



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB0005

Introduced 1/15/2015, by Sen. John J. Cullerton

SYNOPSIS AS INTRODUCED:

20 ILCS 105/4.01	from Ch. 23, par. 6104.01
20 ILCS 605/605-807	
20 ILCS 630/2	from Ch. 48, par. 2402
20 ILCS 630/3	from Ch. 48, par. 2403
20 ILCS 630/5	from Ch. 48, par. 2405
20 ILCS 1005/1005-155	
20 ILCS 1005/1005-170 new	
20 ILCS 1005/1005-175 new	
20 ILCS 1005/1005-180 new	
20 ILCS 3975/7.2	
20 ILCS 4010/2008 new	
305 ILCS 5/9A-3	from Ch. 23, par. 9A-3

Amends the Department of Employment Security Law of the Civil Administrative Code of Illinois. Provides that, beginning on the effective date of this amendatory Act, the Senior Community Service Employment Program, the federal Illinois Trade Adjustment Assistance Program, the federal Workforce Investment Act of 1998, the federal Workforce Investment Opportunity Act, the Everyone Works Initiative, and the Developmental Disability Placement Group are transferred to the Department of Employment Security. Amends the Illinois Act on Aging, the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois, the Illinois Emergency Employment Development Act, the Illinois Workforce Investment Board Act, the Illinois Council on Developmental Disabilities Law, and the Illinois Public Aid Code to make conforming changes.

LRB099 04203 JWD 24225 b

1 AN ACT concerning State government.

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

4 Section 5. The Illinois Act on the Aging is amended by
5 changing Section 4.01 as follows:

6 (20 ILCS 105/4.01) (from Ch. 23, par. 6104.01)

7 Sec. 4.01. Additional powers and duties of the Department.

8 In addition to powers and duties otherwise provided by law, the
9 Department shall have the following powers and duties:

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

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

19 (2-a) To request, receive, and share information
20 electronically through the use of data-sharing agreements for
21 the purpose of (i) establishing and verifying the initial and
22 continuing eligibility of older adults to participate in
23 programs administered by the Department; (ii) maximizing

1 federal financial participation in State assistance
2 expenditures; and (iii) investigating allegations of fraud or
3 other abuse of publicly funded benefits. Notwithstanding any
4 other law to the contrary, but only for the limited purposes
5 identified in the preceding sentence, this paragraph (2-a)
6 expressly authorizes the exchanges of income, identification,
7 and other pertinent eligibility information by and among the
8 Department and the Social Security Administration, the
9 Department of Employment Security, the Department of
10 Healthcare and Family Services, the Department of Human
11 Services, the Department of Revenue, the Secretary of State,
12 the U.S. Department of Veterans Affairs, and any other
13 governmental entity. The confidentiality of information
14 otherwise shall be maintained as required by law. In addition,
15 the Department on Aging shall verify employment information at
16 the request of a community care provider for the purpose of
17 ensuring program integrity under the Community Care Program.

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

21 (4) To receive and disburse State and federal funds made
22 available directly to the Department including those funds made
23 available under the Older Americans Act ~~and the Senior~~
24 ~~Community Service Employment Program~~ for providing services
25 for senior citizens and minority senior citizens or for
26 purposes related thereto, and shall develop and administer any

1 State Plan for the Aging required by federal law.

2 (5) To solicit, accept, hold, and administer in behalf of
3 the State any grants or legacies of money, securities, or
4 property to the State of Illinois for services to senior
5 citizens and minority senior citizens or purposes related
6 thereto.

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

10 (7) To promote community education regarding the problems
11 of senior citizens and minority senior citizens through
12 institutes, publications, radio, television and the local
13 press.

14 (8) To cooperate with agencies of the federal government in
15 studies and conferences designed to examine the needs of senior
16 citizens and minority senior citizens and to prepare programs
17 and facilities to meet those needs.

18 (9) To establish and maintain information and referral
19 sources throughout the State when not provided by other
20 agencies.

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

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

25 (12) To establish and fund programs or projects or
26 experimental facilities that are specially designed as

1 alternatives to institutional care.

2 (13) To develop a training program to train the counselors
3 presently employed by the Department's aging network to provide
4 Medicare beneficiaries with counseling and advocacy in
5 Medicare, private health insurance, and related health care
6 coverage plans. The Department shall report to the General
7 Assembly on the implementation of the training program on or
8 before December 1, 1986.

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

15 (15) To present one award annually in each of the
16 categories of community service, education, the performance
17 and graphic arts, and the labor force to outstanding Illinois
18 senior citizens and minority senior citizens in recognition of
19 their individual contributions to either community service,
20 education, the performance and graphic arts, or the labor
21 force. The awards shall be presented to 4 senior citizens and
22 minority senior citizens selected from a list of 44 nominees
23 compiled annually by the Department. Nominations shall be
24 solicited from senior citizens' service providers, area
25 agencies on aging, senior citizens' centers, and senior
26 citizens' organizations. The Department shall establish a

1 central location within the State to be designated as the
2 Senior Illinoisans Hall of Fame for the public display of all
3 the annual awards, or replicas thereof.

4 (16) To establish multipurpose senior centers through area
5 agencies on aging and to fund those new and existing
6 multipurpose senior centers through area agencies on aging, the
7 establishment and funding to begin in such areas of the State
8 as the Department shall designate by rule and as specifically
9 appropriated funds become available.

10 (17) To develop the content and format of the
11 acknowledgment regarding non-recourse reverse mortgage loans
12 under Section 6.1 of the Illinois Banking Act; to provide
13 independent consumer information on reverse mortgages and
14 alternatives; and to refer consumers to independent counseling
15 services with expertise in reverse mortgages.

16 (18) To develop a pamphlet in English and Spanish which may
17 be used by physicians licensed to practice medicine in all of
18 its branches pursuant to the Medical Practice Act of 1987,
19 pharmacists licensed pursuant to the Pharmacy Practice Act, and
20 Illinois residents 65 years of age or older for the purpose of
21 assisting physicians, pharmacists, and patients in monitoring
22 prescriptions provided by various physicians and to aid persons
23 65 years of age or older in complying with directions for
24 proper use of pharmaceutical prescriptions. The pamphlet may
25 provide space for recording information including but not
26 limited to the following:

- 1 (a) name and telephone number of the patient;
- 2 (b) name and telephone number of the prescribing
3 physician;
- 4 (c) date of prescription;
- 5 (d) name of drug prescribed;
- 6 (e) directions for patient compliance; and
- 7 (f) name and telephone number of dispensing pharmacy.

8 In developing the pamphlet, the Department shall consult
9 with the Illinois State Medical Society, the Center for
10 Minority Health Services, the Illinois Pharmacists Association
11 and senior citizens organizations. The Department shall
12 distribute the pamphlets to physicians, pharmacists and
13 persons 65 years of age or older or various senior citizen
14 organizations throughout the State.

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

17 (20) The reimbursement rates paid through the community
18 care program for chore housekeeping services and home care
19 aides shall be the same.

20 (21) From funds appropriated to the Department from the
21 Meals on Wheels Fund, a special fund in the State treasury that
22 is hereby created, and in accordance with State and federal
23 guidelines and the intrastate funding formula, to make grants
24 to area agencies on aging, designated by the Department, for
25 the sole purpose of delivering meals to homebound persons 60
26 years of age and older.

1 (22) To distribute, through its area agencies on aging,
2 information alerting seniors on safety issues regarding
3 emergency weather conditions, including extreme heat and cold,
4 flooding, tornadoes, electrical storms, and other severe storm
5 weather. The information shall include all necessary
6 instructions for safety and all emergency telephone numbers of
7 organizations that will provide additional information and
8 assistance.

9 (23) To develop guidelines for the organization and
10 implementation of Volunteer Services Credit Programs to be
11 administered by Area Agencies on Aging or community based
12 senior service organizations. The Department shall hold public
13 hearings on the proposed guidelines for public comment,
14 suggestion, and determination of public interest. The
15 guidelines shall be based on the findings of other states and
16 of community organizations in Illinois that are currently
17 operating volunteer services credit programs or demonstration
18 volunteer services credit programs. The Department shall offer
19 guidelines for all aspects of the programs including, but not
20 limited to, the following:

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

22 (b) types of services to be received upon the
23 redemption of service credits;

24 (c) issues of liability for the volunteers and the
25 administering organizations;

26 (d) methods of tracking service credits earned and

1 service credits redeemed;

2 (e) issues of time limits for redemption of service
3 credits;

4 (f) methods of recruitment of volunteers;

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

8 (h) accountability and assurance that services will be
9 available to individuals who have earned service credits;

10 and

11 (i) volunteer screening and qualifications.

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

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

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

26 (Source: P.A. 98-8, eff. 5-3-13; 98-49, eff. 7-1-13; 98-380,

1 eff. 8-16-13; 98-756, eff. 7-16-14.)

2 Section 10. The Department of Commerce and Economic
3 Opportunity Law of the Civil Administrative Code of Illinois is
4 amended by changing Section 605-807 as follows:

5 (20 ILCS 605/605-807)

6 Sec. 605-807. Federal Workforce Training Fund.

7 (a) The Federal Workforce Training Fund is created as a
8 special fund in the State treasury. The Department of
9 Employment Security may accept gifts, grants, awards, matching
10 contributions, interest income, appropriations, and cost
11 sharings from individuals, businesses, governments, and other
12 third party sources, on terms that the Director of the
13 Department of Employment Security deems advisable. Moneys
14 received under this Section may be expended for purposes
15 consistent with the conditions under which those moneys are
16 received, subject to appropriations made by the General
17 Assembly for those purposes.

18 (b) Beginning on the effective date of this amendatory Act
19 of the 93rd General Assembly, all moneys received by the State
20 pursuant to the federal Workforce Investment Act or Section
21 403(a)(5) of the federal Social Security Act shall be deposited
22 into the Federal Workforce Training Fund, to be used for
23 purposes consistent with the conditions under which those
24 moneys are received by the State, except that any moneys

1 received pursuant to the federal Workforce Investment Act and
2 necessary to pay liabilities incurred in connection with that
3 Act and outstanding as of June 30, 2003, or any moneys received
4 pursuant to Section 403(a)(5) of the federal Social Security
5 Act and necessary to pay liabilities incurred in connection
6 with that Act and outstanding as of June 30, 2003, shall be
7 deposited into the Title III Social Security and Employment
8 Fund.

9 On September 1, 2003, or as soon thereafter as may be
10 reasonably practical, the State Comptroller shall transfer all
11 unobligated moneys received by the State pursuant to the
12 federal Workforce Investment Act or Section 403(a)(5) of the
13 federal Social Security Act from the Title III Social Security
14 and Employment Fund to the Federal Workforce Training Fund. The
15 moneys transferred pursuant to this Amendatory Act of the 93rd
16 General Assembly may be used or expended for purposes
17 consistent with the conditions under which those moneys were
18 received by the State.

19 (c) Beginning on the effective date of this amendatory Act
20 of the 93rd General Assembly, all moneys received by the State
21 pursuant to the federal Illinois Trade Adjustment Assistance
22 Program shall be deposited into the Federal Workforce Training
23 Fund, to be used for purposes consistent with the conditions
24 under which those moneys are received by the State, except that
25 any moneys received pursuant to the federal Illinois Trade
26 Adjustment Assistance Program and necessary to pay liabilities

1 incurred in connection with that program and outstanding as of
2 June 30, 2003, shall be deposited into the Title III Social
3 Security and Employment Fund.

4 On July 1, 2003 or as soon thereafter as may be reasonably
5 practical, the State Comptroller shall make one or more
6 transfers of all moneys received by the State pursuant to the
7 federal Illinois Trade Adjustment Assistance Program in excess
8 of those necessary to pay liabilities in connection with that
9 program and outstanding as of June 30, 2003 from the Title III
10 Social Security and Employment Fund to the Federal Workforce
11 Training Fund. The moneys transferred pursuant to this
12 amendatory Act of the 93rd General Assembly may be used or
13 expended for purposes consistent with the conditions under
14 which those moneys were received by the State.

15 (d) Beginning on the effective date of this amendatory Act
16 of the 99th General Assembly, the provisions of this Section
17 shall be administered by the Department of Employment Security.

18 (Source: P.A. 93-25, eff. 6-20-03.)

19 Section 15. The Illinois Emergency Employment Development
20 Act is amended by changing Sections 2, 3, and 5 as follows:

21 (20 ILCS 630/2) (from Ch. 48, par. 2402)

22 Sec. 2. For the purposes of this Act, the following words
23 have the meanings ascribed to them in this Section.

24 (a) "Advisory Committee" means the 21st Century Workforce

1 Development Fund Advisory Committee, established under the
2 21st Century Workforce Development Fund Act.

3 (b) "Coordinator" means the Illinois Emergency Employment
4 Development Coordinator appointed under Section 3.

5 (c) "Department" means the Illinois Department of
6 Employment Security ~~Commerce and Economic Opportunity~~.

7 (d) "Director" means the Director of Employment Security
8 ~~Commerce and Economic Opportunity~~.

9 (e) "Eligible business" means a for-profit business.

10 (f) "Eligible employer" means an eligible nonprofit
11 agency, or an eligible business.

12 (g) "Eligible job applicant" means a person who (1) has
13 been a resident of this State for at least one year; and (2) is
14 unemployed; and (3) is not receiving and is not qualified to
15 receive unemployment compensation or workers' compensation;
16 and (4) is determined by the employment administrator to be
17 likely to be available for employment by an eligible employer
18 for the duration of the job.

19 (h) "Eligible nonprofit agency" means an organization
20 exempt from taxation under the Internal Revenue Code of 1954,
21 Section 501(c)(3).

22 (i) "Employment administrator" means the administrative
23 entity designated by the Coordinator, and approved by the
24 Advisory Committee, to administer the provisions of this Act in
25 each service delivery area. With approval of the Advisory
26 Committee, the Coordinator may designate an administrative

1 entity authorized under the Workforce Investment Act or
2 private, public, or non-profit entities that have proven
3 effectiveness in providing training, workforce development,
4 and job placement services to low-income individuals.

5 (j) "Fringe benefits" means all non-salary costs for each
6 person employed under the program, including, but not limited
7 to, workers compensation, unemployment insurance, and health
8 benefits, as would be provided to non-subsidized employees
9 performing similar work.

10 (k) "Household" means a group of persons living at the same
11 residence consisting of, at a maximum, spouses and the minor
12 children of each.

13 (l) "Program" means the Illinois Emergency Employment
14 Development Program created by this Act consisting of new job
15 creation in the private sector.

16 (m) "Service delivery area" means an area designated as a
17 Local Workforce Investment Area by the State.

18 (n) "Workforce Investment Act" means the federal Workforce
19 Investment Act of 1998, any amendments to that Act, and any
20 other applicable federal statutes.

21 (Source: P.A. 97-581, eff. 8-26-11.)

22 (20 ILCS 630/3) (from Ch. 48, par. 2403)

23 Sec. 3. Illinois Emergency Employment Development
24 Coordinator.

25 (a) The governor shall appoint an Illinois Emergency

1 Employment Development Coordinator to administer the
2 provisions of this Act. The coordinator shall be within the
3 Department of Employment Security ~~Commerce and Economic~~
4 ~~Opportunity~~, but shall be responsible directly to the governor.
5 The coordinator shall have the powers necessary to carry out
6 the purpose of the program.

7 (b) The coordinator shall:

8 (1) recommend one or more Employment Administrators
9 for each service delivery area for approval by the Advisory
10 Committee, with recommendations based on the demonstrated
11 ability of the Employment Administrator to identify and
12 address local needs;

13 (2) enter into a contract with one or more Employment
14 Administrators in each service delivery area;

15 (3) assist the Employment Administrator in developing
16 a satisfactory plan if an Employment Administrator submits
17 one that does not conform to program requirements;

18 (4) convene and provide staff support to the Advisory
19 Committee;

20 (5) coordinate the program with other State agencies
21 and services including public benefits and workforce
22 programs for unemployed individuals; and

23 (6) perform general program marketing and monitoring
24 functions.

25 (c) The coordinator shall administer the program within the
26 Department of Employment Security ~~Commerce and Economic~~

1 ~~Opportunity~~. The Director of Employment Security ~~Commerce and~~
2 ~~Economic Opportunity~~ shall provide administrative support
3 services to the coordinator for the purposes of the program.

4 (d) The coordinator shall report to the Governor, the
5 Advisory Committee, and the General Assembly on a quarterly
6 basis concerning (1) the number of persons employed under the
7 program; (2) the number and type of employers under the
8 program; (3) the amount of money spent in each service delivery
9 area for wages for each type of employment and each type of
10 other expenses; (4) the number of persons who have completed
11 participation in the program and their current employment,
12 educational or training status; (5) any information requested
13 by the General Assembly, the Advisory Committee, or governor or
14 deemed pertinent by the coordinator; and (6) any identified
15 violations of this Act and actions taken. Each report shall
16 include cumulative information, as well as information for each
17 quarter.

18 (e) Rules. The Director of Employment Security ~~Commerce and~~
19 ~~Economic Opportunity~~, with the advice of the coordinator and
20 the Advisory Committee, shall adopt rules for the
21 administration and enforcement of this Act.

22 (Source: P.A. 96-995, eff. 1-1-11; 97-581, eff. 8-26-11.)

23 (20 ILCS 630/5) (from Ch. 48, par. 2405)

24 Sec. 5. (a) Allocation of funds among eligible job
25 applicants within a service delivery area shall be determined

1 by the Private Industry Council for each such service delivery
2 area. The Private Industry Council shall give priority to

3 (1) applicants living in households with no other
4 income source; and

5 (2) applicants who would otherwise be eligible to
6 receive general assistance.

7 (b) Allocation of funds among eligible employers within
8 each service delivery area shall be determined by the Private
9 Industry Council for each such area according to the priorities
10 which the Director of Employment Security ~~Commerce and Economic~~
11 ~~Opportunity~~, upon recommendation of the coordinator, shall by
12 rule establish. The Private Industry Council shall give
13 priority to funding private sector jobs to the extent that
14 businesses apply for funds.

15 (Source: P.A. 94-793, eff. 5-19-06.)

16 Section 20. The Department of Employment Security Law of
17 the Civil Administrative Code of Illinois is amended by
18 changing Section 1005-155 and by adding Sections 1005-170,
19 1005-175, and 1005-180 as follows:

20 (20 ILCS 1005/1005-155)

21 Sec. 1005-155. Illinois Employment and Training Centers
22 report. The Department of Employment Security, or the State
23 agency responsible for the oversight of the federal Workforce
24 Investment Act of 1998 if that agency is not the Department of

1 Employment Security, shall prepare a report for the Governor
2 and the General Assembly regarding the progress of the Illinois
3 Employment and Training Centers in serving individuals with
4 disabilities. The report must include, but is not limited to,
5 the following: (i) the number of individuals referred to the
6 Illinois Employment and Training Centers by the Department of
7 Human Services Office of Rehabilitation Services; (ii) the
8 total number of disabled individuals served by the Illinois
9 Employment and Training Centers; (iii) the number of disabled
10 individuals served in federal Workforce Investment Act of 1998
11 employment and training programs; (iv) the number of
12 individuals with disabilities annually placed in jobs by the
13 Illinois Employment and Training Centers; and (v) the number of
14 individuals with disabilities referred by the Illinois
15 Employment and Training Centers to the Department of Human
16 Services Office of Rehabilitation Services. The report is due
17 by December 31, 2004 based on the previous State program year
18 of July 1 through June 30, and is due annually thereafter.
19 "Individuals with disabilities" are defined as those who
20 self-report as being qualified as disabled under the 1973
21 Rehabilitation Act or the 1990 Americans with Disabilities Act,
22 for the purposes of this Law.

23 Beginning on the effective date of this amendatory Act of
24 the 99th General Assembly, the Department of Employment
25 Security shall be the State agency responsible for the
26 oversight of the federal Workforce Investment Act of 1998, and

1 its successor the federal Workforce Investment Opportunity
2 Act.

3 (Source: P.A. 93-639, eff. 6-1-04.)

4 (20 ILCS 1005/1005-170 new)

5 Sec. 1005-170. Transfer of programs; Department of
6 Commerce and Economic Opportunity.

7 (a) Beginning on the effective date of this amendatory Act
8 of the 99th General Assembly, all rights and responsibilities
9 under the following programs and Acts are transferred to and
10 administered by the Department of Employment Security: the
11 Senior Community Service Employment Program; the federal
12 Illinois Trade Adjustment Assistance Program; and the federal
13 Workforce Investment Act of 1998, together with its successor,
14 the federal Workforce Investment Opportunity Act.

15 (b) The personnel of the Department of Commerce and
16 Economic Opportunity administering the programs listed in
17 subsection (a) of this Section shall be transferred to the
18 Department of Employment Security at the discretion of the
19 Director of Employment Security. The status and rights of such
20 employees under the Personnel Code shall not be affected by the
21 transfer. The rights of the employees and the State of Illinois
22 and its agencies under the Personnel Code and applicable
23 collective bargaining agreements or under any pension,
24 retirement, or annuity plan shall not be affected by this
25 amendatory Act. To the extent that an employee performs duties

1 for the programs listed in subsection (a) of this Section
2 within the Department of Commerce and Economic Opportunity or
3 any other State agency, that employee shall be transferred at
4 the discretion of the Director of Employment Security.

5 (c) All books, records, papers, documents, property (real
6 and personal), contracts, causes of action, and pending
7 business pertaining to the powers, duties, rights, and
8 responsibilities transferred by this amendatory Act from the
9 Department of Commerce and Economic Opportunity or any other
10 State agency, including, but not limited to, material in
11 electronic or magnetic format and necessary computer hardware
12 and software, shall be transferred to the Department of
13 Employment Security.

14 (d) All unexpended appropriations and balances and other
15 funds available for use by the Department of Commerce and
16 Economic Opportunity or any other State agency for the programs
17 listed in subsection (a) of this Section shall be transferred
18 for use by the Department of Employment Security at the
19 direction of the Governor. Unexpended balances so transferred
20 shall be expended only for the purpose for which the
21 appropriations were originally made.

22 (e) The powers, duties, rights, and responsibilities
23 transferred from the Department of Commerce and Economic
24 Opportunity or any other State agency by this amendatory Act
25 shall be vested in and shall be exercised by the Department of
26 Employment Security.

1 (f) Whenever reports or notices are now required to be made
2 or given or papers or documents furnished or served by any
3 person to or upon the Department of Commerce and Economic
4 Opportunity or any other State agency in connection with any of
5 the powers, duties, rights, and responsibilities transferred
6 by this amendatory Act, the same shall be made, given,
7 furnished, or served in the same manner to or upon the
8 Department of Employment Security.

9 (g) This amendatory Act does not affect any act done,
10 ratified, or canceled or any right occurring or established or
11 any action or proceeding had or commenced in an administrative,
12 civil, or criminal cause by the Department of Commerce and
13 Economic Opportunity or any other State agency before this
14 amendatory Act takes effect; such actions or proceedings may be
15 prosecuted and continued by the Department of Employment
16 Security.

17 (h) Any rules of the Department of Commerce and Economic
18 Opportunity or any other State agency that relate to the
19 powers, duties, rights, and responsibilities transferred by
20 this amendatory Act and that are in full force on the effective
21 date of this amendatory Act shall become the rules of the
22 Department of Employment Security. This amendatory Act does not
23 affect the legality of any such rules in the Illinois
24 Administrative Code.

25 Any proposed rules filed with the Secretary of State by the
26 Department of Commerce and Economic Opportunity or any other

1 State agency that are pending in the rulemaking process on the
2 effective date of this amendatory Act and pertain to the
3 powers, duties, rights, and responsibilities transferred,
4 shall be deemed to have been filed by the Department of
5 Employment Security. As soon as practicable hereafter, the
6 Department of Employment Security shall revise and clarify the
7 rules transferred to it under this amendatory Act to reflect
8 the reorganization of powers, duties, rights, and
9 responsibilities affected by this amendatory Act, using the
10 procedures for recodification of rules available under the
11 Illinois Administrative Procedure Act, except that existing
12 title, part, and section numbering for the affected rules may
13 be retained. The Department of Employment Security may propose
14 and adopt under the Illinois Administrative Procedure Act such
15 other rules of the Department of Commerce and Economic
16 Opportunity or any other State agency that will now be
17 administered by the Department of Employment Security.

18 (i) Beginning on the effective date of this amendatory Act
19 of the 99th General Assembly, all references to the Department
20 of Commerce and Economic Opportunity regarding the programs and
21 Acta listed in subsection (a) of this Section shall be
22 construed as references to the Department of Employment
23 Security.

24 (20 ILCS 1005/1005-175 new)

25 Sec. 1005-175. Transfer of programs; Council on

1 Developmental Disabilities.

2 (a) Beginning on the effective date of this amendatory Act
3 of the 99th General Assembly, the Everyone Works Initiative and
4 Developmental Disability Placement Group of the Council on
5 Developmental Disabilities are transferred to and administered
6 by the Department of Employment Security.

7 (b) The personnel of the Council on Developmental
8 Disabilities administering the programs listed in subsection
9 (a) of this Section shall be transferred to the Department of
10 Employment Security at the discretion of the Director of
11 Employment Security. The status and rights of such employees
12 under the Personnel Code shall not be affected by the transfer.
13 The rights of the employees and the State of Illinois and its
14 agencies under the Personnel Code and applicable collective
15 bargaining agreements or under any pension, retirement, or
16 annuity plan shall not be affected by this amendatory Act. To
17 the extent that an employee performs duties for the programs
18 listed in subsection (a) of this Section within the Council on
19 Developmental Disabilities, that employee shall be transferred
20 at the discretion of the Director of Employment Security.

21 (c) All books, records, papers, documents, property (real
22 and personal), contracts, causes of action, and pending
23 business pertaining to the powers, duties, rights, and
24 responsibilities transferred by this amendatory Act from the
25 Council on Developmental Disabilities, including, but not

1 limited to, material in electronic or magnetic format and
2 necessary computer hardware and software, shall be transferred
3 to the Department of Employment Security.

4 (d) All unexpended appropriations and balances and other
5 funds available for use by the Council on Developmental
6 Disabilities for the programs listed in subsection (a) of this
7 Section shall be transferred for use by the Department of
8 Employment Security at the direction of the Governor.
9 Unexpended balances so transferred shall be expended only for
10 the purpose for which the appropriations were originally made.

11 (e) The powers, duties, rights, and responsibilities
12 transferred from the Council on Developmental Disabilities by
13 this amendatory Act shall be vested in and shall be exercised
14 by the Department of Employment Security.

15 (f) Whenever reports or notices are now required to be made
16 or given or papers or documents furnished or served by any
17 person to or upon the Council on Developmental Disabilities in
18 connection with any of the powers, duties, rights, and
19 responsibilities transferred by this amendatory Act, the same
20 shall be made, given, furnished, or served in the same manner
21 to or upon the Department of Employment Security.

22 (g) This amendatory Act does not affect any act done,
23 ratified, or canceled or any right occurring or established or
24 any action or proceeding had or commenced in an administrative,
25 civil, or criminal cause by the Council on Developmental
26 Disabilities before this amendatory Act takes effect; such

1 actions or proceedings may be prosecuted and continued by the
2 Department of Employment Security.

3 (h) Any rules of the Council on Developmental Disabilities
4 that relate to the powers, duties, rights, and responsibilities
5 transferred by this amendatory Act and that are in full force
6 on the effective date of this amendatory Act shall become the
7 rules of the Department of Employment Security. This amendatory
8 Act does not affect the legality of any such rules in the
9 Illinois Administrative Code.

10 Any proposed rules filed with the Secretary of State by the
11 Council on Developmental Disabilities that are pending in the
12 rulemaking process on the effective date of this amendatory Act
13 and pertain to the powers, duties, rights, and responsibilities
14 transferred, shall be deemed to have been filed by the
15 Department of Employment Security. As soon as practicable
16 hereafter, the Department of Employment Security shall revise
17 and clarify the rules transferred to it under this amendatory
18 Act to reflect the reorganization of powers, duties, rights,
19 and responsibilities affected by this amendatory Act, using the
20 procedures for recodification of rules available under the
21 Illinois Administrative Procedure Act, except that existing
22 title, part, and section numbering for the affected rules may
23 be retained. The Department of Employment Security may propose
24 and adopt under the Illinois Administrative Procedure Act such
25 other rules of the Council on Developmental Disabilities that
26 will now be administered by the Department of Employment

1 Security.

2 (20 ILCS 1005/1005-180 new)

3 Sec. 1005-180. Senior Community Service Employment
4 Program. The Department shall receive and disburse State and
5 federal funds made available under the Senior Community Service
6 Employment Program for providing services for senior citizens.

7 Section 25. The Illinois Workforce Investment Board Act is
8 amended by changing Section 7.2 as follows:

9 (20 ILCS 3975/7.2)

10 Sec. 7.2. Posting requirements; Department of Employment
11 Security's ~~Commerce and Economic Opportunity's~~ website. On and
12 after the effective date of this amendatory Act of the 97th
13 General Assembly, the Illinois Workforce Investment Board must
14 annually submit to the Employment Security ~~Department of~~
15 ~~Commerce and Economic Opportunity~~ the following information to
16 be posted on the Department's official Internet website:

17 (1) All agendas and meeting minutes for meetings of the
18 Illinois Workforce Investment Board.

19 (2) All line-item budgets for the local workforce
20 investment areas located within the State.

21 (3) A listing of all contracts and contract values for
22 all workforce development training and service providers.

23 The information required under this Section must be posted

1 on the Department of Employment Security's ~~Commerce and~~
2 ~~Economic Opportunity's~~ Internet website no later than 30 days
3 after the Department receives the information from the Illinois
4 Workforce Investment Board.

5 (Source: P.A. 97-356, eff. 1-1-12.)

6 Section 30. The Illinois Council on Developmental
7 Disabilities Law is amended by adding Section 2008 as follows:

8 (20 ILCS 4010/2008 new)

9 Sec. 2008. Transfer of programs. Beginning on the effective
10 date of this amendatory Act of the 99th General Assembly, the
11 Council's Everyone Works Initiative and Developmental
12 Disability Placement Group shall be transferred to and
13 administered by the Department of Employment Security under
14 Section 1005-175 of the Department of Employment Security Law
15 of the Civil Administrative Code of Illinois.

16 Section 35. The Illinois Public Aid Code is amended by
17 changing Section 9A-3 as follows:

18 (305 ILCS 5/9A-3) (from Ch. 23, par. 9A-3)

19 Sec. 9A-3. Establishment of Program and Level of Services.

20 (a) The Illinois Department shall establish and maintain a
21 program to provide recipients with services consistent with the
22 purposes and provisions of this Article. The program offered in

1 different counties of the State may vary depending on the
2 resources available to the State to provide a program under
3 this Article, and no program may be offered in some counties,
4 depending on the resources available. Services may be provided
5 directly by the Illinois Department or through contract.
6 References to the Illinois Department or staff of the Illinois
7 Department shall include contractors when the Illinois
8 Department has entered into contracts for these purposes. The
9 Illinois Department shall provide each recipient who
10 participates with such services available under the program as
11 are necessary to achieve his employability plan as specified in
12 the plan.

13 (b) The Illinois Department, in operating the program,
14 shall cooperate with public and private education and
15 vocational training or retraining agencies or facilities, the
16 Illinois State Board of Education, the Illinois Community
17 College Board, the Department ~~Departments~~ of Employment
18 Security ~~and Commerce and Economic Opportunity~~ or other
19 sponsoring organizations funded under the federal Workforce
20 Investment Act and other public or licensed private employment
21 agencies.

22 (Source: P.A. 93-598, eff. 8-26-03; 94-793, eff. 5-19-06.)