 Fund. The Fair and Exposition Authority shall consist of 7  
18 members appointed by the county board chairman with the advice  
19 and consent of the county board.

20 (Source: P.A. 91-934, eff. 6-1-01.)

21 (30 ILCS 120/18) (from Ch. 85, par. 668)

22 Sec. 18. Money shall be paid into the Fair and Exposition  
23 Fund by the Illinois Racing Board, as provided in Section 28 of  
24 the Illinois Horse Racing Act of 1975. The General Assembly  
25 shall from time to time make appropriations payable from such  
26 fund to the Department for distribution to county fairs and to  
27 any Fair and Exposition Authority that participated in the  
28 appropriation in 1999. Such appropriations shall be  
29 distributed by the Department to county fairs which are  
30 eligible to participate in appropriations made from the  
31 Agricultural Premium Fund but which elect instead to  
32 participate in appropriations made from the Fair and Exposition



1 Fund and to Fair and Exposition Authorities that participated  
2 in the appropriation in 1999. If a county has more than one  
3 county fair, such fairs shall jointly elect to participate  
4 either in appropriations made from the Agricultural Premium  
5 Fund or in appropriations made from the Fair and Exposition  
6 Fund. All participating county fairs of the same county shall  
7 participate in the same appropriation. Except as otherwise  
8 allowed by the Director, a participant, to be eligible to  
9 expend moneys appropriated from the Fair and Exposition Fund  
10 for the purchase of new or additional land construction or  
11 maintenance of buildings, grounds, facilities, infrastructure,  
12 or any improvement to the grounds must hold the land on which  
13 such fair or exposition is to be conducted as a fee or under a  
14 lease of at least 20 years, the terms of which require the  
15 lessee to have continuous possession of the land during every  
16 day of the lease period, or must be owned by the fair  
17 association participating in this disbursement, by an  
18 agricultural society, or by a fair and exposition authority.

19 (Source: P.A. 91-934, eff. 6-1-01.)

20 (30 ILCS 120/20) (from Ch. 85, par. 670)

21 Sec. 20. Appropriations made from the Fair and Exposition  
22 Fund may be used for financing agricultural, educational, trade  
23 and scientific exhibits; for premium and award purposes as set  
24 forth in subsections (a) through (e) of Section 9; and for  
25 other expenses incurred by the fair that are directly related  
26 to the operation of the fair and approved by rule by the  
27 Department if the participant holds the land on which the fair  
28 or exposition is conducted as a fee or is under a lease of at  
29 least 20 years (the terms of which require the lessee to have  
30 continuous possession of the land during every day of the lease  
31 period), or is owned by the fair association participating in  
32 this disbursement, by an agricultural society, or by a fair and  
33 exposition authority, except as otherwise allowed by the

1 Director.

2 ~~In addition, county fairs eligible to participate in the~~  
3 ~~Fair and Exposition Fund appropriation that hold the land on~~  
4 ~~which the county fair is conducted as a fee or under a lease of~~  
5 ~~at least 20 years, the terms of which require the lessee to~~  
6 ~~have continuous possession of the land during every day of the~~  
7 ~~lease period, or as otherwise allowed by the Director, may be~~  
8 ~~reimbursed for expenditures for purchase of new or additional~~  
9 ~~land, construction or maintenance of buildings, facilities,~~  
10 ~~grounds, or infrastructure, or improvements to the grounds.~~

11 (Source: P.A. 91-934, eff. 6-1-01.)".